

# Merton Council

## Sustainable Communities

### Overview and Scrutiny

#### Panel



Date: 15 March 2017  
Time: 7.15 pm  
Venue: Committee rooms C, D & E - Merton Civic Centre, London Road, Morden  
SM4 5DX

#### AGENDA

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8	Update report: externalisation of the South London Waste Partnership Phase C  A verbal report will be provided at the meeting by Chris Lee, Director of Environment and Regeneration.	
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**This is a public meeting – members of the public are very welcome to attend.  
The meeting room will be open to members of the public from 7.00 p.m.**

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## Sustainable Communities Overview and Scrutiny Panel Membership

### Councillors:

Abigail Jones (Chair)  
Daniel Holden (Vice-Chair)  
Stan Anderson  
Michael Bull  
David Chung  
Russell Makin  
John Sargeant  
Imran Uddin

### Substitute Members:

Laxmi Attawar  
Mike Brunt  
Janice Howard  
Abdul Latif  
Edward Foley

### Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

### What is Overview and Scrutiny?

Overview and Scrutiny describes the way Merton's scrutiny councillors hold the Council's Executive (the Cabinet) to account to make sure that they take the right decisions for the Borough. Scrutiny panels also carry out reviews of Council services or issues to identify ways the Council can improve or develop new policy to meet the needs of local people. From May 2008, the Overview & Scrutiny Commission and Panels have been restructured and the Panels renamed to reflect the Local Area Agreement strategic themes.

Scrutiny's work falls into four broad areas:

- ⇒ **Call-in:** If three (non-executive) councillors feel that a decision made by the Cabinet is inappropriate they can 'call the decision in' after it has been made to prevent the decision taking immediate effect. They can then interview the Cabinet Member or Council Officers and make recommendations to the decision-maker suggesting improvements.
- ⇒ **Policy Reviews:** The panels carry out detailed, evidence-based assessments of Council services or issues that affect the lives of local people. At the end of the review the panels issue a report setting out their findings and recommendations for improvement and present it to Cabinet and other partner agencies. During the reviews, panels will gather information, evidence and opinions from Council officers, external bodies and organisations and members of the public to help them understand the key issues relating to the review topic.
- ⇒ **One-Off Reviews:** Panels often want to have a quick, one-off review of a topic and will ask Council officers to come and speak to them about a particular service or issue before making recommendations to the Cabinet.
- ⇒ **Scrutiny of Council Documents:** Panels also examine key Council documents, such as the budget, the Business Plan and the Best Value Performance Plan.

Scrutiny panels need the help of local people, partners and community groups to make sure that Merton delivers effective services. If you think there is something that scrutiny should look at, or have views on current reviews being carried out by scrutiny, let us know.

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# Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at [www.merton.gov.uk/committee](http://www.merton.gov.uk/committee).

## SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL

22 FEBRUARY 2017

(7.15 pm - 9.05 pm)

PRESENT: Councillors Abigail Jones (in the Chair), Daniel Holden, Stan Anderson, David Chung, Russell Makin, John Sargeant, Imran Uddin and John Bowcott

Co-opted Members

ALSO PRESENT: Councillors Nick Draper (Cabinet member for Community and Culture), Ross Garrod (Cabinet Member for Street Cleanliness and Parking), Martin Whelton (Cabinet Member for Regeneration, Environment and Housing), John Hill (Head of Public Protection and Development, ENVR), Anthony Hopkins (Head of Library and Heritage Services), Chris Lee (Director of Environment and Regeneration), Paul McGarry (FutureMerton Manager), James McGinlay (Head of Sustainable Communities), Paul Walshe (Parking Services Manager) and Annette Wiles (Scrutiny Officer)

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Bull (with Councillor Bowcott attending as substitute).

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

Councillor Uddin declared that his office building has benefited from the programme of regeneration in Morden town centre. Councillor Jones declared that she works for National Grid which has an interest in energy companies.

### 3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the previous meeting were agreed as a true and an accurate record.

#### Matters arising

1. Clarion (formerly Circle Housing): members were reminded to send to the Scrutiny Officer their experiences with Clarion following its appearance at the Panel earlier in the year. This is to help inform the Panel about how Clarion will feature in next year's work programme. Councillor Makin noted that he was still to receive communication from Simon Gagen, head of reactive repairs; and
2. Budget resolutions: Chris Lee, Director of Environment and Regeneration, reported that an alternative is being brought forward to replace the proposed budget saving that would have been achieved through the cessation in consultation letters on building applications. This will result from the recently published housing white paper which proposes an increase in planning fees.

#### 4 UPDATE REPORT: ANPR AND PARKING (INCLUDING PAVEMENT PARKING AND RINGO) (Agenda Item 4)

The item was introduced by John Hill, Assistant Director, Public Protection. It was highlighted that the report provides a general update on parking with a focus on major projects and that whilst the purpose of the council's parking strategy is stated in the report additionally there has been significant focus on improving the customer parking offer. It was noted that the Parking and CCTV team comprises 91 staff, is completely resourced in-house, issues 15,000 resident parking permits a year, takes 4,000 calls per month and is responsible for enforcement at the Wimbledon championships and around all the borough's schools. Over the last year, there has been close to a 25% drop in the number of complaints received and an accompanying improvement in the number of appeals against enforcement orders won.

The Automatic Number Plate Recognition (ANPR) system has allowed the automation of what had been a resource heavy manual process. Merton is the first London council to introduce ANPR at such a scale (across the entirety of the borough). This has resulted in a 100% increase in the number of enforcement notices issued. However, it hasn't yet been possible to sign-off the system. There is a good relationship with the contractor (Siemens) and work is currently on-going to optimise the operation of each of the 41 installed cameras. It is anticipated that this work will be completed after Easter at which point it will be possible to provide a sign-off.

Ringo, the cashless payment system, and pavement parking were highlighted as the other major parking initiatives currently on-going.

In response to member questions, officers clarified:

- No final payment has yet been made to the contractor and will not be made until the system is working as per contract requirement. This means making sure that the operation of each camera is optimised (the region of interest for each camera is correctly positioned and triggers to capture data for enforcement);
- Whilst the number of enforcement Penalty Charge Notices (PCNs) issued is behind target this is a 100% increase on the number issued during the same period last year. This has been achieved whilst releasing staff who have been able to go back on foot patrol which has achieved a 20% improvement in enforcement of offences;
- Whilst the number of complaints received isn't benchmarked, it was noted that 46 is a very low number for such a big service;
- It is believed that the decline in parking complaints has resulted from ANPR implementation; it provides incontrovertible evidence of contraventions making it difficult to challenge or complain about PCNs;
- No breakdown can be provided by complaint type. It was suggested that these will potentially have arisen from PCNs issued by foot patrols which are also correlated to the 14% loss in appeals;

- ANPR hasn't reached its financial estimates but the objective of the system is enforcement and not income generation. However, the system has already paid for itself;
- It is anticipated the potential for income growth will be limited by the impact ANPR will have on driver behaviour; it is anticipated that the system will result in fewer enforceable offences being committed;
- Cameras are fixed but it is possible in the future for ANPR to link in with police systems. This will be used to identify known vehicle registrations and notify these to the police for action;
- A 'white list' of exempt vehicles has been collated by the council working in partnership with, for example, buses companies and ambulance services. This is to prevent officer time being wasted on reviewing digital capture of exempt vehicles. It was clarified that this largely means not capturing vehicles that are entitled to use bus lanes. However, buses and other vehicles are entitled to use bus lanes are not exempt from box crossing infringements and will be pursued. ANPR cannot capture speeding by exempt vehicles in bus lanes (the cameras capture static images only and not movement). Speeding offences are enforceable by the police;
- Pavement parking is continually under review. The council is currently enforcing this new policy in 300 of a potential 600 roads. Marked parking bays each need a Traffic Management Order and are subject to a survey and consultation with residents. However, some roads are too narrow to enforce the policy without blocking access for emergency vehicles;
- Any building company that parks its vehicles on the pavement causing damage is responsible for reinstating at its cost. This is enforced through building conditions. Any such damage can be reported to the Highways and Maintenance Team.  
**Action:** Paul McGarry, Head of *futureMerton*, will look at the issue reported at Seymour Avenue; and
- Where there is evidence that crossovers are being installed without permission, they should be reported to Traffic and Highways. Councillor Chung's offered officers the chance to join him on a visit of his Longthornton ward to see the impact crossovers installed incorrectly without permission are having (the impact on disabled residents was specifically noted).

## 5 PERFORMANCE MONITORING (Agenda Item 5)

The performance monitoring item for Environment and Regeneration was introduced by Chris Lee:

- SP417 % Public Spaces CCTV cameras working: it was noted that the investment made in CCTV is now having a demonstrable public benefit on open spaces in Merton. It is supporting the council to work in partnership with the police to tackle crime and antisocial behaviour;
- SP065 % Household waste recycled and composted: this target is not being met. A downturn in volumes is usual for this time of year as there is a decrease in garden waste recycling. However, this is more significant this year. This was highlighted as an issue with an impact on income;

- Planning indicators: these are good and show a much better picture than at the same point last year despite the volume of planning applications being in excess of the numbers anticipated. It was noted that the housing white paper suggested an increase in planning fees as long as this is used to further fund development control. This also suggests a possible additional 20% increase in planning fees where a local authority is meeting its housing targets.

In response to member questions, it was clarified:

- The housing white paper won't affect the percentage of the building control market retained by the council. It was noted that this is a growing and buoyant market with the amount of Merton's work remaining steady even if the share is decreasing;
- Enforcement of planning permission is largely reactionary and triggered by complaints; and
- It was noted that what appears to be a fall in commercial waste income in December is actually the result of how the billing is phased. Overall, this is well ahead of target and it is anticipated the annual total will exceed the annual target.

## 6 ANNUAL REPORT: LIBRARY AND HERITAGE SERVICE (Agenda Item 6)

Anthony Hopkins, Head of the Library, Heritage and Adult Education Service, introduced the item. The report format has been changed to reflect the seven main objectives set out in the libraries strategy of the Department for Culture, Media and Sport. It was highlighted that the schools membership scheme is still the only one of its kind in the country. This is contributing to library usage which is the highest in London. The scheme is now being rolled-out to secondary schools.

Performances at the new Wimbledon library arts space are high quality and well attended. A First World War project has just concluded with a digital archive legacy that is making some information available for the first time. There has been an increase in support for health, literacy and digital literacy and improvements have been made to the digital infrastructure in Merton's libraries. A survey of library users has found record levels of satisfaction.

Upcoming work will focus on reducing costs. This will mainly be achieved through a change in the service structure with periods of self service and reduced staffing during times of low usage in library branches.

The new build of a library in Colliers Wood library is on track. Further work is planned with health and learning partners. Income generation is being achieved by opening coffee shops in library facilities and all performance measures are on track.

In response to member questions, it was clarified:

- Performance is very high. It is benchmarked against that of other councils (Merton is out performing others). However, a drop in performance is anticipated given forthcoming changes to the service structure;
- The *Great Expectations* performance at the Wimbledon Library arts space wasn't an income generating activity – it was subsidised by £19K of Arts Council funding.



However, without the additional funding, the council would not have been left exposed because the model will be for the performance organisers to take the risk;

- All the new coffee shop facilities are being let to commercial providers with the council receiving a guaranteed rental income without having to take any of the risk;
- At times of self-service there will always be a security guard on site as a minimum;
- Overall the new art space at Wimbledon library hasn't had an impact on the level of books stocked. When the building was reconfigured, it was possible not to lose space for lending stock. There has been a reduction in reference stock due to changes in the way customers access information and with some information now made available solely online by publishers. Spend on stock is down but this hasn't had a significant impact on loan levels and usage. Stock borrowing is slightly down but use of e-resources is growing;
- Loyalty schemes are part of the summer reading scheme for 4 – 12 year olds which is a competition to encourage reading. Prizes are being built into the secondary school scheme currently being developed. This will encourage young people to read with prizes offered through sponsorship of the scheme; and
- Faith groups and other community groups are part of the on-going outreach of the heritage strategy to widen participation.

## 7 UPDATE REPORT: TOWN CENTRE REGENERATION (Agenda Item 7)

Paul McGarry, head of *futureMerton*, provided a presentation updating members on the town centre regeneration of Wimbledon, Raynes Park, Morden, Mitcham and Colliers Wood.

The presentation highlighted that in:

- Wimbledon there is a focus on planning, alternative options for Crossrail2, consultation with residents through workshops and development of the Wimbledon masterplan;
- Raynes Park work is on-going to understand the impact of Crossrail2, Next@Home is open, approval has been given for the development of the Times Square retail park and support had been provided for the Raynes Park Christmas events;
- Morden the aspiration is to reinvent the suburb, providing a model for regeneration of other outer London towns. Shop front improvements are happening and work is on-going with Transport for London (TfL) to remodel the one way system around the Civic Centre and relocate the bus station. The Baitul Futuh Mosque rebuild has started with this reflecting architectural details from elsewhere in Morden;
- Mitcham the clock tower restoration and market square regeneration are complete. The quality of the build of the new bus lane was also highlighted; and
- Colliers Wood the tower development will complete this summer with Costa and the Co-op arriving shortly after. Images were also shown to demonstrate the quality and impact of the Baltic Close development which reflects the history of the area.

In response to member questions, it was clarified:

- The timings of the Wimbledon masterplan and CrossRail 2 consultations now seem much better aligned;
- There is awareness of difficulties caused by traffic light failures outside South Wimbledon Station. This is dealt with appropriately by the survey work on-going to inform the masterplan activity;
- Reasons for needing to relocate the buses from outside Morden tube station include air quality, health and safety issues caused by buses reversing, loss in economic activity resulting from passengers moving between the tube and the buses without going passed shops and aesthetic considerations; and
- Selection of a development partner for Morden remains on the existing timeline supported by there being existing planning policies and a development pack establishing the development priorities.

#### 8 COMMERCIALISATION TASK GROUP: EXECUTIVE RESPONSE AND ACTION PLAN (Agenda Item 8)

Chris Lee thanked the task group for its helpful report. He noted the action plan has responded to all of the recommendations. Councillor Draper, Cabinet Member for Community and Culture, highlighted that he expects scrutiny to ensure the council's large scale events are a commercial success.

In response to a member question, it was clarified that an ESCO will be established when there is energy available to sell. It is thought this will occur as part of the Modern town centre regeneration. Legal advice on setting up an ESCO has already been sought, reflecting that this is regarded as a realistic development opportunity and ensuring the council can move swiftly when it is timely to develop a business case.

#### 9 AIR QUALITY TASK GROUP: UPDATE REPORT (Agenda Item 9)

Councillor Uddin, as chair of the task group, highlighted that it is focused on the implementation of the EU's air quality directive and will review the implementation action plan. Additionally, it will look at what infrastructure needs to be put in place to improve air quality including strategic leadership in South-West London.

#### 10 WORK PROGRAMME (Agenda Item 10)

Councillor Martin Whelton noted that he is required to report back to the Panel on the reference it made to him regarding the Belvederes width restriction as are result of the call-in meeting. He gave the Panel his apologies for not having done this sooner and noted that he is still looking at what else might be done including speed restriction signs. He will consult on this and noted that resident groups remain unhappy.

## **Committee: Sustainable Communities Overview and Scrutiny Panel**

**Date: 15 March 2017**

Wards: All

### **Subject: Call-in of the Emissions Levy – Statutory Consultation**

Lead officer: Chris Lee, Director of Environment and Regeneration

Lead member: Councillor Martin Whelton, Cabinet Member for Regeneration, Environment and Housing

Contact officer: Mitra Dubet, futureMerton Commissioning Manager,  
([mitra.dubet@merton.gov.uk](mailto:mitra.dubet@merton.gov.uk)/020 8545 3201

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#### **Recommendations:**

- A. That the Sustainable Communities Overview and Scrutiny Panel consider the information provided in response to the call-in request and decide whether to:
- Refer the decision back to the Cabinet Member for Regeneration, Environment and Housing for reconsideration; or
  - Determine that the matter is contrary to the policy and/or budget framework and refer the matter to Full Council; or
  - Decide not to refer the matter back to the Cabinet Member for Regeneration, Environment and Housing, in which case the decision shall take effect immediately.
- 

#### **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. This report provides a response to the points raised in the call-in request relating to decision taken by the Cabinet Member for Regeneration, Environment and Housing on 24 February 2017.

#### **2 DETAILS**

- 2.1. The call-in request and documents provided in response to this are appended to this report.
- 2.2. The Council's Monitoring Officer has judged the call-in to be valid on the points set out below, namely those relating to the results of the consultation and the issue of applying the diesel levy to the teacher's permit and applying a £40 reduction to business and trade permits with electric vehicles.
- 2.3. The other points raised in the call-in request have been dealt with previously by the call-in request on the emissions levy (at the Overview and Scrutiny Commission on 16 December 2016) and are therefore out of scope.
- 2.4. The valid points that should be addressed by the officer response and discussed at the call-in meeting are:
- 2.5. Proportionality

- 2.6. The pertinent issue here is the impact on teachers - “The only non-residents to potentially be charged are teachers working at Merton’s schools which was not mentioned when the policy was determined by Cabinet”.
- 2.7. Due consultation
- 2.8. All points raised by the call in request in this section should be addressed by the officer response and call-in meeting.
- 2.9. Human rights and equalities
- 2.10. Address question about how older or disabled residents or those on lower incomes have been consulted.
- 2.11. Openness
- 2.12. Address points made in first paragraph regarding teachers’ permits and the electric vehicle reduction for business and trade permits.
- 2.13. Documents requested
- 2.14. The Monitoring Officer has advised that the documents requested should be provided in relation to the above points and for dates subsequent to the emissions levy call-in meeting on 14 December 2016. Documents that have previously been provided to that call-in meeting should not be re-submitted.

**3 ALTERNATIVE OPTIONS**

- 3.1. The Council’s constitution requires the Panel to select one of the options listed in recommendation A.

**4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. None for the purposes of this covering report.

**5 TIMETABLE**

- 5.1. None for the purposes of this covering report.

**6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. None for the purposes of this covering report.

**7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. The Council’s constitution requires the Panel to select one of the options listed in recommendation A.
- 7.2. The Council’s Monitoring Officer has considered the call-in request and judged it to be valid in part. The issues to be addressed in the officer response and at the call-in meeting are set out in Section 2 of this report.

**8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. None for the purposes of this covering report.

**9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None for the purposes of this covering report.

**10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

10.1. None for the purposes of this covering report.

**11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix A: call-in request form
- Appendix B: report setting out officers' response to the call-in
- Appendix C: the Cabinet Members' decision

**12 BACKGROUND PAPERS**

12.1. None for the purposes of this covering report.

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## Merton Council - call-in request form

### 1. Decision to be called in: (required)

<b>Emissions Levy – Statutory Consultation</b>
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### 2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	X
(b) due consultation and the taking of professional advice from officers;	X
(c) respect for human rights and equalities;	X
(d) a presumption in favour of openness;	X
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	X
(g) irrelevant matters must be ignored.	

### 3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	X
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	



**4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)**

Required by part 4E Section 16(c)(a)(ii) of the constitution:

We – the signatories – are in favour of the principle that the polluter should pay. We fully recognise the seriousness of the air pollution problem in Merton and would wish to see this urgently addressed. We also recognise that diesel vehicles, particularly older ones, are now widely accepted as being the most polluting vehicles. We agree that the council should therefore encourage a transition away from diesel/petrol towards electric cars. However, we are concerned about the making of the relevant Traffic Management Orders in order to implement Recommendation A in the officers' report and would question the motivation of the decision making process on the following grounds:

**(a) proportionality (i.e. the action must be proportionate to the desired outcome);**

The Cabinet Member's decision to proceed with the emissions levy following the results of the statutory consultation is disproportionate to the desired outcome. The claimed outcome is a reduction in diesel pollution in the borough and the council claims this could be done by targeting diesel car owners who live in Controlled Parking Zones (CPZs) and have purchased a permit. However, nowhere in the officer report does it state categorically that by specifically reducing the number of Merton residents living in a CPZ who purchase a permit for their diesel vehicle there would be a drop in air pollution.

The decision does not establish the principal sources of the air pollution in Merton. It is not clear what proportion of air pollution is coming from the vehicles affected and what proportion is emanating from either diesel vehicles in other parts of the borough without a CPZ or from vehicles simply travelling through the borough but whose owners live elsewhere.

There is no mechanism proposed to charge through users, including heavy goods vehicles etc., nor even to charge all diesel vehicle owners in Merton. The only non-residents potentially to be charged the levy are teachers working at the borough's schools and this itself is a new proposal which was not muted by Cabinet when it took its policy decision last year.



Furthermore the council admits on page 88 of the report that 'it is hard to evidence change in behaviour'. It then says 'the Council **hopes** that this new charge will incentivise borough residents to consider moving away from polluting vehicles'. There is no empirical evidence provided however to show the number of residents who might be incentivised nor the timescales involved.

The risk remains that this levy will have no significant impact on air pollution on the key road networks in the borough where air pollution is worst and therefore is a disproportionate measure to impose on a minority of residents.

Furthermore, some concern has been raised that the relevant street management law is aimed at avoiding obstructions to traffic. It is not intended as a measure to improve air quality. There is a leading judgement directly addressing the matter in that stresses the need for delegated legislation to address – and delegated powers to be exercised – for the purposes of the empowering Act. Yet this is not properly addressed in section 7 of the officer report.

**(b) due consultation and the taking of professional advice from officers;**

The statutory consultation undertaken earlier this year was the only public consultation to have taken place on the introduction of a diesel emissions levy in Merton. This was presented as a technical consultation as the council was legally obliged to consult in order to make the relevant Traffic Management Orders required for implementation of a levy in CPZs.

There is real concern that the consultation was not widely promoted by the council and, as such, many residents who will potentially be affected are still unlikely to be aware of the proposed diesel emissions levy. For a start, the consultation only lasted three weeks and one day. It was also not included on the council's e-consultations portal as managed by the Consultation and Community Engagement team.

In her email to councillors of 6<sup>th</sup> January 2017, the Future Merton Commissioning Manager stated:

*"Due to the extent of the consultation area (across all roads subject to a CPZ) the Council will not be erecting yellow notices and we will not be sending residents / businesses any newsletters."*

This is also stated in 3.3 of the officer report. The above only reiterates residents' existing concern at the extent to which this consultation was promoted by the council. Despite the fact that the council holds the data for all diesel vehicle owners who purchase a residents' parking permit, it is clear that no effort was made to write to each of these permit holders to

publicise the consultation to them and give residents some notice of the introduction of the proposed levy (as Members had discussed at pre-decision scrutiny last year).

Moreover, regardless of the quality or otherwise of the consultation conducted, it appears that the Cabinet Member has not taken due notice of the views received as part of the consultation. Paragraphs 3.4 and 3.5 of the report set out the results of the consultation. Of 150 representations received, only **nine** are in favour of the council's proposed changes. Of these nine we are told that even some of these 'have raised some concerns'. In addition to the 141 representations firmly against the council's proposal, there are a further 165 signatures on a petition opposing the implementation of a diesel levy of this kind. Yet, despite this very clear majority in opposition to the levy, the Cabinet Member's decision scarcely even refers to the results of the consultation, stating only 'it is acknowledged that there are some residents who feel that the levy is unfair'.

**(c) respect for human rights and equalities;**

It is not clear what assessment has been made of the impact of the Cabinet Member's decision on the elderly or disabled who may need to use their diesel vehicles on a regular basis. Similarly there is no assessment included in the report of the impact of this decision on residents on low incomes who may have an older and more polluting vehicle and yet cannot easily or quickly afford to upgrade this to one which would not be subject to this new levy.

At 8.1 the report states that bodies representing motorists have been included in the statutory consultation. Yet there is no reference to organisations or community groups representing older or disabled residents or those on lower incomes. It can therefore only be assumed that these organisations were not consulted.

**(d) a presumption in favour of openness;**

There is a clear lack of openness with regard to the intention to undertake a statutory consultation on applying the diesel levy to teachers' permits and also to apply a reduction of £40 to business and trade permits with electric vehicles. No mention of this was made when the policy decision came before Cabinet nor when Cabinet's decision was called in for further scrutiny. As such, there has been no consideration of how many teachers and businesses might be impacted by this nor what the revenue implications are likely to be for the council. It is not clear where the proposal on business and trade permits came from and why - if this was not included as part of the statutory consultation - it now forms part of the Cabinet Member's decision.

There is also no indication in the report or decision notice of the specific clean air measures on which the council will spend the money generated

from the diesel levy. It appears to go into the general funds of the E&R department to spend on whatever transport or environmental items it determines. The report should set down precisely what anti-pollution measures would be implemented with this additional revenue, i.e. new tree planting, cycle and walking infrastructure improvements, pollution abatement outside key school sites etc.

The risk is that the perception of residents is that this decision has been taken predominantly in order to generate revenue for the council and to deliver on the savings proposal included in the MTFs.

This is reiterated by the information that officers have chosen to incorporate into their report at section 6. Detail is provided on the revenue that will be generated by the Cabinet Member's decision yet no information at all is included on the cost of the implementation of the Cabinet Member's decision and the making of the relevant Traffic Management Orders.

**(f) consideration and evaluation of alternatives;**

The decision notice at section 8 does not offer any other alternative options, and only states that the council must do something with parking permits. If the aim is to reduce air pollution then the report should state alternative options and demonstrate why alternatives would not work as successfully as the proposed diesel levy.

For example, Conservative councillors called on Merton council back in September last year to introduce anti-idling measures to help tackle air pollution from stationary vehicles and improve public health for both children and adults. This has already been implemented in neighbouring Wandsworth. Yet, Merton council has still not progressed this. This is a clear alternative option yet is not referred to in the decision notice.

Similarly the council has not progressed action on tackling air pollution from its own vehicle fleet. Page 89 of the officer report admits that the majority of the council's 185 vehicles are diesel powered. The report states that so far one pool car has been replaced with an electric vehicle. Whilst officers do say that fleet vehicles are '**gradually** being replaced with the latest low emissions engines', a further alternative would be to accelerate this process and yet this is not seemingly considered as an alternative to increasing parking permit fees for residents.

Finally, this decision has seemingly been taken without input from the air quality task group that was established by Merton's Sustainable Communities scrutiny panel. This cross-party task group has been looking across the board at a range of measures that could help address air pollution and yet there is no reference in the decision notice to this review

and how it could develop a holistic approach to tackling the serious challenge of air pollution in Merton and across London. Instead the Cabinet Member's decision appears to have been taken in isolation without considering the full range of alternatives available to the council.

## **5. Documents requested**

All papers provided to the Director of Environment and Regeneration and the Cabinet Member for Regeneration, Environment and Housing prior to, during and subsequent to the decision making process on the implementation of the diesel emissions levy.

All emails, reports and associated documentation relating to the decision on implementation of the diesel emissions levy provided to the relevant Cabinet Member, Leader of the Council, Chief Executive, Director of Environment and Regeneration, Director of Corporate Services and other council officers.

All emails, reports and associated documentation relating to the decision potentially to apply the diesel emissions levy to teachers' permits provided to officers in the Children, Schools and Families department.

Meeting notes of all meetings between officers / Cabinet Members and any third parties on the implementation of the diesel emissions levy.

Any correspondence between the relevant Cabinet Member and external organisations on the implementation of the diesel emissions levy.

Any correspondence between relevant council officers (including those in Children, Schools and Families) and external organisations on the implementation of the diesel emissions levy.

The Equality Impact Assessment (or any other equalities analysis carried out) in relation to the Cabinet Member's decision.

The risk analysis conducted in relation to the Cabinet Member's decision.

Detailed financial analysis of the Cabinet Member's decision, including costs of implementation and the impact on council revenue over the medium term.

Analysis undertaken of a) the age and b) the emissions level of the vehicles impacted by the Cabinet Member's decision compared to the age and the emissions level of all vehicles recorded on Merton's roads in general (including red routes and outside of CPZs).

A list of all the resident and business associations who were advised of the statutory consultation (as per paragraph 3.2 of the report)

A list of all the bodies who were included in the statutory consultation (as referred to in paragraph 8.1 of the report).

A breakdown of precise details of how the revenue generated from the diesel emissions levy will be spent.

An independent public health assessment of the impact of the Cabinet Member's decision on the health of Merton's residents

## **6. Witnesses requested**

Cllr Martin Whelton, Cabinet Member for Regeneration, Environment and Housing

Paul McGarry, Future Merton Manager, LB Merton

Paul Walshe, Head of Parking and CCTV Services, LB Merton

Mitra Dubet, Future Merton Commissioning Manager, LB Merton

Kris Witherington, Consultation & Community Engagement Manager, LB Merton

Representative of Merton businesses e.g. Merton Chamber of Commerce

Representative of Merton's teachers (and particularly those likely to be impacted by the proposed diesel levy)

Representative of Wimbledon Union of Residents' Associations (WURA)

Representative from Wimbledon East Hillside Residents' Association (WEHRA)

Representative from the St John's Area Residents' Association

Representative from the Raynes Park and West Barnes Residents' Association

Representative from the Edge Hill Residents' Association

Representative from each residents' association which submitted a response to the statutory consultation prior to the Cabinet Member's decision

All residents who submitted a public question on the diesel levy at the last two ordinary Council meetings

An independent public health expert

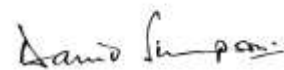
**7. Signed (not required if sent by email):**



**Cllr Daniel Holden**



**Cllr Abdul Latif**



**Cllr David Simpson**

**8. Notes – see part 4E section 16 of the constitution**

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor's email account (no signature required) to [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)
- **OR** as a signed paper copy to the Head of Democracy Services, 7<sup>th</sup> floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy Services on

020 8545 3864

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# **Committee: Sustainable Communities Overview & Scrutiny Panel**

**Date: 15<sup>th</sup> March 2017**

Wards: Borough wide

## **Subject: Call-in of the Emissions levy – Statutory consultation**

Lead officer: Chris Lee, Director of Environment & Regeneration

**Lead member:** Councillor Martin Whelton, Cabinet Member for Regeneration Environment & Housing

Contact officer: Mitra Dubet mitra.dubet@merton.gov.uk

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### **Recommendations:**

- A. That the Sustainable Communities Overview and Scrutiny Panel consider the information provided in response to the call-in request and decide whether to:
- Refer the decision back to the Cabinet Member for Regeneration, Environment and Housing for reconsideration; or
  - Determine that the matter is contrary to the policy and/or budget framework and refer the matter to Full Council; or
  - Decide not to refer the matter back to the Cabinet Member for Regeneration, Environment and Housing, in which case the decision shall take effect immediately

## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 This report sets out the response to the Call-In and asks the Cabinet Member to consider further representations that have been made during the call-In and representations that will be made during the scrutiny meeting.
- 1.2 It recommends that the Cabinet Member upholds his previous decision (appendix A) based on reasons set out in officer's report dated 22<sup>nd</sup> February 2017; Cabinet report dated 14<sup>th</sup> November 2016; Overview and Scrutiny Commission report dated 14<sup>th</sup> December 2016, and the information provided within this report.

## **2 DETAILS**

- 2.1 On 14<sup>th</sup> November 2016, at Cabinet meeting the following were agreed:
1. the introduction of a levy charge for all diesel vehicles that have a Resident, Business or Trade parking permit with the introduction of £150 levy phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.
  2. Parking permit charge for electric vehicles (resident permit) to be set at a discounted rate of £25 per annum.
  3. The Council to review the impact of the diesel levy for a period of 2 years, with a view to the introduction of comprehensive emissions based parking scheme.
- 2.2 Following the decision's publication, the decision was subject to a Call-in. On the 14<sup>th</sup> December 2016, the decision was scrutinised by the Council's Overview and Scrutiny Commission. The Cabinet's previous decision remained unchanged.

- 2.3 To implement the above, a statutory consultation to amend all the Traffic Management Orders pertaining to Controlled Parking Zones was carried out between 12th January and 3rd February 2017. The consultation was carried out by-
- Advertising in the newspapers
  - Informing all known resident & business associations
  - Depositing documents at The Link at the Civic Centre
  - Placing Notices and leaflets in local libraries & leisure centres, and on Park's Notice Boards.
  - Using Social media (including local radio station Radio Jackie)
  - Publishing the consultation on the Council's website.
  - At some area based workshops

2.4 On 22<sup>nd</sup> February 2017 all representations received along with officer's comments and recommendations were reported to the Cabinet Member for Regeneration, Environment and Housing and the following decision was made:

- to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of:-
  - the £150 diesel levy to all diesel vehicles that have a Resident, Business or Trade parking permit in addition to the price of the permits itself. The levy to be phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.
  - Reduce price of resident permit to £25 for those residents who have an electric vehicle.
- To undertake a statutory consultation to apply the diesel levy to Teacher's permit and to apply a reduction of £40 to business and trade permits with electric vehicles.
- Not to hold a public inquiry on the consultation.

Cabinet Member's decision is attached as appendix A.

2.5 The decision was called in following its publication. A response to points raised within the Call-In paper is set out within the following table. It is important that to note that responses are only made to those that were not included within the previous Call-in report.

#### **4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required).**

Required by part 4E Section 16(c)(a)(ii) of the constitution:

##### **(a) proportionality (i.e. the action must be proportionate to the desired outcome);**

There is no mechanism proposed to charge through users, including heavy goods vehicles etc., nor even to charge all diesel vehicle owners in Merton. The only non-residents potentially to be charged the levy are teachers working at the borough's schools and this itself is a new proposal which was not muted by Cabinet when it took its policy decision last year.

##### Response

*The issue of the teachers' permit was raised by some representations during the statutory consultation. Upon further reflection, officers are of the opinion that there is no good reason to exclude teachers permit. The council has initiatives to encourage the use of more sustainable transport and works with schools to develop school travel plans. CPZs are implemented to prevent commuters and although teacher's permits were introduced several years ago, these are subject to meeting some key criteria. Given that many of the schools who apply for permits are close to good public transport links, this is likely to*

*minimise applications from diesel car owners and may encourage change in behaviour such as better use of public transport.*

*The intention is to capture as many road users as possible. During this phase of introducing the diesel levy, the Council is targeting those road user groups that it possesses information on and much like residents, trade and business permits, the Council can control and administer the levy. The council has every intention in capturing all road users eventually in an endeavour to ensure improved air quality in the borough whilst using every possible tool at the Council's disposal.*

*It is considered this to be fair and consistent. It is in line with principles agreed by Cabinet; the Council is now explicitly setting out the impact on each category of permit holders.*

**b) due consultation and the taking of professional advice from officers;**

The statutory consultation undertaken earlier this year was the only public consultation to have taken place on the introduction of a diesel emissions levy in Merton. This was presented as a technical consultation as the council was legally obliged to consult in order to make the relevant Traffic Management Orders required for implementation of a levy in CPZs.

There is real concern that the consultation was not widely promoted by the council and, as such, many residents who will potentially be affected are still unlikely to be aware of the proposed diesel emissions levy. For a start, the consultation only lasted three weeks and one day. It was also not included on the council's e-consultations portal as managed by the Consultation and Community Engagement team.

In her email to councillors of 6<sup>th</sup> January 2017, the Future Merton Commissioning Manager stated:

*"Due to the extent of the consultation area (across all roads subject to a CPZ) the Council will not be erecting yellow notices and we will not be sending residents / businesses any newsletters."*

This is also stated in 3.3 of the officer report. The above only reiterates residents' existing concern at the extent to which this consultation was promoted by the council. Despite the fact that the council holds the data for all diesel vehicle owners who purchase a residents' parking permit, it is clear that no effort was made to write to each of these permit holders to publicise the consultation to them and give residents some notice of the introduction of the proposed levy (as Members had discussed at pre-decision scrutiny last year).

Moreover, regardless of the quality or otherwise of the consultation conducted, it appears that the Cabinet Member has not taken due notice of the views received as part of the consultation. Paragraphs 3.4 and 3.5 of the report set out the results of the consultation. Of 150 representations received, only **nine** are in favour of the council's proposed changes. Of these nine we are told that even some of these 'have raised some concerns'. In addition to the 141 representations firmly against the council's proposal, there are a further 165 signatures on a petition opposing the implementation of a diesel levy of this kind. Yet, despite this very clear majority in opposition to the levy, the Cabinet Member's decision scarcely even refers to the results of the consultation, stating only 'it is acknowledged that there are some residents who feel that the levy is unfair'.

Response

*A statutory consultation is related to making the necessary changes to the existing TMOs that would enable the Council to charge the levy i.e. 'to apply an additional charge'. It is not a statutory consultation for the actual introduction of the borough's diesel levy as this decision has already been made by Cabinet and did not require a statutory consultation. A statutory consultation is not about the numbers of representations but the reasons and validity of the reasons for objections. Every representation has been*

considered by officers and the Cabinet Member and it is considered that reasonable and appropriate explanations to representations have been made.

The legislation states the duration of the consultation as 21 days. The Council has considered all representations received after the closing date, even up to the date the Cabinet Member report was finalised. E consultation is utilised when undertaking an information consultation during which specific options are often provided to the consultees. It often takes a form of a questionnaire. A statutory consultation is not a questionnaire. It relies on individuals to make representations detailing their reasons for their objections. This is normal practice with such consultations and the council has not deviated.

Since the statutory consultation is to make changes to TMOs, it affects all those within the zone. Although the Council has details of those who have diesel vehicles, it would not be prudent to treat those any differently to others – for example those who may be considering the purchase of a diesel vehicle. Given the number of diesel vehicle owners, it would be unreasonable and resource intensive to write to individuals.

More importantly it is worth noting that the council carried out a search of all Vehicle Registration Mark's that had been issued with a controlled parking zone parking permit. The data requested was only for vehicles powered by diesel fuel. The reason for the lack of personal data such as names and addresses was that the data was captured by a third party and the request was restricted so the council complied with the data protection legislation.

Every reasonable effort was made to advise residents of the Council's intention and consultation. The Council has acted in a consistent manner by consulting all consultees in the same manner.

It should be noted that several resident/business associations including Merton Chamber of Commerce, Love Wimbledon and Merton Park Ward Residents Association also publicised the statutory consultation on their website to inform their members and encourage them to respond.

**(c) respect for human rights and equalities;**

It is not clear what assessment has been made of the impact of the Cabinet Member's decision on the elderly or disabled who may need to use their diesel vehicles on a regular basis. Similarly there is no assessment included in the report of the impact of this decision on residents on low incomes who may have an older and more polluting vehicle and yet cannot easily or quickly afford to upgrade this to one which would not be subject to this new levy.

Response

Blue badge holders receive a free permit and since this is an additional charge to the permit, blue badge holders will continue to receive free permits.

As a rule, traffic and parking related schemes including CPZs and parking tariff structure are not means tested. According to the legislation, the law protects people from discrimination on the basis of the following 'protected characteristics': disability; age; Marriage and Civil Partnership; pregnancy and maternity; race – this includes ethnic or national origins, colour and nationality; religion or belief – this includes no belief; sex; gender reassignment; sexual orientation. Socio-economic status is not covered by law but it is acknowledged that it has been locally adopted in an attempt to bridge the gap between the west and the east of the borough. According to TTR consultants there is an unpublished piece of research which implies people on low incomes are less likely to own a diesel vehicle, so are less likely to be affected by this levy.

**(d) a presumption in favour of openness;**

There is a clear lack of openness with regard to the intention to undertake a statutory consultation on applying the diesel levy to teachers' permits and also to apply a reduction of £40 to business and trade permits with electric vehicles. No mention of this was made when the policy decision came before Cabinet nor when Cabinet's decision was called in for further scrutiny. As such, there has been no consideration of how many teachers and businesses might be impacted by this nor what the revenue implications are likely to be for the council. It is not clear where the proposal on business and trade permits came from and why - if this was not included as part of the statutory consultation - it now forms

part of the Cabinet Member's decision

Response

*During the statutory consultation, the issue of the teachers' permit was raised by some representations as were some queries relating to electric vehicle permit charge particularly those business permits with an electric vehicle.*

*Given that the Council's objective is to improve air quality by encouraging the use of electric vehicles and discouraging the use of diesel vehicles, upon further reflection, officers are of the opinion that there is no good reason to exclude teachers permit from the levy and not apply the same discount as resident permits to business permits with electric vehicles.*

*With regards to teachers permit, the council has initiatives to encourage the use of more sustainable transport and works with schools to develop school travel plans. CPZs are implemented to prevent commuters and although teacher's permits were introduced several years ago, these are subject to meeting some key criteria and given that many of the schools who apply for permits are close to good public transport links, this is likely to minimise applications from diesel car owners and may encourage better use of public transport.*

*It is considered this to be fair and consistent. It is in line with principles agreed by Cabinet; the Council is now explicitly setting out the impact on each category of permit holders.*

*It is true that the above did not form part of the recent statutory consultation, hence officer's recommendation and Cabinet member's approval to undertake a statutory consultation in the near future.*

**5. Documents requested – All available documents are attached as appendix B**

- All papers provided to the Director of Environment and Regeneration and the Cabinet Member for Regeneration, Environment and Housing prior to, during and subsequent to the decision making process on the implementation of the diesel emissions levy -
- All emails, reports and associated documentation relating to the decision on implementation of the diesel emissions levy provided to the relevant Cabinet Member, Leader of the Council, Chief Executive, Director of Environment and Regeneration, Director of Corporate Services and other council officers.
- All emails, reports and associated documentation relating to the decision potentially to apply the diesel emissions levy to teachers' permits provided to officers in the Children, Schools and Families department.
- Any correspondence between relevant council officers (including those in Children, Schools and Families) and external organisations on the implementation of the diesel emissions levy.

*Response – the Cabinet Member's decision included an agreement for officers to undertake a statutory consultation. This consultation has not yet taken place. There, therefore, have not been any communications with the Children, Schools and Families department. It should also be noted that it is normal practice to consult schools directly as not all schools fall under local authority jurisdiction.*

- Meeting notes of all meetings between officers / Cabinet Members and any third parties on the implementation of the diesel emissions levy.
- Any correspondence between the relevant Cabinet Member and external organisations on the implementation of the diesel emissions levy.
- The risk analysis conducted in relation to the Cabinet Member's decision.

*Response – please see section 10 of this report*

- Detailed financial analysis of the Cabinet Member's decision, including costs of implementation and the impact on council revenue over the medium term.
- A list of all the resident and business associations who were advised of the statutory consultation (as per paragraph 3.2 of the report)

- A list of all the bodies who were included in the statutory consultation (as referred to in paragraph 8.1 of the report).
- A breakdown of precise details of how the revenue generated from the diesel emissions levy will be spent.

### **3 ALTERNATIVE OPTIONS**

- 3.1 An alternative would be to do nothing. However, since the Council has declared the whole borough as an Air Quality Management Area and, as such, has a legal duty to take action to tackle poor air quality, by not addressing this issue the Council could be viewed as failing to discharge its statutory obligations.
- 3.2 Another alternative would be to delay Council's proposal. However, the Council does not consider delaying any action including the surcharge as appropriate or responsible particularly given the recent successful challenge in the High Courts of the Governments' new Air Quality Action Plan with the main criticism being the governments delay in taking action on air quality, the conclusion of which stated:
- i) that the proper construction of Article 23 means that the Secretary of State must aim to achieve compliance by the soonest date possible, that she must choose a route to that objective which reduces exposure as quickly as possible, and that she must take steps which mean meeting the value limits is not just possible, but likely.

This judgement has a profound impact upon everyone tasked with addressing poor air quality and achieving the targets, including Local Authorities.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. A statutory consultation was carried out between 12th January and 3rd February 2017.
- 4.2 On 22<sup>nd</sup> February 2017 all representations received along with officer's comments and recommendations were reported to the Cabinet Member for Regeneration, Environment and Housing and the following decision was made:
- to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of:-
    - the £150 diesel levy to all diesel vehicles that have a Resident, Business or Trade parking permit in addition to the price of the permits itself. The levy to be phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.
    - Reduce price of resident permit to £25 for those residents who have an electric vehicle.
  - To undertake a statutory consultation to apply the diesel levy to Teacher's permit and to apply a reduction of £40 to business and trade permits with electric vehicles.
  - Not to hold a public inquiry on the consultation.

Cabinet Member's decision is attached as appendix A.

- 4.3 To implement the levy on the Teachers permit and apply the discount for electric vehicle for Trade and business permits, a statutory consultation will be carried out after April 2017.

## **5 TIMETABLE**

- 5.1 The TMOs will be made and the levy will be introduced as soon the decision is made by the Cabinet Member and after the Call-In process.
- 5.2 The statutory consultation regarding the Teachers, Trade and business permits will be carried out after April 2017.

## **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1 Given that the levy will be introduced incrementally over a three year period and based on the current data held on the number of diesel vehicles within Merton's CPZ, it is estimated that the additional levy charge will generate up to approximately £517K during 2017/18; £660K during 2018/19 and £861K during 2019/20. It is important to note that these figures are based on current numbers of diesel vehicles and it is assumed that the numbers of diesel vehicles are likely to reduce both before and after the initial year of implementation which feeds into the Council's objective to discourage diesel vehicles and therefore better air quality.
- 6.2 By law, any revenue generated from parking must be spent on transport related schemes. These include but are not limited to, traffic management and control schemes, road and infrastructure schemes and Concessionary Fares. Additionally, the council is currently drafting a new air quality action plan which will contain the measures a local authority can take to address poor air quality, this includes better monitoring arrangements, borough fleet actions, localised solutions, delivery servicing and freight, emissions controls through the planning agenda, cleaner transport and awareness campaigns.
- 6.3 All of these measures will be supported by the diesel levy.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1 The Traffic Management Orders would be made under Section 6 and Section 45 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft order.
- 7.2 The Council has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a traffic management order or to modify the published draft order. A public inquiry should be held where it would provide further information, which would assist the Council in reaching a decision.
- 7.3 The Council's powers to make Traffic Management Orders arise mainly under sections 6, 45, 46, 122 and 124 and schedules 1 and 9 of the RTRA 1984.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders published in the local paper and London Gazette.
- 8.2 Improved air quality will benefit the environment and all those within Merton.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. N/A

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. All current data and research around vehicle emissions shows that diesel cars are disproportionately responsible for poor air quality. There is also a clear link made by health professionals between air quality and mortality.
- 10.2. The council has declared the whole borough as an air quality management area, and as such has a legal duty to take action to tackle poor air quality. The Council is reviewing all of the measures that it can take as a local authority to address this problem. One of these measures is to incentivise those with parking permits away from the more polluting vehicles, in the same way as other authorities have.
- 10.3. The Council must take responsibility for the health of its residents including vulnerable groups such as those with existing breathing difficulties, the young and the elderly. It is acknowledged that there are some residents who feel that the levy is unfair but the current research shows that there are thousands of deaths a year in London caused by poor air quality, and therefore the Council must take all possible action to address air quality. The introduction of the levy is one of many.
- 10.4. As well as residents parking levy the Council will continually review how it can influence all vehicles in the borough e.g. through non-residential parking, Clear Air Zones or lobbying GLA / TfL for cleaner public transport.
- 10.5. The risk in not addressing the issue would be irresponsible and could be considered as a failure by the Council to discharge its statutory obligations.

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix A – Cabinet Member decision
- Appendix B - supporting documents

### **BACKGROUND PAPERS**

- Leader's Strategy Group – report dated 7 November 2016
- Consultant's reports prepared by Transport & Travel research Ltd



**NON-KEY DECISION TAKEN BY A CABINET MEMBER**

See over for instructions on how to use this form – all parts of this form must be completed. Type all information in the boxes. The boxes will expand to accommodate extra lines where needed.

**1. Title of report and reason for exemption (if any)**

Emissions Levy – Statutory Consultation.

**2. Decision maker**

Cabinet member for regeneration, environment and housing

**3. Date of Decision**

24/02/2017

**4. Date report made available to decision maker**

22/02/2017

**5. Date report made available to the Chairs of the Overview and Scrutiny Commission and of any relevant scrutiny panel**

N/A

**6. Decision**

Agree to the making of the making of the relevant Traffic Management Orders (TMO) and the implementation of

1. A levy of £90 increasing to £150 by year 3 to all diesel vehicles that have a Resident, Business or Trade parking permit in addition to the price of the permits itself.
2. Reduce price of resident permit to £25 for those residents who have an electric vehicle.
3. Undertaking of a statutory consultation to apply the diesel levy to Teacher's permit and apply a £40 reduction to business and trade permits with electric vehicles. This is in line with the reduction that is applied to resident permits for electric vehicles.
4. Agrees to exercise his discretion not to hold a public inquiry on the Consultation

- 8.1 The council has declared the whole borough as an air quality management area, and as such has a legal duty to take action to tackle poor air quality. The Council is reviewing all of the measures that it can take as a local authority to address this problem. One of these measures is to incentivise those with parking permits away from the more polluting vehicles, in the same way as other authorities have.
- 8.2 The Council must take responsibility for the health of its residents including vulnerable groups such as those with existing breathing difficulties, the young and the elderly. It is acknowledged that there are some residents who feel that the levy is unfair but the current research shows that there are thousands of deaths a year in London caused by poor air quality, and therefore the Council must take all possible action to address air quality. The introduction of the levy is one of many.
- 8.3 As well as residents parking levy the Council will continually review how it can influence all vehicles in the borough e.g. through non-residential parking, Clear Air Zones or lobbying GLA / TfL for cleaner public transport.
- 8.4 The risk in not addressing the issue would be irresponsible and could be considered as a failure by the Council to discharge its statutory obligations.

**Declarations of Interest: None**



Cllr Martin Whelton  
Cabinet member for regeneration, environment and housing  
24 February 2017

**List of Statutory consultees**

Metropolitan Police; London Ambulance Service; Road Haulage Association; The AA; The RAC; Licensed Taxi Drivers Association

**List of Resident and Business Associations e mailed during Statutory consultation**

Almshouses Residents Association  
 Apostles Residents Association  
 Belvedere Residents Association  
 Colliers Wood Residents Association  
 Community of Woodside Residents Association  
 Edge Hill Residents Association  
 Four Acres and Edinburgh Court Residents Association  
 Friends of Cottenham Park  
 Friends of Holland Gardens  
 Friends of Sir Joseph Hood MPF  
 Friends of West Barnes Library  
 Secretary Garth Residents' Association  
 Graham Hartfield and Herbert Roads Residents Association  
 Merton Park Ward Residents Association  
 Merton Partnership  
 Merton Tree Warden Group  
 Mitcham Society  
 Murray Road Residents Association  
 New Belvedere Estate Residents Association (NEW BERA)  
 NW Wimbledon Residents Association  
 Queens Road Residents Association  
 Parkside Residents Association  
 Raynes Park Business Association  
 Raynes Park and West Barnes Residents Association  
 Residents Association of West Wimbledon  
 Ridgway Residents Association  
 St John's Area Residents Association  
 Sadler Close Residents Association  
 Somerset Road Residents Association  
 South Park Estate Residents' Association (SPERA)  
 The Grange Preservation Society  
 Wandle Valley Forum  
 Willmore End Residents Association  
 Wimbledon Common Residents Association  
 Wimbledon East Hillside Association (WEHRA)  
 Wimbledon Society  
 Wimbledon Park Residents Association  
 Wimbledon Town Centre Manager (love Wimbledon)  
 Wimbledon Union of Residents Association (WURA)  
 WIMBLEDON VILLAGE BUSINESS ASSOCIATION

- **A breakdown of precise details of how the revenue generated from the diesel emissions levy will be spent.**

Listed below are the details of each type of resident and business permits issued in 2015/16. The data shows that of the total of 19,259 permits issued, 6574 (34.9%) were issued to diesel vehicles. The table also demonstrates the impact of a surcharge on the cost of each permit on a sliding scale from £20 to £100.

**Listed below in table 1 are a range of surcharges for consideration**

Permit Type	Number of permits issued	Number of Diesel vehicles	Current first permit charges pa	Phased Introduction - Option 1			Phased Introduction - Option 2		
				Surcharge 2017/18 £100	Surcharge 2018/19 £125	Surcharge 2019/20 £150	Surcharge 2017/18 £90	Surcharge 2018/19 £115	Surcharge 2019/20 £150
Resident Address Permit	242	84	£65	£8,400	£10,500	£12,600	£7,560	£9,660	£12,600
Town Centre car park season Tickets	4081	1424	£445 PA Morden £300 PA Mitcham £960 PA Wimbledon	£142,400	£178,000	£213,600	£128,160	£163,760	£213,600
Resident Parking Permit	16,136	5,486	£65	£548,600	£685,750	£822,900	£493,740	£630,890	£822,900
Business Address Parking Permit	149	52	£752 inner zones £662 outer zones	£5,200	£6,500	£7,800	£4,680	£5,980	£7,800
Business Parking Permit	523	182	£752 inner zones £662 outer zones	£18,200	£22,750	£27,300	£16,380	£20,930	£27,300
Trades Permit	211	73	£900 OR £600 6months OR £375 3months OR £150 1 month OR £50 1 week	£7,300	£9,125	£10,950	£6,570	£8,395	£10,950
<b>Total</b>	<b>19,259</b>	<b>6,574</b>		<b>£730,100</b>	<b>£912,625</b>	<b>£1,095,150</b>	<b>£657,090</b>	<b>£839,615</b>	<b>£1,095,150</b>

### Teachers Permit – diesel levy

In addition to the above currently there are currently 77 permit holders with diesel vehicles.

Generated income :

1<sup>st</sup> year 77 \* £90 = £6,930

2<sup>nd</sup> year 77 \* £115 = £8,855

3<sup>rd</sup> year 77 \* £150 = £11,550

It should be noted that with the change (reduction) in the number of diesel vehicles these estimates will change but the amount is not known at this moment in time.

Of the above number there is no way of knowing exactly how many diesel vehicles for the teacher permit surcharge there are until they apply for a permit and provide proof that they are diesel.

There is no reliable data for electric powered vehicles.

## NOTES OF DEPARTMENTAL MANAGEMENT TEAM

11 January 2017

Present: Chris Lee (Chair)  
John Hill (Assistant Director of Public Protection)  
Cormac Stokes (Assistant Director of Street Scene & Waste)  
Paul McGarry (Future Merton Manager) deputy for James McGinlay  
Eamon Maher (Business Partner)  
Kathryn Wittams-Smith (HR Manager)  
Clare Nicholas (Secretariat)

Apologies: James McGinlay

---

The information board was discussed.

CS updated on:

- Sickness is down within Waste.
- The Alcatel notice has been issued for Lot 2 with no challenges, written to the partnership to sign the contract.
- Lot 1; hoping to issue Alcatel this Friday 13<sup>th</sup> January.

JH updated on:

- Income position for Public Protection is the same from last week.
- ANPR is currently in the 8 week testing period for all the cameras, to be signed of by Mid-March.
- RSP business case has now been published and will be going through cabinet and committee during late Feb early March; looking hopeful that Wandsworth will join the partnership.

PM updated on behalf of JM:

- Morden Leisure Centre prices are now back and going to cabinet in February to discuss the contract award.
  - The Regen of the three are estates are still out for consulting on the DPD before going to the Planning Inspector in March.
  - Crossrail 2 no news.
  - Diesel levy surcharge is going live this week, all ward Councillors have been informed.
- 

### 1. CMT Update

Min No. 1730

CL fed back from CMT on the 10<sup>th</sup> January:

- Dawn Jolley attended to discuss the future delivery of Procurement. CMT agreed the need for a Procurement Centre and will now draw up a structure. DJ will bring back in a couple of couple of months to discuss the model/ implications etc.
- CL updated on Crossrail 2 and the Regeneration plans.
- Dagmar attended to provide a monthly health update.
- Evereth Willis attended to discuss the refresh of the Equalities Strategy; currently a work in progress. The six objectives have

been agreed by CMT and the action plan still has a few gaps which are currently being worked through.

- Staff Survey headline responses were discussed.
- Director reports:
  - YS noted that next week is an OFSTED window
  - YS also noted that some schools in the borough are being approached by outside academies to join an Academy Trusts; this could have financial implications for the Council.
  - YS noted staff changes within CSF.
  - SW mentioned that Greenwich University are working on a social care model.
  - SW noted that Circle have exceeded to the resurgent issue, which will be going to Cabinet soon.
  - SW reported that C&H are in discussions with Hounslow about a shared Library Service
  - CH is asking Sophie Poole for a refresh on the Comms Strategy
  - CH noted the FIS go live; 6<sup>th</sup> February
  - CH reported back on the Council Tax review.
  - GC mentioned CELC have asked for any evidence on the impact of Brexit within the borough; all to feedback to CL.
  - CL updated on the diesel surcharge.

## 2. MJ Awards – categories

Min. No. 1731

JH to explore the category of "Excellence in Community Engagement" with Neil Thurlow. JH to report back to CL once discussed.

Action: JH

## 3. E&R Newsletter

Min. No. 1732

CL discussed the draft newsletter with DMT; all agreed the format.

CN to include photos of the E&R Star Award Winners for 2017.

JH noted a correction of CCTV to be included within Public Protection.

Items to be included are:

Shared Reg services update; Morden Reg update; Ask Angela and 5 mins with Claire Walshe

CL to liaise with Elizabeth Thompson.

Action: CL

## 4. L3/ L4 Management Meeting Agenda

Min. No. 1734

Noted that the L3/ L4 Managers Meeting is due to take place next Friday 20<sup>th</sup> January at South Thames College.

CL discussed the draft agenda with colleagues and all agreed with the items for discussion including Julie Matthews, who will be attending to discuss London's Best Council.

5. Minutes of meeting held on the 4<sup>th</sup> January 2017

Min. No. 1735

Agreed as a true and accurate record

6. Action Points

Min. No. 1736

Discussed and updated

7. Forward Plans

Min. No. 1737

Discussed and noted

CN to liaise with JM in regards to the "Love Wimbledon" paper to come to DMT in the Spring.

Action: CN

Noted that JH will deputise for CL at CMT on the 17<sup>th</sup> January.

8. Any Other Business

Min. No. 1738

Travellers

Issues around Travellers and fly tipping – Halford way in Mitcham and the industrial Estate at Morden.

Christmas Trees

Collections have started around the borough.

Phase C workshop

CS is currently arranging a detailed workshop for officers. CS would like nominations from JH and JM who they feel would benefit from attending.

Information Security Training

Deadline for all to complete is 1st February. Noted, takes around an hour to complete.

Regulatory Shared Service

JH and PF met with Kingston and Sutton who have established a Shared Service, RSP and Traffic and Highways. Currently experiencing teething problems, which JH and PF discussed and offered their experiences and expertise in running a successful partnership.

Bromley meeting

JH due to meet with Bromley to join the RSP, but delayed until the next week.

**NEXT MEETING**  
**18 January, 2017**  
**8<sup>th</sup> Floor Room 3**

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## NOTES OF DEPARTMENTAL MANAGEMENT TEAM

21 December 2016

Present: Chris Lee (CHAIR)  
Cormac Stokes (Assistant Director of Street Scene & Waste)  
James McGinlay (Assistant Director of Sustainable Communities)  
Paul Walsh (Parking Manager)  
Kathryn Wittams-Smith (HR Manager)  
Eamon Maher (Business Partner)  
Clare Nicholas (Secretariat)

Apologies: John Hill

---

Dagmar Zeuner attended to discuss areas of joint working. DZ briefed DMT on the joint project Future Merton on the Wilson project and Estate Plans. DZ mentioned we have a health improvement officer in JH Regulatory Services Team who deals with healthy catering, which is also going well.

JM noted an initiative with Sutton to make homes more efficient, with simple changes.

DZ would like to hold a Lunch and Learn workshop around circular economy with CL and Public Health. CL is happy for DZ to lead on this.

CS mentioned the food waste contract, which is being collected weekly and urging all to use this service, which there is a low intake of residents doing so. CS explained the way public health could get involved to promote this service and both teams working together.

---

The information board was discussed and ADs noted there updates.

### Cormac Stokes

- The IA has been agreed and Alcatel scheduled for the 23<sup>rd</sup> December, with contract award for the 3<sup>rd</sup> January.
- Transport commissioning on track for next year and noted the success of DPS live.
- Recycling rate exceeded for October so on target.
- Budget for November discussed.

### James McGinlay

- Procurement signed off by Caroline and Ged which will be awarded before Christmas.
- MLC costings won't be coming in until January.
- Housing company was given the green light by CMT yesterday, Tuesday 20<sup>th</sup> December.
- The Next superstore opened up on the A3 yesterday.
- Performance discussed.
- Estates update on going; jointly working with public health.
- Budget for November discussed with modest improvements.

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**Paul Walshe** on behalf of John Hill

- Regulatory Services Project Board went well on Wednesday.
  - Community Safety; nothing to report.
  - ANPR meeting took place on Tuesday. A letter was issued to the Contractors, which noted the reliance of the cameras.
  - PW discussed the diesel surcharge. A lot of work is still to be done but will be coming in the New Year.
- 

1. **CMT Update**

**Min No. 1720**

JM attended CMT on Tuesday 20<sup>th</sup> December on behalf of CL and fed back the following:

- HR leadership and metrics; sickness going down and discussions took place in respect to the IR35 in terms of management, with work to be done on this.
- Noted that the 3<sup>rd</sup> February will see a Staff Health Day in the Committee Rooms
- Comms discussed the rolling programme and the MJ awards which close on the 3<sup>rd</sup> February 2017.
- MiB update provided.
- Performance Tracker discussed.
- John Dimmer discussed the DCLG community fund.
- SW reported the hospital kick out before Christmas, which might put pressure on rest-bite facilities.
- CH noted the possibility of Wandsworth joining the legal partnership
- CMT will be discussing the budget on the 31<sup>st</sup> January.

2. **Minutes of last meeting held on 14 December 2016**

**Min. No. 1721**

Agreed as true and accurate

3. **Action Points**

**Min. No. 1722**

Discussed

4. **Forward Plans**

**Min. No.1723**

Noted

9 **Any Other Business**

**Min. No. 1724**

CS noted that the CRM system was updated yesterday, which Dog Fouling, Graffiti etc was added as options and more being lined up for this week.

JM noted that on the 11<sup>th</sup> January the Deputy Mayor is planning to meet officers to discuss obligations for the Morden regeneration project.

EM noted, on behalf of Dawn Jolley, email circulated in regards to the procurement survey.

CL asked if a response is drafted for a "City for all Londoner's". JM confirmed this has been done.

Apprenticeships; CL confirmed that Sara Williams is currently working on this.

CL is meeting with Paul Quinn this afternoon and asked JM for a brief update for the St Paul site.

**NEXT MEETING**  
4<sup>th</sup> January 2017  
8<sup>th</sup> Floor Room 3

## Mitra Dubet

---

**From:** Paul Walshe  
**Sent:** 07 March 2017 11:45  
**To:** Mitra Dubet  
**Subject:** FW: Diesel Levy Questions  
**Attachments:** Road Traffic Regulation Act 1984 s.122.docx

Paul Walshe  
Head of Parking and CCTV Services  
020 8545 4189

-----Original Message-----

**From:** Paul Walshe  
**Sent:** 26 January 2017 16:47  
**To:** Councillor Daniel Holden  
**Cc:** Mitra Dubet; Eric Marchais; John Hill  
**Subject:** RE: Diesel Levy Questions

Dear Councillor Holden,

---

Many thanks for your enquiry regarding the diesel surcharge. I have set out below a summary of the legal criteria that enables the Council to use Traffic Management orders to implement a diesel surcharge.

Paragraphs 1, 2, 3 and 4 describes how the Road Traffic Act 1984 gives the Council the authority to set parking charges for parking permits which allows vehicles to park in designated parking spaces. A recognised tool for managing demand is the ability to set the charges with the aim where required to reduce demand in this case for Diesel vehicles and increase demand for Electric vehicles as per the changes proposed and which will lead to an improvement in air quality.

1)

The 1984 Act imposes on the Council a duty to ensure the safe movement of traffic and provision of parking facilities. In fulfilling those duties the Council must have regard to the matters listed under subsection 2, which include the national air quality strategy and any other matters that appear relevant.

2)

Traffic Management Orders are made under the 1984 Act and therefore we are entitled to use them to improve air quality.

3)

It is also important to understand that within our CPZ TMOs we have set out Permit fees and if there is a change to this fee we need to change our TMOs and to change our TMOs we need to do a statutory consultation

4) Refers to the above attachment which is an extract from the Road Traffic Act that gives to the Council authority to make the decision subject to the outcome of the consultation to introduce a diesel surcharge.

Hope that helps

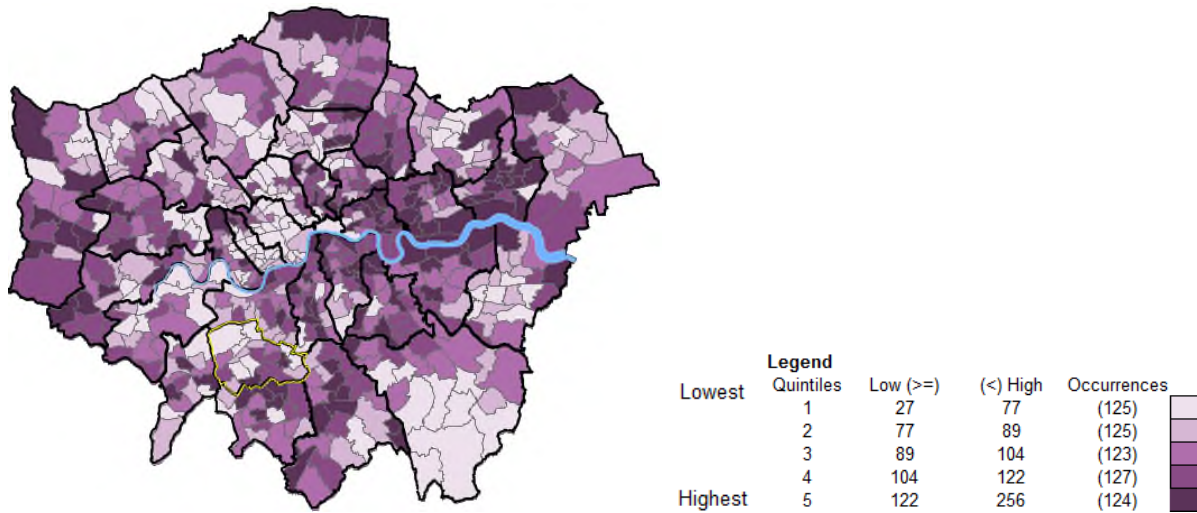
Kind regards

## Respiratory disease

In 2013, mortality from respiratory disease accounted for 180 (rounded to nearest 10) of recorded deaths; this equates to 15% of all deaths after the age of 28 days.

### Standardised mortality ratio for respiratory diseases (ICD10 J00-J99), all ages, persons (2008 – 2012), by ward in London

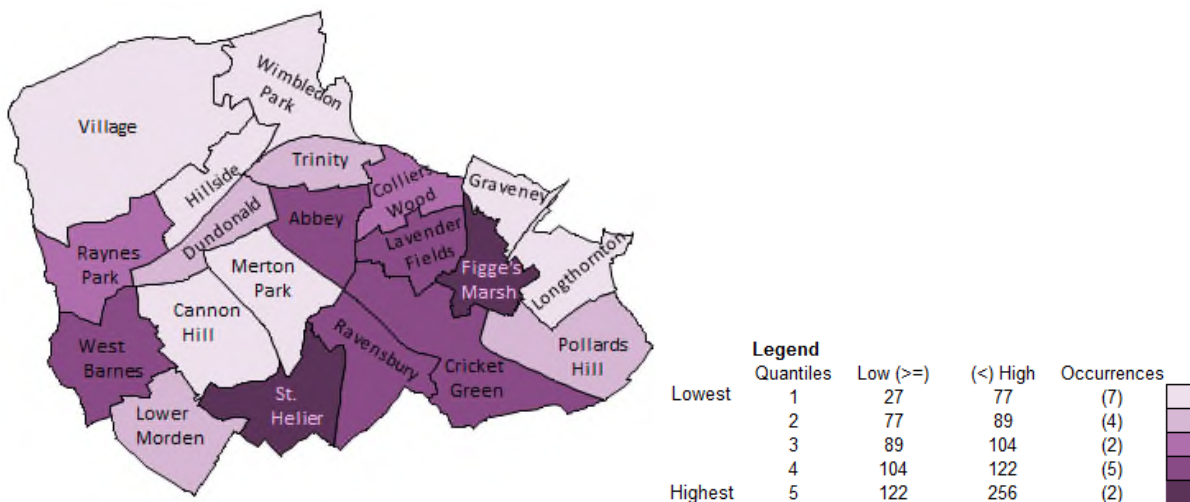
Map 1



Source: Public Health England, Local Health ([www.localhealth.org](http://www.localhealth.org))

### Standardised mortality ratio for respiratory diseases (ICD10 J00-J99), all ages, persons (2008 – 2012), by ward in Merton

Map 2



Source: Public Health England, Local Health ([www.localhealth.org](http://www.localhealth.org))

## Metric

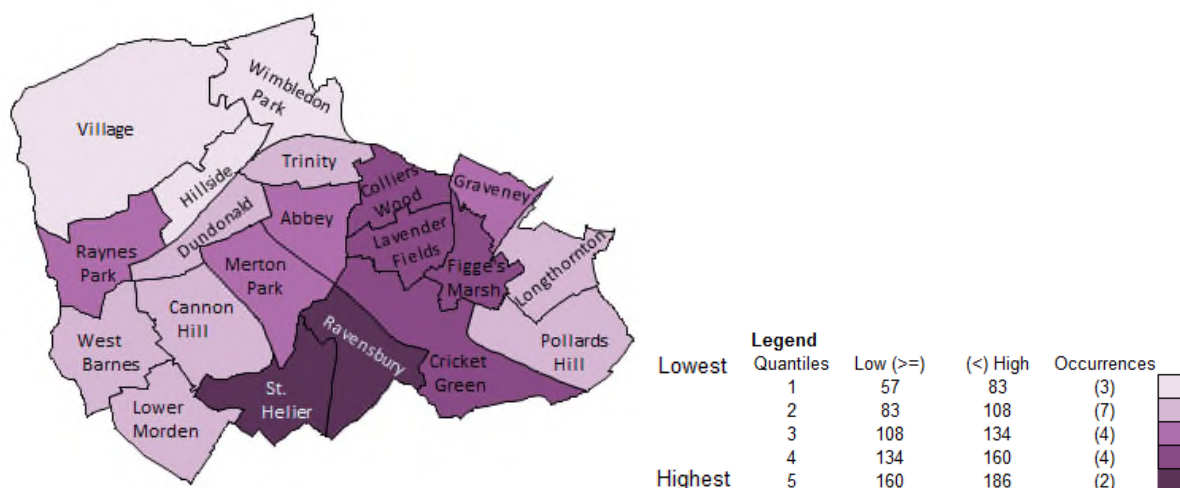
Mortality data by sex and five-year age group were extracted from annual files supplied to Public Health England (PHE) by the Office for National Statistics (ONS). The deaths were registered in the calendar years 2008-12 and allocated to the deceased's output area (OA) of usual residence using the November 2013 version of the National Statistics Postcode Lookup. Counts of deaths for years up to and including 2010 were adjusted to take account of the ICD-10 coding change introduced in 2011. Population data are mid-year population estimates for OAs, by sex and quinary age group, supplied by ONS. OA deaths and population estimates were aggregated to higher geographies using standard geographical lookup tables obtained from ONS Geography.

Expected deaths were calculated by applying age-specific death rates for England in 2008-12 to each area's population.

$SMR = (\text{Observed total deaths in the area} / \text{Expected deaths}) \times 100$

## Directly standardised mortality ratio for respiratory diseases (ICD10 J00-J99), all ages, persons (2011 – 2014), by ward in Merton

Map 3



Source: Primary Care Mortality Database (PCMD) via Open Exeter

## Metric

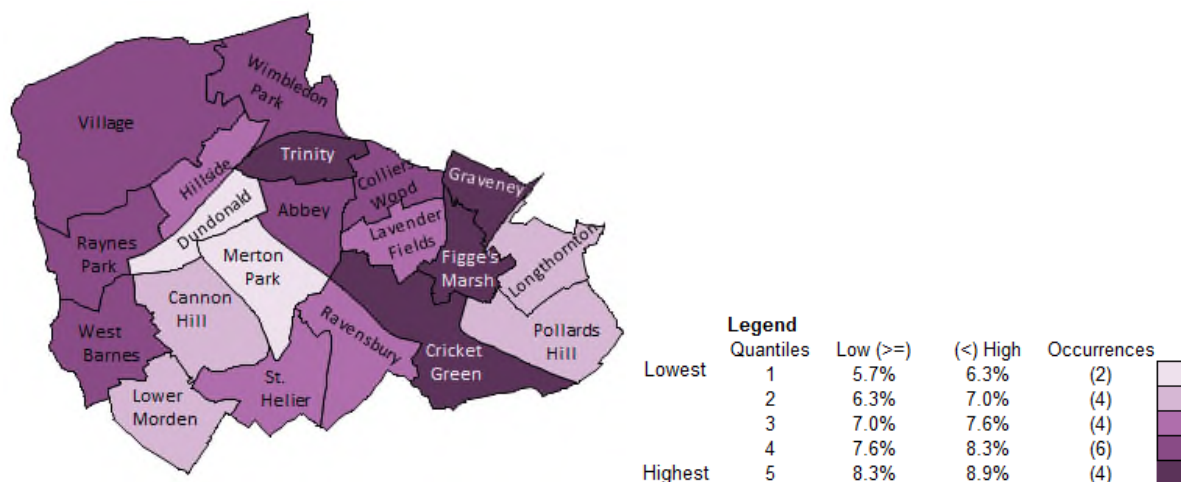
Mortality data by age and sex were extracted from the PCMD. The deaths occurred in the calendar years 2011 to 2014 and allocated to the deceased's ward of usual residence. The population estimates used in the calculation were the Greater London Authority 2013 round of estimates for wards by quinary age group for the years 2011 to 2014.

The age-specific mortality rates were calculated for each quinary age-band.

$DSR \text{ per } 100,000 = \text{Sum of (age-specific mortality rate} \times \text{European standard population)}$

The proportion of the ward's elective + emergency admissions for respiratory diseases (ICD10 J00-J99), all ages, persons (2013/14 and 2014/15), by ward in Merton

Map 4



Source: SUS extract

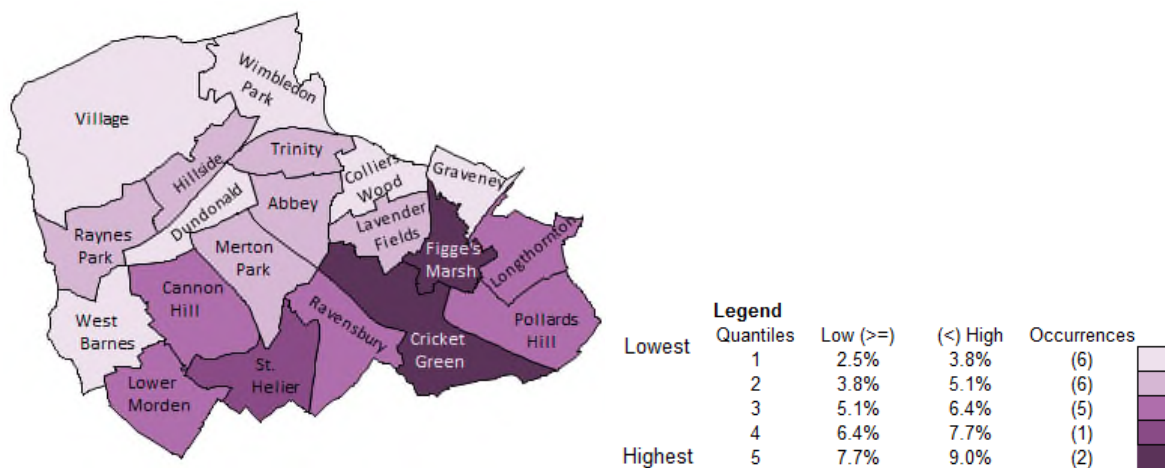
**Metric for ward**

The proportion of elective and emergency admissions for respiratory conditions (ICD10 J00-99) 2013-14 to 2014/15 (2-year pooled) as a percentage of all elective and emergency admissions in the ward.

Note: the denominator is the number of all elective and emergency admissions in each individual ward in Merton.

The proportion of Merton's elective + emergency admissions for respiratory diseases (ICD10 J00-J99), all ages, persons (2013/14 and 2014/15), by ward in Merton

Map 5



Source: SUS extract

**Metric**

The proportion of elective and emergency admissions for respiratory conditions (ICD10 J00-99) 2013-14 to 2014/15 (2-year pooled) as a percentage of all elective and emergency admissions for respiratory conditions in Merton.

Note: the denominator is the number of all elective and emergency admissions in Merton as a whole.

The ward of Graveney had the lowest number of admissions (103 = 2.5%) and the ward of *Cricket Green* had the highest number of admissions (368 = 9.0%).

## **Conclusion**

The five wards in Merton that have the highest mortality rates from respiratory diseases (data 2011-2014) are:

St Helier, Ravensbury, Colliers Wood, Figge's Marsh, and Lavender Fields

The five wards in Merton that have the highest mortality rates from respiratory diseases (via *Local Health* data 2008-2012) are:

St Helier, Figge's Marsh, Ravensbury, Abbey, and Lavender Fields



# LONDON BOROUGH OF MERTON

## INTRODUCTION OF A DIESEL SURCHARGE FOR ALL RESIDENT, BUSINESS AND TRADE PERMITS AND A DISCOUNTED RATE FOR ELECTRIC VEHICLE RESIDENT PARKING PERMITS

### THE MERTON (PARKING PLACES) (PARKING CHARGES) ORDER 201\*

1. **NOTICE IS HEREBY GIVEN** that the Council of the London Borough of Merton propose to make the above-mentioned Order under sections 46 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended.
2. The general effect of the Order would be to:-
  - (a) apply an additional charge (diesel levy) to resident, business and trade parking permits for all diesel vehicles. This would be phased in over a 3 year period as follows:-
    - (i) £90 annual surcharge from 1 April 2017;
    - (ii) £115 annual surcharge from 1 April 2018; and
    - (iii) £150 annual surcharge from 1 April 2019.

NB 1: permits issued for a duration of less than a year would be subject to the surcharge on a pro-rata basis;

NB 2: proposed GC1 and CW3 zones would be subject to the diesel levy phased in annually over a 3 year period beginning on the first anniversary of those zones coming into operation;
  - (b) set the resident parking permit charge for electric vehicles at a discounted rate of £25 per annum.

The new charges would apply to all controlled parking zones in the London Borough of Merton.

3. A copy of the proposed Order and other documents giving more detailed particulars of the Order, including a plan which indicates the roads to which the Order relates can be inspected Monday to Friday during normal office hours at Merton Link, Merton Civic Centre, London Road, Morden, Surrey. The information can be viewed on the Council's website [www.merton.gov.uk/diesellevy](http://www.merton.gov.uk/diesellevy) . The documents can also be inspected at all Merton operated libraries.
4. Any person desiring to comment on the proposed Order should send a statement in writing of their representations or objections and the grounds thereof, to the Environment and Regeneration Department at the Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX, or alternatively by email to [trafficandhighways@merton.gov.uk](mailto:trafficandhighways@merton.gov.uk) quoting reference **ES/DIESELLEVY**, no later than **3 February 2017**.

Dated: 12 January 2017.

Paul McGarry

Head of futureMerton

London Borough of Merton,

Merton Civic Centre,

London Road,

Morden Surrey, SM4 5DX

# **LONDON BOROUGH OF MERTON**

## **INTRODUCTION OF A DIESEL SURCHARGE FOR ALL RESIDENT, BUSINESS AND TRADE PERMITS AND A DISCOUNTED RATE FOR ELECTRIC VEHICLE PARKING PERMITS**

### **THE MERTON (PARKING PLACES) (PARKING CHARGES) ORDER 201\***

#### **STATEMENT OF REASONS**

(A brief statement of the general nature and effect of the Order)

Air pollution is increasingly recognised as a major cause of ill health and premature death. Although diesel cars produce low carbon dioxide emissions, they also produce disproportionately high emissions of local air quality pollutants such as nitrogen dioxides and particulates.

The proposals will encourage and incentivise diesel vehicle owners to consider adopting lower or zero emission technologies. This will lead to reduced harmful emissions, particularly nitrogen dioxide and particulate matter within the borough and thereby mitigate their adverse impact on the health of residents.

## Appendix

### London boroughs



**Road Traffic Regulation Act 1984**

**Section 122: Exercise of functions by local authorities.**

- (1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway or, in Scotland the road.
- (2) The matters referred to in subsection (1) above as being specified in this subsection are—
- (a) the desirability of securing and maintaining reasonable access to premises;
  - (b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
- 
- (bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);
  - (c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
  - (d) any other matters appearing to the local authority to be relevant.
- (3) The duty imposed by subsection (1) above is subject to the provisions of Part II of the Road Traffic Act 1991.

Source: <http://www.legislation.gov.uk/ukpga/1984/27/section/122>

## Mitra Dubet

---

**From:** Paul Foster  
**Sent:** 01 February 2017 13:57  
**To:** Councillor Ross Garrod  
**Cc:** Chris Lee; John Hill; Paul Walshe; Jason Andrews  
**Subject:** FW: Council Meeting tonight  
**Attachments:** Respiratory Disease Merton Specific.docx; Diesel surcharge OS Report FINAL august 26 16.doc; Diesel Surcharge Report - Cabinet - Final Version Nov 8 (i).doc; Cllr Garrod AQ Response 01.02.17.docx

**Importance:** High

Dear Councillor Garrod,

The responses to your questions are contained in the attached document – **Cllr Garrod AQ Response 01.02.17**

Please contact me if you require any further information.

Regards

**Paul Foster**

Head of the Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 020 8545 3077  
[paul.foster@merton.gov.uk](mailto:paul.foster@merton.gov.uk)



---

**From:** Paul Foster  
**Sent:** 01 February 2017 12:52  
**To:** Councillor Ross Garrod; John Hill; Jason Andrews; Paul Walshe  
**Subject:** RE: Council Meeting tonight

Dear Councillor Garrod,

I'm awaiting answers to some of your questions from colleagues in other service areas and once I receive them, I'll incorporate them into a final response and forward it onto you.

Regards

**Paul Foster**

Head of the Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 020 8545 3077  
[paul.foster@merton.gov.uk](mailto:paul.foster@merton.gov.uk)

---

**From:** Councillor Ross Garrod  
**Sent:** 01 February 2017 11:51  
**To:** John Hill; Jason Andrews; Paul Walshe; Paul Foster  
**Subject:** RE: Council Meeting tonight

Could I also have the number of times Merton has breached eu recommended air levels this year and last?

Best wishes,

Ross

**Councillor Ross Garrod**  
Labour Councillor for Lavender Fields  
T: 020 8545 3424 | M: 07920032568  
E: [ross.garrod@merton.gov.uk](mailto:ross.garrod@merton.gov.uk)

---

**From:** John Hill  
**Sent:** 01 February 2017 10:37  
**To:** Jason Andrews; Paul Walshe; Paul Foster  
**Cc:** Chris Lee; Councillor Ross Garrod  
**Subject:** FW: Council Meeting tonight

Colleagues,  
Am in meeting at moment, so please can you ensure that Cllr. Garrod has the emissions levy additional information asap this morning, please. Thanks,  
John (H)

---

**From:** Councillor Ross Garrod  
**Sent:** 01 February 2017 10:30  
**To:** Chris Lee  
**Cc:** John Hill; Cormac Stokes  
**Subject:** Council Meeting tonight

Dear Chris,

In preparation for tonight's Council meeting (apologies for lateness of email) I wondered if I could have some further information to assist with my answering of the questions from Councillors and members of the public.

Blue is re diesel levy

Red is re refuse service

I would be grateful if I could have a line/more information on the following:

- > Can you provide me with the latest expected figure of savings for Phase C for Lot 1.
- > Vehicles we are purchasing under Phase C to replace existing fleet - what can we do to ensure they are environmentally friendly - have they been identified yet by Veolia? Do we know fuel types or what are current fleet use?

> Where/ how have we advertised the consultation? Date of the start of consultation

>When was the issue first in Council papers ie available for public to see?

> Blanket ban on all diesel cars despite those that have a Euro 6 emissions etc.

I would also be grateful if you could send me an electronic version of the document seen at scrutiny re the diesel levy that details the local health impact rather than just the London figures.

Thank you for your help. Again sorry for it being very last minute.

Best wishes,

Ross

**Councillor Ross Garrod**

Labour Councillor for Lavender Fields

T: 020 8545 3424 | M: 07920032568

E: [ross.garrod@merton.gov.uk](mailto:ross.garrod@merton.gov.uk)

## Mitra Dubet

---

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**Sent:** 01 February 2017 13:57  
**To:** Councillor Ross Garrod  
**Cc:** Chris Lee; John Hill; Paul Walshe; Jason Andrews  
**Subject:** FW: Council Meeting tonight  
**Attachments:** Respiratory Disease Merton Specific.docx; Diesel surcharge OS Report FINAL august 26 16.doc; Diesel Surcharge Report - Cabinet - Final Version Nov 8 (i).doc; Cllr Garrod AQ Response 01.02.17.docx

**Importance:** High

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Please contact me if you require any further information.

Regards

**Paul Foster**

Head of the Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 020 8545 3077  
[paul.foster@merton.gov.uk](mailto:paul.foster@merton.gov.uk)



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**To:** Councillor Ross Garrod; John Hill; Jason Andrews; Paul Walshe  
**Subject:** RE: Council Meeting tonight

Dear Councillor Garrod,

I'm awaiting answers to some of your questions from colleagues in other service areas and once I receive them, I'll incorporate them into a final response and forward it onto you.

Regards

**Paul Foster**

Head of the Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 020 8545 3077  
[paul.foster@merton.gov.uk](mailto:paul.foster@merton.gov.uk)



---

**From:** Councillor Ross Garrod  
**Sent:** 01 February 2017 11:51  
**To:** John Hill; Jason Andrews; Paul Walshe; Paul Foster  
**Subject:** RE: Council Meeting tonight

Could I also have the number of times Merton has breached eu recommended air levels this year and last?

Best wishes,

Ross

**Councillor Ross Garrod**  
Labour Councillor for Lavender Fields  
T: 020 8545 3424 | M: 07920032568  
E: [ross.garrod@merton.gov.uk](mailto:ross.garrod@merton.gov.uk)

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**From:** John Hill  
**Sent:** 01 February 2017 10:37  
**To:** Jason Andrews; Paul Walshe; Paul Foster  
**Cc:** Chris Lee; Councillor Ross Garrod  
**Subject:** FW: Council Meeting tonight

Colleagues,

Am in meeting at moment, so please can you ensure that Cllr. Garrod has the emissions levy additional information asap this morning, please. Thanks,  
John (H)

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**From:** Councillor Ross Garrod  
**Sent:** 01 February 2017 10:30  
**To:** Chris Lee  
**Cc:** John Hill; Cormac Stokes  
**Subject:** Council Meeting tonight

Dear Chris,

In preparation for tonight's Council meeting (apologies for lateness of email) I wondered if I could have some further information to assist with my answering of the questions from Councillors and members of the public.

Blue is re diesel levy

Red is re refuse service

I would be grateful if I could have a line/more information on the following:

- > Can you provide me with the latest expected figure of savings for Phase C for Lot 1.
- > Vehicles we are purchasing under Phase C to replace existing fleet - what can we do to ensure they are environmentally friendly - have they been identified yet by Veolia? Do we know fuel types or what are current fleet use?

> Where/ how have we advertised the consultation? Date of the start of consultation

>When was the issue first in Council papers ie available for public to see?

> Blanket ban on all diesel cars despite those that have a Euro 6 emissions etc.

I would also be grateful if you could send me an electronic version of the document seen at scrutiny re the diesel levy that details the local health impact rather than just the London figures.

Thank you for your help. Again sorry for it being very last minute.

Best wishes,

Ross

**Councillor Ross Garrod**

Labour Councillor for Lavender Fields

T: 020 8545 3424 | M: 07920032568

E: [ross.garrod@merton.gov.uk](mailto:ross.garrod@merton.gov.uk)

1. Vehicles we are purchasing under Phase C to replace existing fleet - what can we do to ensure they are environmentally friendly - have they been identified yet by Veolia? Do we know fuel types or what are current fleet use? **The majority of existing refuse collection vehicles (RCVs) are diesel powered that meet the Euro 6 lower emission standard. New and replacement vehicles have to be lower emission technologies e.g. petrol, electric or hybrid. Currently, there are 6 petrol, 1 electric and 1 hybrid fuelled RCVs. The Mayor's official car is also powered by a hybrid unit. No discussions have yet taken place with Veolia on this issue but we will work with them to encourage the take up of less polluting vehicles with the overall aim of reducing emissions and improving air quality.**
  
2. Where/ how have we advertised the consultation? Date of the start of consultation.
  - **The Diesel Levy notice of proposal was advertised on 12th January 2017 in the Wimbledon Guardian and London Gazette with deposit documents available for inspection at the Link in the Civic Centre and all the local libraries.**
  - **Statutory consultees such as the emergency services and the AA have been consulted as have Councillors and all known resident associations and all known business associations.**
  - **Notices/posters were also erected at all the local libraries, the leisure centres and on Park's Notice Boards.**
  - **Information has been available on the Council's website since 12th January 2017.**
  - **Communications have put out information on social media and in a news release in the Wimbledon Guardian.**
  
3. When was the issue first in Council papers ie available for public to see?
  - **This item first appeared in the Cabinet paper Business Plan Update, Agenda item 7, Page 93 dated 7<sup>th</sup> December 2015 please see extract below.**

**ENV33 Service/Section Parking Services**  
**Description:** Development of emissions based charging policy for resident/business permits recognising the damage particularly from diesel engined motor vehicles  
**Service Implication:** Will have no impact on service - same volume of permits will still be issued but greater variety. Links with DVLA will provide info  
**Staffing Implications:** Initially resource intensive to develop policy, but there after little impact expected.  
**Business Plan implications:** Will encourage cleaner air quality and contribute to public health agenda
  - **It also featured in the Overview and Scrutiny Panel document meeting dated 7<sup>th</sup> September 2016 and in the Cabinet document dated 7<sup>th</sup> November 2016 (see attachments)**
  
4. **Blanket ban on all diesel cars despite those that have a Euro 6 emissions etc. All diesel engines, including Euro 6 vehicles, emit harmful particulates (0.25 microns) that penetrate deep into the lungs and accumulate there. The particulates cannot be broken down and are a risk to health. There is no safe, minimum, limit.**
  
5. I would also be grateful if you could send me an electronic version of the document seen at scrutiny re the diesel levy that details the local health impact rather than just the London figures. **See attachment**

6. Could I also have the number of times Merton has breached eu recommended air levels this year and last? Please see Table 1 below which is taken from our status report 2015-16. Highlighted are the areas that have failed. Modelling data also shows failures around most busy roads.

**Table 1**

Site ID	Site Type	Within AQMA?	Valid data capture 2015 %	Annual mean concentration (adjusted for bias) mg m <sup>-3</sup>			
				2012	2013	2014	2015
ME1 Civic Central	Roadside	Y	49	48 (48.1)	40.1	38 (37.9)	34
DA Worple Road	Roadside	Y	8	44.6	46.7	42.3 (40.2)	37
HA High Street Colliers Wood	Roadside	Y	66	50.7	52.2	49.8 (46.6)	31
WA Woodside Wimbledon	Suburban	Y	66	33.3	33.7	40.5 (36.1)	25
PA	Roadside	Y	N/A	47	48.4	57.2 (48.8)	N/A
AA	Roadside	Y	N/A	45.1	48.2	51 (48.7)	N/A
EA Merton High Street	Roadside	Y	75	52.7	57.5	61.1 (50.5)	65
FA Grand Drive	Roadside	Y	92	34.7	37.7	43.4 (36.5)	32
AC The Ridge Way	Roadside	Y	58	N/A	47.6	41.6 (38)	37
BC Haydons Road	Roadside	Y	75	N/A	48.3	43.6 (42.6)	43
CC London Road Tooting	Roadside	Y	33	N/A	72.6	67.2 (54.5)	64
DC London Road Tooting	Roadside	Y	92	N/A	59.3	55.5 (50.2)	45
EC London Road Mitcham	Roadside	Y	58	N/A	40.4	38	37
FC Church Road Mitcham	Roadside	Y	17	N/A	45.2	36.2	37

GC Western Road	Roadside	Y	92	N/A	N/A	N/A	<b>53</b>
HC Crown Lane	Roadside	Y	75	N/A	N/A	N/A	<b>46</b>
IC London Road Morden	Roadside	Y	75	N/A	N/A	N/A	<b>-51</b>

## Mitra Dubet

---

**From:** Taylor, John <John.W.Taylor@islington.gov.uk>  
**Sent:** 01 March 2017 17:39  
**To:** Paul Walshe  
**Cc:** Khan, Zahur  
**Subject:** Vin Diesel

Dear Paul,

Sorry I should have got back to you earlier:

- *How can we prove that there will be a drop in the number diesel permits holders by introducing a surcharge.*  
*My question is do you have any data to show a reduction of diesel permit holders that can be attributed to the surcharge you introduced.*

I think the honest answer to that is, over a decent time frame, you might expect to see some shifts in car ownership choices – but without asking each person who changes their vehicle the reason why they have done so, then any assumptions about those shifts is largely guesswork. We had the same issues with CO2-based charges. When we chose the £96, we wanted to set a rate that was certainly higher than the derisory amount Camden were charging at the time, but not at a rate that would seem overtly unfair. We looked at £96 per annum as nothing more than a cup of Starbucks every week. It's not a sum too small to have any impact, but it is one that we felt raised awareness and may add to the considerations as to what car to buy in the future – although £96 set alongside the thousands needed to buy a new car is arguably immaterial. Arguably, the £96 did make people sit up – the media coverage was proof of that. Though – that could have been fake news!

Cheers

John Taylor  
Operations and Customer Services Manager  
Environment and Regeneration Department – Traffic and Parking Services  
Islington Council  
29-33 Old Street  
London, EC1V 9HL

Mobile 07773 289519  
Landline 020 7527 2000

Alternative Contacts:  
PCN Correspondence/Appeals - Jibrail Hogan or Ian Cazaubon  
Parking Permits - Partha Das  
Finance and Debt Recovery - Felix Adepoju or Emmanuel Oyeleke  
Bay suspensions – Jamie Wride or Martin Hindle

[www.islington.gov.uk](http://www.islington.gov.uk)



**Mitra Dubet**

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**From:** HAMMOND, Sally <HAMMONDSP@parliament.uk>  
**Sent:** 03 February 2017 16:35  
**To:** Paul Walshe; Councillor Ross Garrod  
**Cc:** terryetherton@sky.com  
**Subject:** RE: Proposed diesel surcharge only for cars in controlled parking zones

Thanks Paul. Not really sure this answers the questions I raised!!

Best wishes.

Sally Hammond

---

**From:** Paul Walshe [mailto:Paul.Walshe@merton.gov.uk]  
**Sent:** 03 February 2017 15:45  
**To:** Councillor Ross Garrod <Ross.Garrod@merton.gov.uk>; HAMMOND, Sally <HAMMONDSP@parliament.uk>  
**Cc:** terryetherton@sky.com  
**Subject:** RE: Proposed diesel surcharge only for cars in controlled parking zones

Councillor,

---

I have spoken to the responsible officer Jason Andrews LBMerton Pollution Manager who has said the following in response to the question raised.

*Thank you for your email and I note your comment, a subject which was also raised at Committee. The air quality in London is now considered as a public health crisis, with diesel cars being the overwhelming contributing factor. We therefore have to use the mechanisms we have currently to hand to help try to address the problem. As we extend the CPZ's over time the emissions charge will cover more of the borough.*

*I also firmly believe that this will also have an impact on drivers outside the CPZ's as it shows that there is a move away from these polluting*

Hope that helps feel free to contact myself or Jason if you need further information.

Paul.

Paul Walshe  
Head of Parking and CCTV Services  
020 8545 4189

---

**From:** Councillor Ross Garrod  
**Sent:** 02 February 2017 18:03  
**To:** HAMMOND, Sally  
**Cc:** Paul Walshe; [terryetherton@sky.com](mailto:terryetherton@sky.com)  
**Subject:** RE: Proposed diesel surcharge only for cars in controlled parking zones

Dear Sally,

Lovely to hear from you.

I have copied in officers from the Parking Department who will be able to respond to your enquiry relating to Controlled Parking Zones in the borough.

Best wishes,

Ross

**Councillor Ross Garrod**

Labour Councillor for Lavender Fields

T: 020 8545 3424 | M: 07920032568

E: [ross.garrod@merton.gov.uk](mailto:ross.garrod@merton.gov.uk)

---

**From:** HAMMOND, Sally [HAMMONDSP@parliament.uk]  
**Sent:** 02 February 2017 17:33  
**To:** Councillor Ross Garrod; [terryetherton@sky.com](mailto:terryetherton@sky.com)  
**Cc:** Traffic And Highways  
**Subject:** RE: Proposed diesel surcharge only for cars in controlled parking zones

Dear Ross

Thank you for copying me in here.

I would completely accept that we need to improve London's air quality. However, it does seem completely unfair to introduce this in a borough such as Merton where only about half the borough has a CPZ. There is therefore no incentive for half the borough to reduce diesel car ownership. In somewhere like Islington, nearly all the borough has a CPZ! How much of your Lavender Fields ward has a CPZ?!

Best wishes.

Sally

Sally Hammond

---

**From:** Councillor Ross Garrod [<mailto:Ross.Garrod@merton.gov.uk>]  
**Sent:** 02 February 2017 17:26  
**To:** [terryetherton@sky.com](mailto:terryetherton@sky.com); Stephen Hammond MP <[stephen@stephenhammond.net](mailto:stephen@stephenhammond.net)>  
**Cc:** Traffic And Highways <[Traffic.AndHighways@merton.gov.uk](mailto:Traffic.AndHighways@merton.gov.uk)>  
**Subject:** RE: Proposed diesel surcharge only for cars in controlled parking zones

Dear Mr Etherton,

Thank you for your further email.

The policy pursued by Westminster Council is to alter the parking charges for diesel drivers when using Council car parks. Their policy is different from the one being proposed in Merton and already implemented in Islington, where I have seen a positive movement in terms of the declining levels of diesel car ownership, Kensington and Chelsea and Camden. To date I am unaware of a successful legal case against any of the three mentioned boroughs concerning the scheme.

As mentioned in previous correspondence the proposed diesel levy is the beginning of our strategy for tackling air pollution with further measures to be explored and considered. This approach will be enhanced through additional measures such as altering road layouts, to ease congestion, and planting of trees to help improve the quality of the air.

It is extremely important to me that as a local authority we look to protect those who do not have a choice as to the air they breathe such as school children who walk to school on a daily basis and have no option but to inhale these harmful particulates. Doing nothing is, unfortunately, not an option as peoples' health is at risk.



Best wishes,

Ross

**Councillor Ross Garrod**

Labour Councillor for Lavender Fields

T: 020 8545 3424 | M: 07920032568

E: [ross.garrod@merton.gov.uk](mailto:ross.garrod@merton.gov.uk)

---

**From:** [terryetherton@sky.com](mailto:terryetherton@sky.com) [terryetherton@sky.com]  
**Sent:** 02 February 2017 16:32  
**To:** Councillor Ross Garrod; Stephen Hammond MP  
**Subject:** Proposed diesel surcharge only for cars in controlled parking zones

Dear Mr Garrod

As the cabinet member responsible for the diesel levy can I please have answers to my questions raised in my earlier email addressed to Mr Alambritis as follows:-

1. Why are you making diesel car owners in controlled parking zones responsible for the whole of the pollution in Wimbledon town centre? As stated before I have a new diesel car which is fitted with a 'particulate filter' I do not drive into Wimbledon town centre - surely your unrelenting approach to the air quality in our borough should include all diesel vehicles i.e. diesel cars parked on driveways those outside the controlled parking zones, lorries, taxis, buses etc where is the fairness in what you are suggesting? How many controlled parking zones are in the other areas within the London Borough of Merton - or are the diesel owners in Wimbledon to be responsible for the whole of the boroughs air?.

2. Westminster council may have approved a surcharge but it is nowhere near as high as the one which the London Borough of Merton intend to implement - I am not even sure this is legal.

I will also be forwarding an email to the Traffic and Highways division of the council.

It is not for you or the London Borough of Merton to tell me what I can and cannot drive- your concerns and efforts should be with the manufacturers to produce cleaner diesel vehicles and not punishing people who thought they doing the right thing.

Terry Etherton

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## Mitra Dubet

---

**From:** Mitra Dubet  
**Sent:** 23 February 2017 14:16  
**To:** Councillor Martin Whelton  
**Subject:** RE: Diesel levy

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Councillor Martin Whelton	Delivered: 23/02/2017 14:16

Dear Cllr Whelton

Given the numbers of Teachers permit being very low and the unknown dates of renewal or new applications that may be received, this is a low risk. The statutory consultation could take place in April 2017. It will be reported back to you for approval. An exact date will be agreed once we have completed the TMOs for the various CPZs but likely to be early April. For the purpose of this report, I do not think an exact time frame would be a key point.

Regards  
Mitra Dubet



---

**From:** Councillor Martin Whelton  
**Sent:** 23 February 2017 14:10  
**To:** Mitra Dubet  
**Cc:** Councillor Ross Garrod  
**Subject:** Diesel levy

Mitra

My only point is relation to recommendation E on Teacher's permit: when will this consultation be undertaken and the results considered. I would need more information about this before proceeding with this rec.

Rest of the report is fine following Cllr Garrod's changes.

I intend to make the decision tonight for publication tomorrow morning.

Kind regards

Martin

E. Agrees to undertake a statutory consultation to apply the diesel surcharge to Teacher's permit and to apply a reduction of £40 to business and trade permits with electric vehicles.

---

Martin Whelton  
Labour councillor for Pollards Hill  
Cabinet member for Regeneration, Environment and Housing

**Caroline Stanyon**

---

**From:** Mitra Dubet  
**Sent:** 24 February 2017 11:50  
**To:** Susanne Wicks; Democratic Services  
**Cc:** Deirdre Costigan; Caroline Stanyon  
**Subject:** RE: Diesel levy decision  
**Attachments:** 17-02-22 Diesel Levy Statutory Consultation Results Report.pdf

Here is the report

Regards  
Mitra Dubet



---

**From:** Susanne Wicks  
**Sent:** 24 February 2017 11:37  
**To:** Democratic Services  
**Cc:** Mitra Dubet; Deirdre Costigan; Caroline Stanyon  
**Subject:** RE: Diesel levy decision

Mitra – could we have the accompanying report, so we can publish with the form. ASAP please, so we can get this out today.

Best wishes.

Susanne

Susanne Wicks  
020 8545 3616

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**From:** Councillor Martin Whelton  
**Sent:** 24 February 2017 11:36  
**To:** Democratic Services  
**Cc:** Councillor Ross Garrod; Mitra Dubet; Deirdre Costigan; Caroline Stanyon  
**Subject:** Diesel levy decision

Please find attached my diesel levy decision. I would be grateful if you can please arrange for publication today.

Kind regards

Martin

Martin Whelton  
Labour councillor for Pollards Hill  
Cabinet member for Regeneration, Environment and Housing

Daytime Telephone Number: 020 8545 3425  
Evening & Weekends: 07941514589  
Twitter: @martinwhelton

**Caroline Stanyon**

---

**From:** Mitra Dubet  
**Sent:** 21 February 2017 17:29  
**To:** Councillor Ross Garrod; Councillor Martin Whelton; Chris Lee  
**Cc:** Caroline Stanyon  
**Subject:** Diesel surcharge report  
**Attachments:** 17-02-22 Diesel Levy Statutory Consultation Results Report.doc

Dear all

Please find attached a draft copy of the report. Given the tight time frame, I really would appreciate feedback / comments by Thursday 23<sup>rd</sup> Feb. Please copy Caroline into your response as she would need to make the final modifications. The intention is that a final report is submitted on Friday 24 Feb at the latest.

The decision sheet will be sent to Cllr Whelton separately  
Happy reading

Mitra



Mitra Dubet  
Future Merton Commissioning Manager  
020 8545 3201  
mitra.dubet@merton.gov.uk



## Mitra Dubet

---

**From:** Mitra Dubet  
**Sent:** 09 January 2017 13:08  
**To:** Councillor Edith Macauley; Councillor Gilli Lewis-Lavender; Councillor Jeff Hanna; Councillor Mark Allison; Councillor Marsie Skeete; Councillor Mary-Jane Jeanes; Councillor Stan Anderson; Councillor Brian Lewis-Lavender; Councillor David Chung; Councillor Brenda Fraser; Councillor Joan Henry; Councillor Mary Curtin; Councillor Sally Kenny  
**Cc:** Caroline Stanyon; Eric Marchais; Paul Walshe; Chris Lee; Paul McGarry; Councillor Martin Whelton; Councillor Ross Garrod; John Hill  
**Subject:** Diesel Levy - CPZ TMO statutory consultation

Dear Councillors

Although your Wards are not within a CPZ and you may not be directly affected, I wish to advise you that in response to a national health emergency and the Mayor of London's pledge to cut air pollution, the Council has made a decision to introduce the following measures:

1. the introduction of a levy charge for all diesel vehicles that have a Resident, Business or Trade parking permit with the introduction of £150 surcharge phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.
2. parking permit charge for electric vehicles to be set at a discounted rate of £25 per annum.
3. the Council to review the impact of the diesel surcharge for a period of 2 years, with a view to the introduction of comprehensive emissions based parking scheme.

Full details and reports relating to this decision can be viewed on the Council's website using <http://democracy.merton.gov.uk/documents/b8765/Supplementary%20Agenda%20Monday%2014-Nov-2016%2019.15%20Cabinet.pdf?T=9>

To implement the above, it is necessary to undertake a statutory consultation to amend all the Traffic Management Orders pertaining to Controlled Parking Zones. **This statutory consultation will start on 12<sup>th</sup> January 2017 and will conclude on 3<sup>rd</sup> February 2017.**

Due to the extent of the consultation area (across all roads subject to a CPZ) the Council will not be erecting yellow notices and we will not be sending residents / businesses any newsletters.

The statutory consultation will be undertaken by

- *Advertising in the newspapers*
- *Inform all known resident & business associations*
- *Deposit the documents at The Link at the Civic Centre*
- *Erect Notices in local libraries & leisure centres*
- *Erect Notices on local / Ward community Notice Boards (if any) – if any Councillors are aware of such Notice Boards, it would be appreciated if officers could be advised of location and point of contact*
- *Erect Notices on Park's Notice Boards*
- *Full information available on Council's own website – this will go live the day before the start of the consultation. [www.merton.gov.uk/diesellevy](http://www.merton.gov.uk/diesellevy)*
- *Social media*

As per statutory consultation process, all representations along with Officers' comments and recommendations will be presented in a report to the Cabinet Member for Regeneration, Environment and Housing and the Cabinet Member for Street Cleanliness and Parking for their consideration and a final decision. Responses to any representations received will not be made until a final decision is made by both Cabinet Members. The decision will be published on the Council's website.

It is important to note that those CPZs that we have recently consulted upon but have not yet been implemented (i.e. before the decision for the introduction of the Diesel levy was made) will not be charged the levy as residents were not made aware of the levy during the consultation process. Whilst processing permits for these new zones, applicants will be advised of the new charges that would be applied upon the renewal of their permits.

These new zones include:- MP2 Cannon Hill Lane area; CW3 Pitcairn Rd area; GC1 Streatham Rd area; VQ The Quadrant area

If you have any queries please let me know.

Regards  
Mitra Dubet



Mitra Dubet

futureMerton Commissioning Manager  
020 8545 3201  
mitra.dubet@merton.gov.uk



## Mitra Dubet

---

**From:** Mitra Dubet  
**Sent:** 06 January 2017 16:02  
**To:** Councillor Abdul Latif; Councillor Abigail Jones; Councillor Agatha Akyigyina; Councillor Andrew Judge; Councillor Caroline Cooper-Marbiah; Councillor Charlie Chirico; Councillor Daniel Holden; Councillor David Dean; Councillor David Simpson; Councillor David Williams; Councillor Dennis Pearce; Councillor Fidelis Gadzama; Councillor Geraldine Stanford; Councillor Hamish Badenoch; Councillor Ian Munn; Councillor Imran Uddin; Councillor John Bowcott; Councillor John Dehaney; Councillor John Sargeant; Councillor Edward Foley; Councillor Judy Saunders; Councillor Katy Neep; Councillor Laxmi Attawar; Councillor Linda Kirby; Councillor Linda Taylor; Councillor Michael Bull; Councillor Mike Brunt; Councillor Najeeb Latif; Councillor Nick Draper; Councillor Oonagh Moulton; Councillor Pauline Cowper; Councillor Peter Southgate; Councillor Russell Makin; Councillor Suzanne Grocott; Councillor Tobin Byers; Councillor Adam Bush; Councillor Gregory Udeh; Councillor James Holmes; Councillor Janice Howard; Councillor Jill West; Councillor Stephen Crowe; Councillor Jerome Neil; Councillor Peter McCabe; Councillor Philip Jones; Councillor Stephen Alambritis  
**Cc:** Caroline Stanyon; Eric Marchais; Paul Walshe; Chris Lee; Paul McGarry; Councillor Martin Whelton; John Hill; Councillor Ross Garrod  
**Subject:** Diesel Levy - CPZ TMO statutory consultation

---

Dear Councillors  
Happy New Year to all

As you are all probably aware, a decision has been made by the Council to introduce the following:

1. the introduction of a levy charge for all diesel vehicles that have a Resident, Business or Trade parking permit with the introduction of £150 surcharge phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.
2. parking permit charge for electric vehicles to be set at a discounted rate of £25 per annum.
3. the Council to review the impact of the diesel surcharge for a period of 2 years, with a view to the introduction of comprehensive emissions based parking scheme.

Full details and reports relating to this decision can be viewed on the Council's website using <http://democracy.merton.gov.uk/documents/b8765/Supplementary%20Agenda%20Monday%2014-Nov-2016%2019.15%20Cabinet.pdf?T=9>

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As per statutory consultation process, all representations along with Officers' comments and recommendations will be presented in a report to the Cabinet Member for Regeneration, Environment and Housing and the Cabinet Member for Street Cleanliness and Parking for their consideration and a final decision. Responses to any representations received will not be made until a final decision is made by both Cabinet Members. The decision will be published on the Council's website.

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These new zones include:- MP2 Cannon Hill Lane area; CW3 Pitcairn Rd area; GC1 Streatham Rd area; VQ The Quadrant area

If you have any queries please let me know.

Regards  
Mitra Dubet



Mitra Dubet  
Future Merton Commissioning Manager  
020 8545 3301  
[mitra.dubet@merton.gov.uk](mailto:mitra.dubet@merton.gov.uk)





**Mitra Dubet**

---

**From:** Mitra Dubet  
**Sent:** 21 February 2017 17:29  
**To:** Councillor Ross Garrod; Councillor Martin Whelton; Chris Lee  
**Cc:** Caroline Stanyon  
**Subject:** Diesel surcharge report  
**Attachments:** 17-02-22 Diesel Levy Statutory Consultation Results Report.doc

Dear all

Please find attached a draft copy of the report. Given the tight time frame, I really would appreciate feedback / comments by Thursday 23<sup>rd</sup> Feb. Please copy Caroline into your response as she would need to make the final modifications. The intention is that a final report is submitted on Friday 24 Feb at the latest.

The decision sheet will be sent to Cllr Whelton separately  
Happy reading

Mitra



Mitra Dubet  
futureMerton Commissioning Manager  
020 8545 3201  
mitra.dubet@merton.gov.uk



**Mitra Dubet**

---

**From:** Mitra Dubet  
**Sent:** 21 February 2017 17:31  
**To:** Councillor Martin Whelton  
**Cc:** Caroline Stanyon  
**Subject:** Diesel surcharge - Decision sheet  
**Attachments:** 17-02-21 Emissions Surcharge – Statutory consultation\_DECISION SHEET.doc

Dear Cllr Whelton

Please find attached copy of the decision sheet

Regards  
Mitra Dubet



Mitra Dubet

futureMerton Commissioning Manager  
020 8545 3201  
mitra.dubet@merton.gov.uk



**Mitra Dubet**

---

**Subject:** FW: Diesel levy - statutory consultation

**Importance:** High

**From:** Mitra Dubet  
**Sent:** 09 January 2017 15:46  
**Cc:** Caroline Stanyon  
**Subject:** Diesel levy - statutory consultation  
**Importance:** High

*You are receiving this e mail because your details are on the Council's list of Resident / business associations / local community representative.*

**Merton set to bring in diesel levy to tackle air pollution**

The council's research has found that diesel vehicles in Merton contribute disproportionately to local air quality emissions. This was based on real-life on-road emissions rather than the manufacturers' specification. The Royal College of Physicians report *Every breath we take: the lifelong impact of air pollution* says that each year in the UK, around 40,000 deaths are attributable to exposure to outdoor air pollution and King's College London has estimated that air pollution was responsible for about 9,400 deaths in London in 2010 and 3,400 hospital admissions, not only impacting adversely on the lives of many families, but also resulting in an estimated associated economic cost of £3.7 billion.

On 14th November 2016 the Cabinet agreed the following:

1. the introduction of a levy charge for all diesel vehicles that have a Resident, Business or Trade parking permit with the introduction of £150 surcharge phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.
2. Resident parking permit charge for electric vehicles to be set at a discounted rate of £25 per annum.
3. the Council to review the impact of the diesel surcharge for a period of 2 years, with a view to the introduction of comprehensive emissions based parking scheme.

Full details and reports relating to this decision can be viewed on the Council's website using <http://democracy.merton.gov.uk/documents/b8765/Supplementary%20Agenda%20Monday%2014-Nov-2016%2019.15%20Cabinet.pdf?T=9>

**What does this mean**

Merton Council is set to introduce a new diesel levy in April 2017 in response to a national health emergency and the Mayor of London's pledge to cut air pollution in the capital. Merton will be joining Islington, Kensington and Chelsea and Camden, which have already introduced a surcharge for diesel vehicles.

Now, the council is using its powers in an effort to encourage people to move away from diesel and towards less polluting vehicles. Recognising the difficult financial climate and in response to concerns raised by the Scrutiny Panel about giving people enough time to change their vehicle or have it serviced, it has been decided to phase in the surcharge incrementally rather than bring in the full £150 additional cost in one hit.

Year	Diesel levy for all parking permits
------	-------------------------------------

2017/18	£90
2018/19	£115
2019/20	£150

The Council will review the effectiveness of the surcharge in two years' time with a view of introducing a comprehensive emissions-based parking scheme which could link permit pricing to the vehicle's environmental performance.

To further encourage the use of cleaner vehicles, the council will be reducing the resident parking permit charge for electric vehicles to £25 per year.

Merton Council is committed to ensuring any money raised through such a scheme in the borough would go towards tackling air pollution, local sustainable transport initiatives and necessary infrastructure such as cycle lanes.

To implement the above, it is necessary to undertake a statutory consultation to amend all the Traffic Management Orders pertaining to Controlled Parking Zones. **This statutory consultation will start on 12<sup>th</sup> January 2017 and will conclude on 3<sup>rd</sup> February 2017.**

Due to the extent of the consultation area (across all roads subject to a CPZ) the Council will not be erecting yellow notices and we will not be sending residents / businesses any newsletters.

The statutory consultation will be undertaken by

- *Advertising in the newspapers*
- *Inform all Ward councillors and known resident & business associations within affected areas*
- *Deposit the documents at The Link at the Civic Centre & libraries*
- *Erect Notices in local libraries & leisure centres*
- *Erect Notices on local / Ward community Notice Boards (if any) – if any associations are aware of such Notice Boards, it would be appreciated if officers could be advised of location and point of contact*
- *Erect Notices on Park's Notice Boards*
- *Full information available on Council's own website – this will go live the day before the start of the consultation. [www.merton.gov.uk/diesellevy](http://www.merton.gov.uk/diesellevy)*
- *Social media*

As per statutory consultation process, all representations along with Officers' comments and recommendations will be presented in a report to the Cabinet Member for Regeneration, Environment and Housing and the Cabinet Member for Street Cleanliness and Parking for their consideration and a final decision. Responses to any representations received will not be made until a final decision is made by both Cabinet Members. The decision will be published on the Council's website.

It is important to note that those CPZs that we have recently consulted upon but have not yet been implemented (i.e. before the decision for the introduction of the Diesel levy was made) will not be charged the levy as residents were not made aware of the levy during the consultation process. Whilst processing permits for these new zones, applicants will be advised of the new charges that would be applied upon the renewal of their permits.

These new zones include:- MP2 Cannon Hill Lane area; CW3 Pitcairn Rd area; GC1 Streatham Rd area; VQ The Quadrant area

If you have any queries please let me know.

**From:** Jason Andrews  
**Sent:** 06 March 2017 14:18  
**To:** Councillor Ross Garrod  
**Cc:** John Hill  
**Subject:** Briefing Note

Dear Cllr Garrod

Please find briefing note as requested, I hope that this is of help, let me know if you need me to expand on any particular area.

Kindest regards

**Jason Andrews**  
EH Pollution Manager  
Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 0208 5453859  
[jason.andrews@merton.gov.uk](mailto:jason.andrews@merton.gov.uk)



1. The Government have been successfully challenged in the Supreme Court for failing to achieve its air quality objectives for NOx. From this ruling a new Air Quality Action Plan was created and was also successfully challenged. A new Plan will be available for consultation in the summer of 2017.

As part of this challenge, it highlighted the importance of poor air quality and in particular those boroughs that have failed to achieve the objectives.

Government has now written to individual boroughs that have declared an Air Quality Management Area, asking what steps they are taking to tackle and reduce poor air quality in their boroughs.

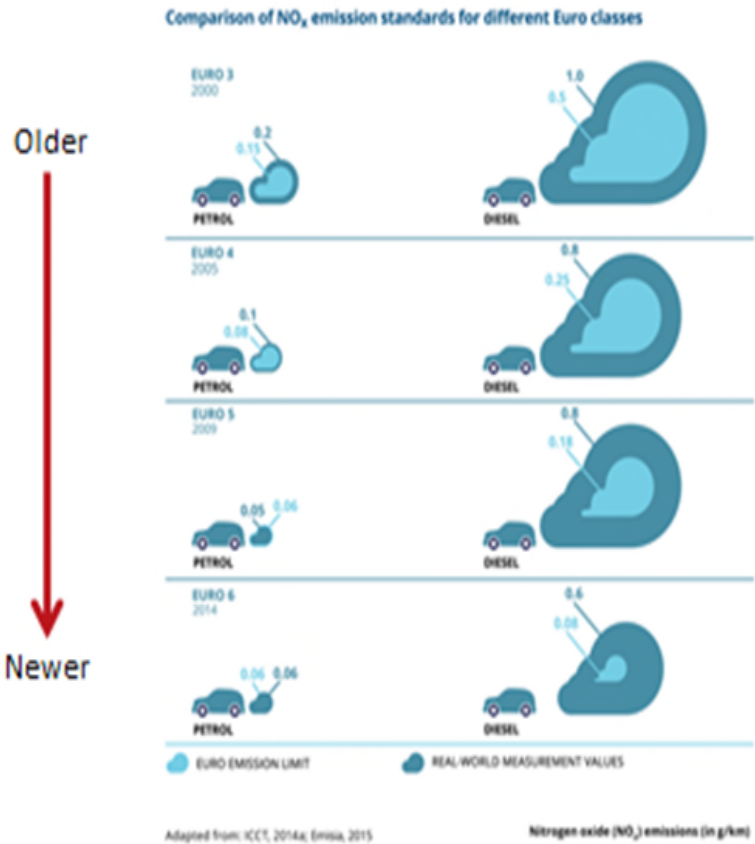
2. Merton has historically and continues to contravene the Air Quality objectives along its main roads and corridors. This is predominantly due to traffic; therefore any action to reduce poor air quality in Merton must have a focus on traffic. This must include focusing on those vehicles that contribute to pollution and the limited statutory controls that can be used by the Local Authority to influence this. The ultimate aim must be to both reduce the most polluting vehicles and to move people to using cleaner forms of transport.
3. One established method of influencing vehicle choice is through the use of the parking permits regime. In 2016 The Pollution Team commissioned a review of vehicle's parked within the boroughs CPZ's. Originally this was aimed at aligning the parking permit charges with vehicle emissions, based upon vehicles type and real-world emissions including; CO2, particulates and NOx. However, through this process it became very clear that diesel cars and light good vehicles were contributing disproportionately to poor air quality in terms of the NOx. This confirmed the current thinking amongst air quality experts, the results of which have led to many high profile initiatives and campaigns focusing on diesel vehicles.
4. The diagram shows the 'real-world' NOx emissions of diesel light vehicles in comparison to their stated emissions; including the latest Euro 6 accreditation. It outlines the primary reason for focusing on light diesel goods vehicles and cars.

It is clear that the increase in numbers of diesel vehicles over the years has off-set any possible reduction in pollution along our main roads and corridors.

5. There are current government plans to reassess the 'real world' driving emissions of diesel vehicles.
6. As with any new charging mechanism we can sometimes only make assumptions of its impact and how this translates to the real world. To assess the impact of the new emissions surcharge we will look carefully at a number of areas including, but not limited to; the change in vehicles types associated with the CPZ's, impact to parking outside the CPZ's, any changes to off-road parking and the reduction in emissions at the tailpipe. We also intend to look at a wider more holistic emissions charging system that will capture all types of vehicles; including petrol, hybrids and electric.
7. To complement this action the Pollution Team are drafting a new Air Quality Action Plan which will look at many traffic specific measures to reduce traffic pollution including:

- Intelligent traffic light systems at junctions
- Possible re-routing HGVs away from hotspots.
- Review on-street parking bays/bus stops/loading bays within AQFAs to minimise congestion.
- Negotiate with GLA/TfL to ensure that zero emission buses only access routes through AQFAs by 2020.
- Negotiate with GLA/TfL to ensure that Ultra Low Emissions standards for taxi's and Private Hire vehicles apply to routes within AQFAs by 2020.
- Restrict access to all non-compliant vehicles within AQFA defined on basis of emissions in line with ULEZ.
- Increase access/infrastructure for zero emission vehicles.

- Introduce street parking surcharge for diesel vehicles using on-street parking bays in AQFA/mini-ULEZ.
- Identify opportunities to install green walls/hedges to disrupt dispersion of pollutants.
- Consider Clean Air Zones (CAZ's) to restrict more polluting vehicles as these become established.



**From:** Jason Andrews  
**Sent:** 03 March 2017 15:36  
**To:** Councillor Ross Garrod  
**Subject:** RE: Air quality action plan additions

Dear Councillor Garrod

Please find attached letters from the SoS, This was in response from the latest 'challenge' by client earth and there was a 'feeling' that this was being passed over to Local Authorities. We are not sure what will happen with 'brexit' and possible infraction fines for breaching AQ limits, but it may be the case that these fines could fall, or will party fall to local authorities.

I will put together a simple briefing note around the diesel surcharge hopefully by PM Monday.

I hope this helps.

Kindest regards

**Jason Andrews**

EH Pollution Manager  
Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 0208 5453859  
[jason.andrews@merton.gov.uk](mailto:jason.andrews@merton.gov.uk)



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**From:** Councillor Ross Garrod  
**Sent:** 03 March 2017 08:48  
**To:** Jason Andrews  
**Subject:** RE: Air quality action plan additions

Thank you Jason. I will have a read.



Would you be able to send me a copy of the SoS letter to the Council re air quality?

Also would you be able to provide a briefing note on the Levy for Cllr Whelton ahead of the scheduled meeting?

Best wishes,

Ross

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**From:** Jason Andrews  
**Sent:** 02 March 2017 14:33  
**To:** Councillor Ross Garrod  
**Subject:** FW: Air quality action plan additions

Dear Councillor Garrod

Please find attached some ideas to flesh out our AQAP. Please let me know your thoughts and we'll get the draft document put together.

I'm happy to meet and talk this through, if this is easier.

Warmest regards

**Jason Andrews**  
EH Pollution Manager  
Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 0208 5453859  
[jason.andrews@merton.gov.uk](mailto:jason.andrews@merton.gov.uk)



---

**From:** Councillor Ross Garrod  
**Sent:** 28 February 2017 10:15  
**To:** Jason Andrews  
**Subject:** Air quality

Dear Jason,

Thanks for meeting with me last week.

I have had a look through the matrix and would really appreciate if we could flesh out some of the localised solutions with road management/layout such as freight trucks turning left/right. Also could we look into the impact of busses. I saw an article last week how one Council in London was able to get a commitment from TFL to replace the busses on one route and work towards zero emissions by 2020 on all routes in the borough. Could we also look into increasing monitoring particularly around schools? And lastly, sorry, to flesh out more about the planning side of things. How applications, particularly on heavily polluted roads, could incorporate measures to improve air quality such as a green/garden wall.

Could you also remind me of the dates for the draft and publication as I will be looking to set up a meeting with the GLA and would like to inform them about the work and perhaps show them the draft.

Best wishes,

Ross

**Councillor Ross Garrod**

Labour Councillor for Lavender Fields

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Department  
for Environment  
Food & Rural Affairs

Nobel House  
17 Smith Square  
London SW1P 3JR

**Dr Thérèse Coffey MP**  
Parliamentary Under Secretary of State

T 03459 335577  
defra.helpline@defra.gsi.gov.uk  
[www.gov.uk/defra](http://www.gov.uk/defra)

The Mayor of London  
cc. Leaders and Chief Executives of London Boroughs

14 November 2016

Tackling air pollution is a priority for both of us. I understand that you wrote to the Secretary of State recently about this issue and she will be responding in due course.

The Government has committed £2 billion since 2011 on transport measures to reduce emissions. Alongside national action, local authorities have a vital role to play as we work together to improve air quality across the country as quickly as possible, which is good for the residents we all represent. We are now updating our national plans with the intention of producing plans next year. These will take into account the updated COPERT factors used to forecast car emissions, which we pressed for following the revelations about Volkswagen emissions.

Under the Local Air Quality Management system local authorities can designate air quality management areas (AQMAs) where national objectives are not being met. I am writing to all local authorities in England which declared an AQMA 6 or more years ago, as well as those with more recent declarations. I am writing in similar terms to Directors of Public Health. Given your remit I am writing to you in relation to the 33 London Boroughs that have longstanding AQMAs.

I appreciate the significant role vehicle emissions play in pollution levels, but I would be interested to hear whether there are specific local challenges that you or any of the London Boroughs have identified that are proving difficult to resolve. I would also like to receive an update on the plan of activities to reduce pollutant levels in London Boroughs to compliant levels.

The Government has recently launched a consultation on its Clean Air Zone Framework (details here: <https://consult.defra.gov.uk/airquality/implementation-of-cazs/>) and I would welcome your views and those of the London Boroughs. We have also recently launched a new round of Air Quality Grants (details here: <http://laqm.defra.gov.uk/laqm-faqs/faq137.html>). There is still time to apply. All local authorities in England are eligible to bid and those with current or forecast air quality exceedances will be given priority.

I look forward to hearing from you.

Yours sincerely,

DR THERESE COFFEY MP





Department  
for Environment  
Food & Rural Affairs

House, 17 Smith Square, T: 03459 335577  
London, helpline@defra.gsi.gov.uk  
SW1P 3JRY [www.gov.uk/defra](http://www.gov.uk/defra)

Carol Lee  
London Borough of Richmond  
carol.lee@richmond.gov.uk

**Your ref:** Tack Air Poll  
**Our ref:** TC Nov 16  
**Date:** 26 Jan 2017

Dear Carol Lee

### **Tackling Air Pollution**

As you may be aware, our Minister, Dr Thérèse Coffey, wrote to your council leader, chief executive and local MPs on 14 November 2016, requesting information on the actions being taken by your council to tackle air pollution in your local area.

The Minister has now received many replies and is reading them with interest.

She is very keen to learn about your current progress and challenges, and would appreciate your response **by close on Friday 3 February**.

A high level summary (e.g. of no more than 2 pages) will suffice.

Please use the headers below as a guide for your response and include any additional information that you feel may help the Minister get an overview of the situation in your local authority.

- **What's working well?** Do you have any positive case studies it would be helpful to share?
- **What are the challenges?** We know vehicle emissions are a problem but are there issues specific to your local area, how could they be addressed?
- **Over the longer term what are the biggest challenges and opportunities you see in driving air quality improvements locally?**
- **If you have an Air Quality Management Area when do you expect to revoke it?**
  - Don't know
  - 0 - 2 years
  - 2 - 5 years
  - 5-10 years



- Over 10 years
- Include any relevant narrative

- **Are you considering implementing a clean air zone?**

The information you and other local authorities provide will help Defra determine how government can assist local authorities in effectively managing Air Quality.

Regards,

Defra Air Quality Team

**From:** Jason Andrews  
**Sent:** 07 March 2017 14:01  
**To:** Mitra Dubet  
**Subject:** More Emails

Sorry to send more work Mitra, I was debating about these, they're not specifically about diesel but we may want to push these out as they reference AQ

Kindest regards

**Jason Andrews**

EH Pollution Manager  
Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 0208 5453859  
[jason.andrews@merton.gov.uk](mailto:jason.andrews@merton.gov.uk)



**Mitra Dubet**

---

**From:** Jason Andrews  
**Sent:** 15 February 2017 13:20  
**Subject:** FW: Air pollution  
**Attachments:** DRAFT LB Merton Action Plan options list\_090117.xlsx

Dear Councillor Garrod

I would be more than happy to meet and discuss AQ, as a starting point we are currently redrafting our Air Quality Action Plan , attached is a list of measures that are open to discussion, Scrutiny Committee have also looked at these and are generally supportive most of them.

The list will be whittled down and some of the functions merged, we will then need your input before we pull together a focus group of the officers that will deliver this.

We're hopefully aiming, with your help, to have a plan out for consultation in March?

Let me know if the date and time for next Thursday is ok and I'll pop something in the diary.

Kindest regards

---

**Jason Andrews**  
EH Pollution Manager  
Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 0208 5453859  
[jason.andrews@merton.gov.uk](mailto:jason.andrews@merton.gov.uk)



---

**From:** John Hill  
**Sent:** 15 February 2017 12:22  
**To:** Councillor Ross Garrod; Jason Andrews  
**Cc:** James McGinlay  
**Subject:** RE: Air pollution

Dear Councillor,  
Thank you for your email. Responsibility for air quality and air pollution rests with regulatory Services, which forms part of the Public Protection Division. I am copying Jason Andrews, the environmental health pollution manager, so that he can contact you directly to arrange the meeting for next Thursday.  
Kind regards,  
John (H)

---

**From:** Councillor Ross Garrod  
**Sent:** 15 February 2017 11:18

**To:** John Hill; James McGinlay  
**Subject:** Air pollution

Dear John and James,

I am not certain who has the responsibility for air pollution. But I wondered if I could pull a meeting together with relevant officers for next week Thursday at 9am to discuss this issue further.

Best wishes,

Ross

**Councillor Ross Garrod**  
Labour Councillor for Lavender Fields  
T: 020 8545 3424 | M: 07920032568  
E: [ross.garrod@merton.gov.uk](mailto:ross.garrod@merton.gov.uk)



### **Additional AQAP Measures**

#### **Traffic Management solutions for AQ Focus Areas/'hotspots'**

The principle of this measure is to tackle AQ in the areas identified by the GLA as having the worst AQ and relevant exposure. It would be preferable to test chosen scenarios by undertaking AQ modelling to determine impact on AQ and to ensure that any adverse impacts can be identified and minimised/mitigated. Outputs from modelling should provide evidence on which to base decisions and support funding bids etc.

The GLA/TfL publication 'Transport Emissions Road Map' (2014) provides some useful information in respect of transport management and regulation albeit that some of the proposals are aspirational. Some of the key measures which could be tested under this AQAP measure are as follows:

1. Review AQFA's to check that all traffic light systems have been appropriately upgraded to 'intelligent' systems and that all junctions are optimised using SCOOT to improve traffic flow and minimise congestion at peak times.
2. Evaluate scope for re-routing HGVs ( e.g. South Wimbledon scheme) away from AQFAs/hotspots..
3. Review on-street parking bays/bus stops/loading bays within AQFAs to minimise congestion. With the potential for additional charging for diesel This could mean relocating or removing facilities that are identified as causing increased congestion. This would require fairly detailed analysis of the roadspace to identify local 'pinch-points', enforcing illegal parking/loading, restricting parking/loading times etc.
4. Consider designating the AQFAs as 'mini-ULEZ' to incorporate a number of measures. ULEZ is predicted to reduce NOx by 51% in central London and by 10% in outer London. Introducing ULEZ restrictions to AQFA's on a local scale would fulfil GLA's expectation for boroughs to target measures effectively. The mini-ULEZ could incorporate measures such as:
  - Restricting access to HGVs during peak traffic periods in AQFAs, link to delivery re-timing trial to minimise congestion caused by lorry loading/unloading.
  - Negotiate with GLA/TfL to ensure that zero emission buses only access routes through AQFAs by 2020.
  - Negotiate with GLA/TfL to ensure that ULEZ standards for taxi's and Private Hire vehicles apply to routes within AQFAs by 2020
  - Restrict access to all non-compliant vehicles within AQFA defined on basis of emissions in line with ULEZ
  - Increase access/infrastructure for zero emission vehicles within AQFAs by introducing rapid charge facilities for electric vehicles in suitable locations e.g. public car parks, supermarkets, fuel stations, taxi/private hire ranks etc.
  - Introduce street parking surcharge for diesel vehicles using on-street parking bays in AQFA/mini-ULEZ. (See Westminster trial for 2017 which will impose 50% surcharge on parking charges for diesel vehicles, including Euro 6 diesels. Pay & display machines and telephone parking services will differentiate charges based on vehicle registration. Surcharge will not apply to residents parking in this trial).

- Identify opportunities to install green walls/hedges to disrupt dispersion of pollutants (recent study evaluates AQ impact of hedges and positioning relative to road sources see 'Influence of Roadside Hedgerows on AQ in Urban Street Canyons'. Christof Gromke et al. Atmospheric Environment. Vol 139 May 2016 p.75 – 86)

5. As an alternative to the mini-ULEZ, the study could consider the impact of expanding the area to a designated 'Low Emission Neighbourhood' incorporating the neighbourhood around the AQFAs. The GLA have identified a number of LENs across London each with specific key projects which have the benefit of Mayors AQ fund support. A bid could be prepared for future funding rounds using 'lessons learned' from the existing LEN schemes.

- **Schools Project**

Increased monitoring around schools is definitely worth considering however diffusion tubes perhaps are not best indicators of AQ near schools as long averaging periods do not reflect diurnal peaks associated with the school 'run'. Automatic monitoring systems would be best but are obviously expensive. Diffusion tube monitoring is useful as an education tool to get the children involved and may give some indication of AQ changes over a long period following implementation of AQAP measures.

It was interesting to note the Mayor's proposed Air Quality Audits for schools which will be provided to 50 schools this year with funding of £250k. The audit suggested a number of possible actions to reduce school children's exposure to pollution. These could be incorporated into the AQAP and be introduced through extension to the existing STARS scheme:

1. Moving school entrances/play areas
2. No engine idling schemes around schools
3. Changes to local roads/restricting polluting vehicles around schools
4. Pedestrianisation or roads near school entrances
5. Introducing green infrastructure around the school to absorb/disrupt pollutant dispersion in vulnerable areas close to busy roads.
6. Walking buses including large numbers of children, this could incorporate the idea of a paid walking bus conductor similar to the 'lollipop' person.

- **Planning Guidance**

This is currently being revised and we will be able to provide a SPG for the borough specifically relating to air quality and the built environment.

## Mitra Dubet

---

**From:** Jason Andrews  
**Sent:** 02 March 2017 14:33  
**To:** Councillor Ross Garrod  
**Subject:** FW: Air quality action plan additions  
**Attachments:** Additional AQAP Measures.docx

Dear Councillor Garrod

Please find attached some ideas to flesh out our AQAP. Please let me know your thoughts and we'll get the draft document put together.

I'm happy to meet and talk this through, if this is easier.

Warmest regards

**Jason Andrews**  
EH Pollution Manager  
Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 0208 5453859  
[jason.andrews@merton.gov.uk](mailto:jason.andrews@merton.gov.uk)



---

**From:** Councillor Ross Garrod  
**Sent:** 28 February 2017 10:15  
**To:** Jason Andrews  
**Subject:** Air quality

Dear Jason,

Thanks for meeting with me last week.

I have had a look through the matrix and would really appreciate if we could flesh out some of the localised solutions with road management/layout such as freight trucks turning left/right. Also could we look into the impact of busses. I saw an article last week how one Council in London was able to get a commitment from TFL to replace the busses on one route and work towards zero emissions by 2020 on all routes in the borough. Could we also look into increasing monitoring particularly around schools? And lastly, sorry, to flesh out more about the planning side of things. How applications, particularly on heavily polluted roads, could incorporate measures to improve air quality such as a green/garden wall.

Could you also remind me of the dates for the draft and publication as I will be looking to set up a meeting with the GLA and would like to inform them about the work and perhaps show them the draft.

Best wishes,

Ross

**Councillor Ross Garrod**

Labour Councillor for Lavender Fields  
T: 020 8545 3424 | M: 07920032568  
E: [ross.garrod@merton.gov.uk](mailto:ross.garrod@merton.gov.uk)

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**Mitra Dubet**

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**From:** Jason Andrews  
**Sent:** 23 February 2017 12:39  
**To:** Councillor Ross Garrod  
**Subject:** FW: Merton AQAP (Revised)  
**Attachments:** DRAFT LB Merton Action Plan revised\_150217.xlsx

Dear Cllr Garrod

It was very good to meet today, attached is the revised AQAP action points, if there is anything you want to add to or focus upon, please let me know. To put this in context, these are measures based upon good practice in Local Authority. The next step is to organise a focus group of the necessary council officers to make sure we can achieve these.

We can then put together the main document which outlines AQ in the borough, the health concerns and what we hope to achieve over the next few years.

We should have this in the next 2 weeks.

Kindest regards

**Jason Andrews**

EH Pollution Manager  
Regulatory Services Partnership  
London Boroughs of Merton and Richmond upon Thames  
Civic Centre, London Road, Morden SM4 5DX  
Tel. 0208 5453859  
[jason.andrews@merton.gov.uk](mailto:jason.andrews@merton.gov.uk)



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**From:** Hawtin, Lisa [<mailto:lhawtin@trl.co.uk>]  
**Sent:** 15 February 2017 15:29  
**To:** Jason Andrews  
**Cc:** Chesterton, Venn; Pitman, Roger  
**Subject:** RE: Merton AQAP (Revised)

Hi Jason

I have done a preliminary review of the measures accepted by Scrutiny and removed all those that were 'non-runners'. I have retained the GLA matrix categories as this is required for the AQAP but have started to link the individual measures under the key themes that we discussed i.e.

- Detailed traffic management project for AQ focus areas and 'hot-spots' to identify local causes for congestion and identify potential mitigation measures e.g. improvements to traffic signals, parking/loading bays, possible HGV re-routing opportunities etc.
- Use of 'Clean Air Zone' principles to identify a range of measures to reduce local emissions within AQ focus areas, e.g. restricting to low/zero emission taxis/buses only, businesses to have coordinated delivery & servicing plans, enhanced EV charging infrastructure etc.
- Schools project to build on existing STARS scheme including AQ monitoring at schools, park & stride opportunities, walking bus conductor etc.
- Emission-based parking levy

- AQ Supplementary Planning Guidance
- Public Health measures including PM2.5 monitoring.

I will be able to rationalise/detail the measures further once we have discussed the draft AQAP with the steering group representatives.

I hope that this is sufficient for your meeting with the Cabinet Member. I am on leave this week but I will check my emails in case you need anything urgent.

Best  
Lisa

House, Nine Mile Ride, Wokingham, RG40 3GA, UK. VAT Registration 664 625 321.







Activity	Owner's Department	Project Name	Start Date	End Date	Priority	Number of Employees	Methods	Notes
01-0001	Public Health & Environment Planning	Public Health Planning		01	LM	12	12	Conducting public health assessments to determine risk factors for disease (with Health, E1-0001) Review Health & Environment Strategic Plan and the current and future public health needs of the community. Develop and implement a Public Health Plan. Review and update the plan as needed.
01-0002	Public Health & Environment Planning	Public Health Planning		01	LM	12	12	Conducting public health assessments to determine risk factors for disease (with Health, E1-0001) Review Health & Environment Strategic Plan and the current and future public health needs of the community. Develop and implement a Public Health Plan. Review and update the plan as needed.
01-0003	Public Health & Environment Planning	Public Health Planning		01	LM	12	12	Conducting public health assessments to determine risk factors for disease (with Health, E1-0001) Review Health & Environment Strategic Plan and the current and future public health needs of the community. Develop and implement a Public Health Plan. Review and update the plan as needed.
01-0004	Public Health & Environment Planning	Public Health Planning		01	LM	12	12	Conducting public health assessments to determine risk factors for disease (with Health, E1-0001) Review Health & Environment Strategic Plan and the current and future public health needs of the community. Develop and implement a Public Health Plan. Review and update the plan as needed.
01-0005	Public Health & Environment Planning	Public Health Planning		01	LM	12	12	Conducting public health assessments to determine risk factors for disease (with Health, E1-0001) Review Health & Environment Strategic Plan and the current and future public health needs of the community. Develop and implement a Public Health Plan. Review and update the plan as needed.

Active Fund Category	GIA All-Active Funds	Individual Investor Self-Directed Investment Recommendation	Previously recommended	Currently recommended	Year	Will be recommended	Revised Fund/Asset Class	Public accessibility (Y/N)	Not required for listing (N/A)	Funding	Comments	Questions	Investment Objectives
010001	Emerging Markets	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010002	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010003	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010004	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010005	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010006	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010007	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010008	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010009	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010010	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010011	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010012	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010013	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010014	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010015	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010016	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010017	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010018	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010019	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				
010020	Global Growth	Individual Investor Self-Directed Investment Recommendation							Not required for listing (N/A)				



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## NON-KEY DECISION TAKEN BY A CABINET MEMBER

See over for instructions on how to use this form – all parts of this form must be completed. Type all information in the boxes. The boxes will expand to accommodate extra lines where needed.

**1. Title of report and reason for exemption (if any)**

Emissions Levy – Statutory Consultation.

**2. Decision maker**

Cabinet member for regeneration, environment and housing

**3. Date of Decision**

24/02/2017

**4. Date report made available to decision maker**

22/02/2017

**5. Date report made available to the Chairs of the Overview and Scrutiny Commission and of any relevant scrutiny panel**

N/A

**6. Decision**

Agree to the making of the making of the relevant Traffic Management Orders (TMO) and the implementation of

1. A levy of £90 increasing to £150 by year 3 to all diesel vehicles that have a Resident, Business or Trade parking permit in addition to the price of the permits itself.
2. Reduce price of resident permit to £25 for those residents who have an electric vehicle.
3. Undertaking of a statutory consultation to apply the diesel levy to Teacher's permit and apply a £40 reduction to business and trade permits with electric vehicles. This is in line with the reduction that is applied to resident permits for electric vehicles.
4. Agrees to exercise his discretion not to hold a public inquiry on the Consultation

**7. Reason for decision**

The current data and research around vehicle emissions shows that diesel cars are disproportionately responsible for poor air quality. There is also a clear link made by health professionals between air quality and mortality.

As a council we have a legal duty to take action to tackle poor air quality. One of these measures is to incentivise those with parking permits away to move towards more environmentally friendly cars. This is why we are reducing vehicle permits for those with electric cars.

Current research shows that there are thousands of deaths a year in London caused by poor air quality, and therefore the Council must take all possible action to address air quality. In Merton it is estimated that 6.4% of deaths are linked to air quality and the introduction of a levy is a measure we can introduce to tackle air quality. It also contributes to asthma in young people. Diesel cars produce nitrogen oxides and small particle which can cause breathing difficulties to vulnerable people and those with existing respiratory conditions.

**8. Alternative options considered and why rejected**

The Council could consider not to take any action; however it would be failing in its statutory obligation in terms of addressing health related concerns as a direct result of poor air quality. All current data and research around vehicle emissions shows that diesel cars are disproportionately responsible for poor air quality. There is also a clear link made by health professionals between air quality and mortality.

- 8.1 The council has declared the whole borough as an air quality management area, and as such has a legal duty to take action to tackle poor air quality. The Council is reviewing all of the measures that it can take as a local authority to address this problem. One of these measures is to incentivise those with parking permits away from the more polluting vehicles, in the same way as other authorities have.
- 8.2 The Council must take responsibility for the health of its residents including vulnerable groups such as those with existing breathing difficulties, the young and the elderly. It is acknowledged that there are some residents who feel that the levy is unfair but the current research shows that there are thousands of deaths a year in London caused by poor air quality, and therefore the Council must take all possible action to address air quality. The introduction of the levy is one of many.
- 8.3 As well as residents parking levy the Council will continually review how it can influence all vehicles in the borough e.g. through non-residential parking, Clear Air Zones or lobbying GLA / TfL for cleaner public transport.
- 8.4 The risk in not addressing the issue would be irresponsible and could be considered as a failure by the Council to discharge its statutory obligations.

**Declarations of Interest: None**



Cllr Martin Whelton  
Cabinet member for regeneration, environment and housing  
24 February 2017

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# Cabinet Member Report

**Date:** 22 February 2017

**Agenda item:** N/A

**Wards:** Borough wide

**Subject:** Emissions Levy – statutory consultation

**Lead officer:** Chris Lee, Director of Environment & Regeneration

**Lead member:** Councillor Martin Whelton, Cabinet Member for Regeneration, Environment and Housing

**Forward Plan reference number:** N/A

Contact Officer: Caroline Stanyon

Email: [caroline.stanyon@merton.gov.uk](mailto:caroline.stanyon@merton.gov.uk)

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## Recommendations:

That the Cabinet Member considers the issues detailed in this report and

- A. Notes the results of the statutory consultation carried out between 12th January 2017 and 3rd February 2017 on the proposals to:
- Apply £150 diesel levy to all diesel vehicles that have a Resident, Business or Trade parking permit in addition to the price of the permits itself. The levy will be phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.
  - Reduce price of resident permit to £25 for those residents who have an electric vehicle.
- B. Notes and considers the representations received along with officer's comments in respect of the proposals as detailed in Appendix A.
- C. Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of the following proposal set out in section A above.
- E. Agrees to undertake a statutory consultation to apply the diesel levy to Teacher's permit and to apply a reduction of £40 to business and trade permits with electric vehicles.
- D. Agrees to exercise his discretion not to hold a public inquiry on the consultation.

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## 1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report details the results of the statutory consultation carried out between 12th January 2017 and 3rd February 2017 on the Councils' proposals to introduce:
- A £150 diesel levy (in addition to the cost of the permit) to all diesel vehicles that have a Resident, Business or Trade parking permit. This will be phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.
  - Reduce the price of resident permits for electric vehicles to £25.

- 1.2 It seeks approval to proceed with the making of the relevant Traffic Management Orders (TMO) for the proposed measures.
- 1.3 This report seek Cabinet Member approval to undertake a statutory consultation to add the levy to the Teacher's permit and to apply a reduction of £40 to businesses and trade permits with electric vehicles.

## **2 DETAILS**

- 2.1. On 14<sup>th</sup> November 2016, at Cabinet meeting the following were agreed:
  1. the introduction of a levy charge for all diesel vehicles that have a Resident, Business or Trade parking permit with the introduction of £150 levy phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.
  2. Parking permit charge for electric vehicles (resident permit) to be set at a discounted rate of £25 per annum.
  3. The Council to review the impact of the diesel levy for a period of 2 years, with a view to the introduction of comprehensive emissions based parking scheme.
- 2.2 Following the decision's publication, the decision was subject to a Call-in. On the 14<sup>th</sup> December 2016, the decision was scrutinised by the Council's Overview and Scrutiny Commission. The Cabinet's previous decision remained unchanged.

## **3 CONSULTATION**

- 3.1. To implement the above, it was necessary to undertake a statutory consultation to amend all the Traffic Management Orders pertaining to Controlled Parking Zones.
- 3.2. This statutory consultation started on 12th January 2017 concluded on 3rd February 2017. All representations received after this date, have been included within this report. The consultation was carried out by-
  - Advertising in the newspapers
  - Informing all known resident & business associations
  - Depositing documents at The Link at the Civic Centre
  - Placing Notices and leaflets in local libraries & leisure centres, and on Park's Notice Boards.
  - Using Social media (including local radio station Radio Jackie)
  - Publishing full consultation information on the Council's website.
  - At some area based workshops
- 3.3. Due to the extent of the consultation area (across all roads subject to a CPZ) the Council did not erect yellow notices or send individual residents / businesses any newsletters.
- 3.4. Although the closing date was 3 February 2017, all late representations were accepted up to completing this report. 150 representations have been received, 9 of which are in support but have raised some concerns.
- 3.5. In addition to individual representations, an on-line petition consisting of 165 signatures has also been received. This is attached as appendix B.

- 3.6. All representations including the petition along with officer's comments are detailed in Appendices A and B.
- 3.7 Based on the feedback received, it is acknowledged that there is a need to tackle poor air quality however the argument lies with the method of implementation. It is important to note that this is one of many measures being taken across the country, regionally and within London. As a Local Authority LB Merton has very few ways to directly influence driver behaviour and it is understood that for some this will seem unfair. However, there is a need for the Council to make a direct and bold commitment to protect the health and wellbeing of borough residents, visitors and those vulnerable groups.
- 3.8 The Council is aware that the levy will not completely resolve the problem of poor air quality in the borough but it will contribute to a move toward air free of toxic pollution.
- 3.9 Many of those who have submitted representations are aware of the seriousness of the health issues surrounding air quality. They agree that action must be taken and understand that the Council has responsibility for both protecting and improving the health of its residents. However the common themes for objections include:-
- Permit holders having to pay an additional charge for a diesel vehicle that they purchased in good faith at the recommendation of Central Government.
  - They consider that the Council should work with Central Government on air quality measures and not in isolation
  - They question the equality of only charging residents within CPZs
  - They highlight the need to address issues of 'through traffic' which consists, in their opinion, of the more polluting vehicles i.e. buses, taxis, commercial vehicles
  - Lack of forewarning

#### **4. RECOMMENDATION**

- 4.1 It is recommended that the Cabinet Member notes all the representations including the petition along with officer's comments as set out in Appendices A and B within this report and agree to the making of the relevant Traffic Management Orders (TMO) for the following:
- A £150 diesel levy (in addition to the cost of the permit) to all diesel vehicles that have a Resident, Business or Trade parking permit. This will be phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.
  - Reduce the price of resident permits only for electric vehicles to £25.
- 4.2 In response to the feedback received, it is recommended that a statutory consultation is carried out for the introduction of £40 reduction to business and trade permits with electric vehicles. This is in line with the reduction that is applied to resident permits for electric vehicles.
- 4.3 It is also recommended that a statutory consultation is carried out to apply the diesel levy to Teacher's permit.
- 4.4 As well as residents parking levys the Council will continually review how it can influence all vehicles in the borough e.g. changes to Merton's own fleets, through non-residential parking, Clear Air Zones or lobbying GLA / TfL for cleaner public transport.

## **5. TIMETABLE**

- 5.1 The TMOs will be made and the levy will be introduced as soon the decision is made by the Cabinet Member and after the Call-In process.
- 5.2 The statutory consultation regarding the Teachers, Trade and business permits will be carried out after April 2017.

## **6. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1 Given that the levy will be introduced incrementally over a three year period and based on the current data held on the number of diesel vehicles within Merton's CPZ, it is estimated that the additional levy charge will generate up to approximately £517K during 2017/18; £660K during 2018/19 and £861K during 2019/20. It is important to note that these figures are based on current numbers of diesel vehicles and it is assumed that the numbers of diesel vehicles are likely to reduce both before and after the initial year of implementation which feeds into the Council's objective to discourage diesel vehicles and therefore better air quality.
- 6.2 By law, any revenue generated from parking must be spent on transport related schemes. These include but are not limited to, traffic management and control schemes, road and infrastructure schemes and Concessionary Fares. Additionally, the council is currently drafting a new air quality action plan which will contain the measures a local authority can take to address poor air quality, this includes better monitoring arrangements, borough fleet actions, localised solutions, delivery servicing and freight, emissions controls through the planning agenda, cleaner transport and awareness campaigns.
- 6.3 All of these measures will be supported by the diesel levy.

## **7. LEGAL AND STATUTORY IMPLICATIONS**

- 7.1 The Traffic Management Orders would be made under Section 6 and Section 45 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft order.
- 7.2 The Council has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a traffic management order or to modify the published draft order. A public inquiry should be held where it would provide further information, which would assist the Council in reaching a decision.
- 7.3 The Council's powers to make Traffic Management Orders arise mainly under sections 6, 45, 46, 122 and 124 and schedules 1 and 9 of the RTRA 1984.

## **8. HUMAN RIGHTS, EQUALITIES & COMMUNITY COHESION IMPLICATIONS**

- 8.1 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders published in the local paper and London Gazette.
- 8.2 Improved air quality will benefit the environment and all those within Merton.

## **9. CRIME AND DISORDER IMPLICATIONS**

- 9.1 N/A

## **10. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1 All current data and research around vehicle emissions shows that diesel cars are disproportionately responsible for poor air quality. There is also a clear link made by health professionals between air quality and mortality.
- 10.2 The council has declared the whole borough as an air quality management area, and as such has a legal duty to take action to tackle poor air quality. The Council is reviewing all of the measures that it can take as a local authority to address this problem. One of these measures is to incentivise those with parking permits away from the more polluting vehicles, in the same way as other authorities have.
- 10.3 The Council must take responsibility for the health of its residents including vulnerable groups such as those with existing breathing difficulties, the young and the elderly. It is acknowledged that there are some residents who feel that the levy is unfair but the current research shows that there are thousands of deaths a year in London caused by poor air quality, and therefore the Council must take all possible action to address air quality. The introduction of the levy is one of many.
- 10.4 As well as residents parking levys the Council will continually review how it can influence all vehicles in the borough e.g. through non-residential parking, Clear Air Zones or lobbying GLA / TfL for cleaner public transport.
- 10.5 The risk in not addressing the issue would be irresponsible and could be considered as a failure by the Council to discharge its statutory obligations.

### **APPENDICES –**

Appendix A – Representations plus officer's comments

Appendix B - Petition

### **BACKGROUND PAPERS**

Leader's Strategy Group – report dated 7 November 2016

Consultant's reports prepared by Transport & Travel research Ltd

## APPENDIX A – STATUTORY CONSULTATION REPRESENTATIONS AND OFFICER RESPONSES

Ref	Representation	Officer Response – refer to each point within overarching response
1	<p>As a resident, parent, driver and a cyclist I support all measures to improve air quality. A diesel levy seems reasonable, but I suspect that a significant proportion of the pollution emitted in Merton is by vehicles that are parked outside controlled parking zones. Cycling down Alexandra road on a regular basis I pass many heavy goods vehicles, particularly run by Cappagh, trade vehicles and buses - would these be impacted by a diesel levy? How many commercial vehicles would be impacted by this policy? They are likely to be driven more and therefore have a greater impact on pollution. An argument could be made that the business diesel levy should be higher than the residential levy. I therefore wonder if there is any data to support the introduction of a diesel parking levy to reduce pollution in Merton or other London boroughs? Is there a plan to monitor levels to measure the effect of this policy?</p>	<p>The proposal is that the levy would be the same for affected all groups (Resident, Business and Trade). Currently the business permit charge is £802 per year and is subject to the levy will rise by £90, £115 and £155 additional cost which is considerably higher than the 1<sup>st</sup> residents parking permit charge of £65 per year.</p> <p>Additionally refer to points 1, 4, 7 of officer's comments</p>
2	<p>I am writing to you to voice my objections to the ill thought out stealth tax otherwise known as the diesel levy. Such levy will have no effect on the borough's quality based on the councils ill-conceived statement of reason. Residents will not be encouraged to change their vehicles from diesel to non-diesel vehicles based on the levying of further taxes on residents. Diesel vehicles are often chosen by families as they are cheaper to run than equivalent petrol vehicles and cheaper to purchase and maintain than many hybrid vehicles. How has the council come to this conclusion that it is its own residents polluting the air? What is the extra funding going to be spent on and how will this clean the air? By the council's own statement of reason, this isn't a means to raise funding to combat pollution but is an attempt to deter diesel cars in the borough. Without proper planning, investigation, monitoring and plans for funding, this is a short sighted financial attack by a council that cannot balance its own books on the residents it is supposed to serve.</p>	<p>The Council disagrees that this will not have an effect on the borough's air quality. This is one of a number of measures all of which will impact upon pollution in the Borough.</p> <p>There is no evidence to suggest this policy will impact upon poor families disproportionately.</p> <p>Additionally refer to points 2, 3, 4, 13 of officer's comments</p>
3	<p>I am writing to you on behalf of the Apostles Residents Association which represents 1000 households in the Raynes Park area. We are disappointed to learn about the Council's plans to introduce a levy on diesel cars as a stepped levy to resident parking permits. We appreciate that air pollution is a major issue and it needs to be addressed. However, we believe that this is an unfair and unjust way of tackling this problem for the following reasons:</p> <p>1. All diesel cars add to air pollution, therefore it's unfair to charge only those that have to purchase resident parking permits to park their diesel car and exclude those that are lucky enough to be able to park their cars outside of a CPZ area or on a private driveway. The Apostles area is a series of 12 roads populated with houses that were mainly built in the late 1800s and therefore the only parking available is on the street. This will have a huge impact</p>	<p>Refer to points 1,3, 5, 13 of officer's comments</p>

	<p>on people in the local area.</p> <p>2. During the CPZ consultation in our area, the likelihood of increases to the cost of parking permits of these kinds was not mentioned and therefore it appears that the Council is using this as a money making scheme.</p> <p>3. How can you prove that the money raised from this scheme will go to improving air quality? If not, it really is just a means of making more money?</p>	
4	<p>I understand a levy has been proposed on diesel cars within controlled parking zones in Merton. This is inherently wrong. I agree that the Council and Government need to do more to sustain our environment but this is a very arbitrary measure picking on those who already own diesel cars and may have done for a long period and purely because they live in a controlled parking zone.</p> <p>CPZ are about residents being able to park near their own properties, particularly important for the elderly and young families. This has become an increasing issue due to people trying to avoid parking fees in the few available car parks in the town centres. Parking on my street became a nightmare and I campaigned with my neighbours to get a CPZ. Neighbours were concerned over the permit costs but we were assured by the council permit costs were only ever to cover the cost of running the scheme and to benefit residents by keeping parking available for them. Suddenly the council is backtracking on this assurance and using parking permits as a means to punish residents for the car they bought in the past - especially when people were encouraged to buy diesel as being a cleaner option than petrol.</p> <p>How is it fair to punish drivers based on where they park, those not in a CPZ will have no penalty?</p> <p>These are surely measures that need to be tackled at national level at all drivers and not targeted at those who park responsibly.</p> <p>This is going to cause major problems for streets on the edge of CPZ's where people try to avoid needing a permit and park elsewhere. Please reconsider as this is very unfair</p>	Refer to points 1, 2, 4, 5 of officer's comments
5	<p>It is quite by chance that I was alerted to the council's intention to introduce a diesel levy on cars that have a parking permit. I object to this on the following grounds:</p> <ol style="list-style-type: none"> <li>1. There has been no communication of this levy to residents that have parking permits and will be affected. As a minimum, a letter of intent should have been sent out to all parking permit holders advising of this levy and giving everyone an equal chance to make representations.</li> <li>2. There is nothing on the Council's website that when applying for a parking permit this levy will come into effect.</li> <li>3. This is discriminatory against households that have a parking permit and do not have the luxury of off-street parking.</li> <li>4. Many of us bought diesel cars on the advice of the Brown Government that they were better for the environment. We are now being penalised for a Government initiative.</li> <li>5. The biggest polluters are lorries, vans, buses and coaches but no attempt is being made to make these owners pay for their impact on the environment, instead the Council is going for the easy win against local residents.</li> <li>6. When I provided information on my car to apply for a residents parking permit I did not give the Council</li> </ol>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business</li> </ul>

	<p>permission to use that information to another end other than issuing a parking permit. Using my car information to determine if it is a diesel car is an abuse of information held by the Council.</p> <p>7. There is no transparent process of how the funds from the levy will be used to reduce air pollution, as is the council's claim. It is impossible that the funds raised will or can be used to implement an effective method of reducing air pollution. Instead I suspect the funds will merely be added to the Council's coffers, having been raised under the misrepresentation of improving local air quality by making the polluters pay. Most car owners cannot afford to change their car and move to a less polluting option.</p> <p>Whilst recognising the need for air quality to be improved, this proposed levy is divisive against a certain group of local residents who may not be the sole contributors to the problem but are being made to be the sole payers. I trust the Council will rethink this proposed Diesel Levy for a more equitable solution.</p>	<p>associations</p> <ul style="list-style-type: none"> <li>• Via local radio station</li> <li>• Via social media including several press release</li> </ul> <p>The information provided by residents has not been disclosed to any other team or organisation. The information provided by residents to Parking services for the purpose of a permit is being used for the purpose of the permit.</p> <p>This is one of a number of measures all of which will impact upon pollution in the Borough.</p> <p>Also refer to points 2, 5, 10,13 of officer's comments</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 108</p>	<p><u>1st Representation</u></p> <p>I should like to register my disagreement of a blanket application of a levy to all diesels for the following reasons:</p> <ol style="list-style-type: none"> <li>1. I agree that cleaner air is desirable in London. It is why we chose a car which more than fulfils the latest Euro 6 emission requirements. Our diesel car is cleaner than most petrol cars, therefore should not incur an additional charge. The Council's Statement of Reason is incomplete in this respect, therefore, incorrect.</li> <li>2. It would be fairer for households with multiple cars to bear a levy as they are more likely to be able to afford the charge.</li> <li>3. The Council should improve its' traffic management. There are queues of standing traffic at off peak times with poor co-ordination.</li> <li>4. Sorting out potholes would benefit cyclists and drivers, not just one group.</li> <li>5. Manage the roadworks. Both utilities and the Borough's works are poorly supervised for efficient completion. This has promoted standing traffic at bottleneck work sites.</li> <li>6. Merton has not produced evidence of a demand for particular Projects that would effectively make our air cleaner.</li> </ol> <p>There is a requirement for this to be tackled by London as a whole, not piecemeal. I will be more than unhappy at being asked to pay a levy when I'm breathing in other borough's fumes. Widen your horizons.</p> <p><u>2nd Representation</u></p>	<p>The council is continually addressing its traffic problems as part of its day to day duty. However it is important not to disconnect the driver's responsibility, the car they use and their personal contribution to poor air quality. This is something all road users are complicit in and this charge is a move towards connecting the driver to their own responsibility for pollution</p> <p>Also refer to points 1, 3, 8,10, 12 of officer's comments</p>



<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 109</p>	<p>I took time to read the recommendations included with, 'The Leader's Strategy Group of 7 November 2016'. It would have been informative if your delegated responder, Councillor Garrod accorded the same consideration to my email and addressed my raised issues. Cleaner air is a good goal.</p> <p>The Strategy Group does not report any consideration of or comment on the Euro Standards for emissions which are applicable to both petrol and diesel vehicles. Euro 6 introduced in September 2015 requires standards as follows. Courtesy of the AA:</p> <p>Euro 6 emission limits (petrol)</p> <ul style="list-style-type: none"> <li>• CO – 1.0 g/km</li> <li>• HC – 0.10 g/km</li> <li>• NOx – 0.06 g/km</li> <li>• PM – 0.005 g/km (direct injection only)</li> <li>• PM – 6.0x10<sup>-11</sup>/km (direct injection only)</li> </ul> <p>Euro 6 emission limits (diesel)</p> <ul style="list-style-type: none"> <li>• CO – 0.50 g/km</li> <li>• HC+ NOx – 0.17 g/km NOx – 0.08 g/km</li> <li>• PM – 0.005 g/km</li> <li>• PM – 6.0x10<sup>-11</sup>/km</li> </ul> <p>Euro 6 diesel and petrol standards for emissions are on a parity. Indeed, under the introduction of the Mayor's forthcoming Ultra Low Emission Zone, my Euro 6 diesel is compliant and will be exempt from charges. Therefore, it is discriminatory to impose a charge on diesel vehicles meeting these standards. Older vehicles which do not have the same credentials should be encouraged to be replaced within a reasonable timescale.</p> <p>The Council's mantra is that the 'Polluter Pays'. Please start by leading the way with demonstrating the Council's commitment to establishing reasoned acceptable standards. Publicly show what the Council is doing to improve air quality in its everyday operations as there is many areas which could be revisited and addressed. Lobby the Mayor to keep his promise of capping London travel charges for the next 4 years. Why is there no informed option C in your Strategy Group document which reflects informed reason?</p>	
<p>7</p>	<p>Whilst I support proposals to improve air quality in London, this is another method of getting the Tax-player to foot the bill for the Governments mistakes, which I strongly do not support. After all, it was the government who encouraged citizens to buy low emitting CO2 diesel vehicles previously, which is why there are so many on the roads. Furthermore, I believe the current range of alternative-fuel vehicles for family sized and commercial grade vehicles are very limited and very expensive; also current petrol alternatives are too expensive to run (mpg-wise). It is therefore not realistic / viable for working class families to switch to such new environmentally friendly vehicles without some financial assistance from the Government/Council.</p>	<p>Refer to points 1, 2, 3 of officer's comments</p> <p>There are discussions underway to</p>

	<p>In addition, the Government has allowed public transport fares to rise astronomically, make this mode of transport also not viable for the average London family. Cars are the only realistic choice.</p> <p>As a civilized nation in the twenty first century, I propose that if this Diesel Levy is introduced, then the government should be providing financial incentives to make alternative fuel vehicles financially viable for the average city dweller, not the privileged few.</p> <p>In conclusion, I think this Diesel Levy has been introduced too soon, without viable vehicle alternatives available on the market. Second hand hybrid and electric vehicles have not yet come down in price to make switching affordable for most families. Please consider delaying this initiative or at the very least, significantly reduce the proposed levy charges.</p>	<p>consider a diesel scrappage scheme</p>
<p>8</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 110</p>	<p>As a resident in Wimbledon Chase, I am alarmed to learn of a proposal from Merton Council for a levy on “all diesel vehicles” with Resident, Business or Trade parking permits within the borough. This levy starting as £90 in 2017/18, before increasing to £115 in 2018/19 and £150 in 2019/20.</p> <p>My car, a diesel BMW, has a Resident Permit for which I currently pay Merton Council £90. The annual road tax I pay to the DVLA for this vehicle is £20 per annum. As a result - subject to appropriate insurance - I am permitted to drive as much as I need to for work or pleasure across the entire United Kingdom for a period of 12 months.</p> <p>I have every confidence in saying that £20 figure has been arrived at by the DVLA at least in part to reflect my vehicle’s excellent emissions results. This in turn would incentivise and reward people whom acquire similar vehicles which achieve equivalent emissions results and efficiencies. As I write this I have seen nothing from the Government or DVLA to suggest this policy is changing.</p> <p>I am aware of and have read reports on the health effects of emissions from diesel vehicles. However, it should be plainly obvious to anyone with an understanding of the subject that all diesel vehicles are not all equal in terms of their emissions. The DVLA are aware of the differences and charge accordingly. Transport for London are aware of the differences and currently charge vehicles entering the LEZ (Low Emissions Zone) which exceed its requirements - I live within the LEZ and am not subject to a charge.</p> <p>You may be interested to learn that my current vehicle would actually be able to enter the planned ULEZ (Ultra Low Emissions Zone, coming into force in 2020) without charge. This is because my diesel vehicle meets the more stringent Euro Standard 6 for emissions. Euro Standard 6 which, for your information, includes restrictions on nitrogen oxide (NOx), carbon monoxide (CO), hydrocarbons (THC and NMHC) and particulate matter (PM).</p> <p>And yet it is Merton Council’s proposal to persecute the resident owners of “all diesel vehicles” equally? The DVLA and TFL are evidently aware of the critical differences in the emissions within diesel vehicle classes and I am sure that they would be able to provide Merton Council with the necessary information enabling you to target the worst offending vehicles, assuming of course that these same vehicles are not already being identified and charged by existing TFL emission zone measures. For the avoidance of doubt, I do not support this levy as proposed. And as a resident I would like written confirmation of what Merton Council knows that the Government,</p>	<p>Refer to points 2, 3 &amp; 5 of officer’s comments</p>

	<p>the DVLA and TFL do not know that could remotely justify such a clumsy, disproportionate local levy. Please note I have also included the dedicated Low Emissions Team of TFL within the circulation of this message as I am sure they too would be disposed to expand their knowledge in this area.</p>	
9	<p>I would urge you not to go ahead with this proposed plan. It seems to me that you are creating a double taxation scheme. The road tax already quite rightly taxes people based on the CO2 emissions of their car. It does not make sense for you to also do the same. Your tax should be based on the space that people are taking up on the kerbside and not on the emissions their vehicle produce. Therefore the tax on parking permits should be the same for all cars, or based on the space they take up.</p> <p>I would also like to see the council promote the use of electric vehicles by providing more charging points. I am pleased to see a few that have been installed in the village, but I would like to see you go further. I would also like to see you encourage a hydrogen fuelling station in Merton. These would be positive steps forward to help people adopt a lower CO2 approach to transport. Penalizing people retrospectively for car purchases they made a number of years ago, i.e. the decision to purchase a diesel car seems unhelpful.</p>	<p>Refer to points 1, 5 &amp; 12 of officer's comments</p> <p>The Council is currently introducing electric charging points across the borough. Thus far 20 charge points have been introduced and another 30 is planned for 2017/18.</p>
10	<p>My comments with regard to the proposal to introduce the levy are as follows. While I appreciate the reasons for implementing a levy and not personally having a diesel vehicle I believe the introduction so quickly for residents is unfair. Many people who use cars for work are already taxed for this privilege and many use diesel for historic reasons and should be given time to consider their position. The cost of changing a car and losing money on any sale should not be ignored. With regard to commercial vehicles surely purchasing petrol vehicles is quite often not an option. Therefore all that will happen is any cost will be passed on to the consumer. Any decision as this should be part of a wider consultation/discussion with central government and the vehicle manufacturing industry and other interested parties so that we have a joined up decision making process. I am all for protecting our health which is what a previous Government thought they were doing when they exhorted people to purchase diesel. As a tax payer and rate payer I wonder why the Local Authority and Central Government have been so slow in tackling this issue.</p>	<p>Refer to point 1 of officer's comments</p> <p>Discussions are currently ongoing with the GLA and DEFRA in respect of commercial vehicle purchase.</p> <p>As part of the statutory consultation, freight and motoring bodies are consulted</p>
11	<p>I am against penalising the owners of diesel vehicles because it is based on a false balance of risk. There is a suggestion that vehicle pollution in the worst area causes a reduction of life expectancy of 6 months. Removing all diesel vehicles would reduce this possibly by 3 or 4 months. However, diesel vehicles are vastly more efficient than petrol, hybrid, LPG or electric if measured from original fuel source.</p> <p>It is certain that if we had not had diesel engines over the last century we would have already have passed the tipping point of global warming. We would not be having this discussion because London would be under the sea.</p> <p>So if you persist in imposing this penalty you are either ignoring the science or just cynically sneaking in another tax.</p>	<p>Refer to points 1, 2, 3 of officer's comments</p>
12	<p>We wish to be part of the consultation for charging some people who own diesel cars an annual tax on the use or even non use of their vehicle for however long or short a period, regardless of size.</p>	<p>Refer to points 1, 2, 5, 10 of officer's</p>

	<p>The shock of receiving this news, indirectly through our neighbours, is not to be underestimated and I am sure will be covered in future car magazines. The desire to remove particulates from our atmosphere is to be supported but the taxing of the few is inappropriate and dictatorial in nature. We make the following points:</p> <ol style="list-style-type: none"> <li>1. This impacts not only on the family budget annually but also the value of the car which was acquired before the current problems of diesel were recognised. It is right to consider reducing new diesel vehicles but why penalise so many who bought their cars in all innocence and with government encouragement.</li> <li>2. It takes no consideration of use and commercial vehicles pose a much greater risk than domestic cars</li> <li>3. When parked on or off the street there is no impact on the environment so as well as use not being considered neither is vehicle size or efficiency. And this is entirely targeted at those with permits. Surely any tax should be aimed at the widest possible population.</li> <li>4. This tax is aimed at diesel users and therefore is very selective and a poor reaction to the problem of health and environmental damage. It is a problem which can be better prevented by controlling future use, driving technique and the use of public transport (on non diesel vehicles where possible) as an alternative. I do not support this action.</li> </ol>	<p>comments</p>
<p>13 Page 112</p>	<p>Regarding the proposal to implement a levy on all diesel cars via the CPZ procedure I have some questions.</p> <ol style="list-style-type: none"> <li>1. You cite (rightly) that air pollution is a major health issue in the UK and London particularly, why is this health issue one you have chosen to prioritise with this initiative vs obesity, dementia, smoking etc?</li> <li>2. Does this initiative have the Mayor of London's support?</li> <li>3. Given that the National Government has until recently been advocating diesel cars as a more efficient alternative to petrol, is it right to penalise Merton's residents who have responded to such advice and incentives for doing so?</li> <li>4. Surely owning a diesel car is only one aspect - parking a diesel car, in and of itself is not a problem to air pollution - in fact if I were to live in a CPZ I would not have a permit for my car because I am driving it daily. Your levy would be another £150/yr to persuade me not to take public transport to work. Do you accept that this could act as a perverse incentive for people to actually drive their cars more? What analysis has the council conducted to estimated the impact on behaviour including unintended consequences?</li> <li>5. What are the council's plans to incentivise people to walk, use public transport or car share to reduce the total number of miles/hours driven in Merton? Parents who drop their children off to school account for a lot of congestion in built up areas, this slows down traffic and increases air pollution - would targeting pinch points like this not be more effective in deterring air polluting and in providing people a mechanism to avoid what they see today as an unavoidable necessity?</li> </ol>	<p>This initiative is supported by the GLA's air quality team</p> <p>Refer to points 1, 2, 7, 12 of officer's comments</p> <p>In line with the aims of the Mayors Transport Strategy and its own policy objectives the Council already promotes the use of more sustainable modes of transport to the private car. These initiatives include cycling and walking schemes, car clubs, improved public transport routes/links, improved public realm, and road safety education.</p>
<p>14</p>	<p>In response to the consultation I write to object to the suggested levy. I bought my new diesel car in 2009 under the government incentive of a low tax band for diesel cars that produce less CO2 than equivalent petrol engines per</p>	<p>Parking permits are not mileage specific</p>

	<p>mile. The car is a seven seater family car predominantly used for longer road trips outside of London at weekend and the average mileage is 7000 miles per year. My business mileage last year was 1000 miles and where at all possible we use public transport. I'm not in a position to buy a new electric, hybrid car or petrol car, as my car is still relatively speaking only slightly over halfway through the time I intend to keep the car. I would have thought incentivising people to invest in new technology might be more considerate than levying a largely unavoidable tax on hardworking families living and working in south Wimbledon for example.</p>	<p>Refer to points 2 &amp; 8 of officer's comments</p>
<p>15</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 113</p>	<p>I am shocked and very upset about the Council's proposed diesel levy. I have a resident's parking permit and a diesel car. I bought my car as an essential means of transport for me – I have to travel extensively for my work as a freelance specialist to quite remote parts of the country – and bought my car when the government was recommending purchasing diesel vehicles.</p> <p>It seems more than unfair, in fact outrageous, that having followed government recommendations and their clear and well publicised support for diesel vehicles that I should now be penalised for my car's fuel type. In addition, some people may concrete over their gardens to avoid the levy and cause run off issues – we already have serious flood problems in our area. I only have a small front garden so this would not even be a consideration for me.</p> <p>In addition, as a pensioner on my own, this levy will impact on my financial situation really significantly. I should be retired now at 66, but because of the deteriorating economy, my savings have been eroded to such an extent that I have no alternative but to continue working – which means I have to use my car, and replacing it for a non-diesel model would be financially impossible. It's hard enough to keep the bills paid and carry on supporting myself without an extra totally unfair charge being made. I object to this proposed levy in the strongest possible terms.</p> <p><u>Further Representation</u></p> <p>Thank you for your email reply. While of course I understand and am personally very concerned about the air pollution issues, as you say 'as an authority we should do what we can to limit the impact and exposure of these poisonous substances impacting on the health of residents in the borough' so I must ask you why the Council has not made tackling air pollution a priority before this levy was suggested?</p> <p>You call diesel cars 'poisonous', but in fact all vehicles are poisonous. How about putting extra penalties on all the fleets of lorries that roar through our borough pushing out massive pollution, especially those taking short cuts through residential roads, before you start penalising your own residents? There are also anti-idling restrictions you could impose or consider providing your residents with an incentive to purchase non-diesel vehicles by reducing residents' parking permit fees. I notice you avoid commenting on the fact that many people, including me, were encouraged ((with false information so it now seems!) to buy diesel vehicles by the government. Now the advice has been proved wrong, it is totally unreasonable to penalise those who followed that 'authoritative' but dangerously incorrect advice.</p> <p>There are many alternative measures the Council and the Mayor of London could introduce to tackle these issues, but the diesel levy is just a quick and easy way to raise funds – and in the process victimise residents. As you say,</p>	<p>Refer to points 1, 2, 5, 6, 10, 12 of officer's comments</p>

	you do indeed have a duty to your residents and victimising them in this way is not acceptable	
16	I fully support the proposal for a levy on diesel vehicles.	Thank you for your comment
17	<p>I wish to object to the manner in which the new diesel levy is being introduced. It is being introduced with very little notice to diesel vehicle owners. Many diesel vehicle owners will have purchased their vehicles based on previous guidelines that favoured diesel over petrol vehicles. These people will be unfairly penalised.</p> <p>I suggest if such a levy is to be introduced, it should consist of phased charges depending on when the vehicle was purchased. For example, someone purchasing a diesel vehicle now should pay the full levy. Someone how has owned a diesel vehicle for many years should pay a small percentage or no levy at all. In this manner, you will discourage the purchase of diesel vehicles in the future without unfairly penalising those who in all innocence thought they were doing the best for the environment at the time.</p> <p>Far better, in fact, would be a levy that took into account emissions from all vehicles which could be introduced with sufficient notice, say 2 years, to enable vehicle owners to prepare. The proposed levy will be a heavy burden on those least able to pay.</p> <p>In addition, the levy on parking does not take into account how much pollution the vehicle is producing, ie how much it is being used. Nor does it take into account every vehicle owner in the borough, for example those with off-street parking facilities. I would like to understand how the revenue from this new charge will be used to reduce emissions in the borough. I do not see any correlation between a parking charge and a reduction in pollution.</p>	<p>Refer to points 1, 2, 3, 13 of officer's comments</p> <p>The phasing and application of the levy was discussed very carefully at Cabinet and Scrutiny and it was agreed that it must be applicable across the CPZs. The approach of phased charges on when a vehicle was purchased would not address the issue as a whole.</p> <p>It would not be practical to base a parking permit on vehicle use.</p>
18	<p>I am writing to you regarding the subject of the proposed introduction of a 'so called' ES/Diesel Levy. The proposed scheme is in clear violation of human rights. It vexes and discriminates a minority of people that up to no long ago were incentivised by the government to switch to diesel for the, back then, beneficial characteristics of this type of engine.</p> <p>More importantly it discriminates against a minority of people not rich enough to be able to afford off street parking, it leaves completely unaffected the visiting diesel vehicles and the people paying by the hour. It does not alleviate in the slightest of ways the problem of the majority of diesel cars not belonging to the Merton council passing untaxed within the borders of the Merton Council.</p> <p>Therefore I challenge this decision on the grounds of discrimination, ineffectiveness and its actual applicability.</p>	<p>Refer to points 2 &amp; 5 of officer's comments</p> <p>There is no evidence to show that this charge will disproportionately impact on poor families</p> <p>The council can lawfully apply the use of parking charges for the reasons of tackling poor air quality.</p>
19	<p>The Council's supporting documentation offers no evidence that introducing this fee on residents vehicles will reduce the level of emissions nor does it show that monies raised will be spent on future anti-pollution measures.</p> <p>Following Islington Council's initial diesel levy in 2015 there has been little evidence that it has been successful in deterring the purchase of fuel efficient diesel vehicles nor an improvement in the borough's air quality. Whilst all residents within the Merton borough are anxious to improve the pollution levels in their area, this appears to be a hasty and ill-conceived levy. The approach of punishing every diesel car owner in the borough is entirely unfair.</p>	<p>Refer to points 1, 2, 3, 4, 7, 10 &amp;13 of officer's comments</p> <p>Traffic and road maintenance and servicing is coordinated by the local</p>

	<p>After all, parked cars do not produce emissions.</p> <p>Rather, it is the older cars/vans/buses/taxis that do not have the automatic stationary engine cut-out that should be identified and encouraged to change and upgrade their vehicles. These are the vehicles that should be specifically targeted with a pollution tariff. Often, they are not even residents of the area and are merely passing through the borough yet the Council find it acceptable to punish the local residents.</p> <p>Alternative options should be investigated by the Council to help clean up Merton's air. For example, easing road congestion, with the coordination of road works must be made a priority. All too often, main thoroughfares in the borough are dug up and left for days with stop/go lights causing unnecessary traffic blockages, all contributing to the poor air quality. These roadwork delays caused by a lack of Council supervision is no fault of any diesel driver yet it is the resident who you want to penalise. These highways must be kept clear to alleviate congestion &amp; provide a free flow of traffic in, &amp; more importantly, out of the Merton zone.</p> <p>In summary, there has been little local consultation on this proposed levy and minimal consideration, therefore I would urge further discussion on the matter before the levy is implemented.</p>	<p>authority as part of its normal function</p>
<p>20</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 115</p>	<p>Again, this levy is targeting the 'low hanging fruit' of local residents, is lazily and hastily conceived and ill applied; it is aimed at 'captive' local residents when a significant portion of the pollution is caused by traffic passing through the borough- parked vehicles don't produce emissions.</p> <p>The proposed levy directly discriminates against diesel vehicle owners who followed government policy advice and switched to diesel as it was described as being more environmentally friendly.</p> <p>The council should instead take steps to ease congestion in the borough. For instance, uncoordinated and inadequately supervised road works on major roads should be monitored to make sure that work is continuous and that stop/go lights are not left in position when works have been completed (i.e over weekends and until works sites have been cleared). Roads exiting the borough should be kept clear as a priority, especially at peak times.</p> <p>Please also explain, when the levy is unrelated to usage how a levy will directly influence behaviour when, in the majority of instances, family and small business vehicles are for essential journeys.</p> <p>In summary I feel that inadequate time, little local consultation and minimal consideration has been given to this scheme and, whilst I agree the issue needs addressing, the council should examine all alternatives before penalising its residents</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press release</li> </ul> <p>Also refer to points 1, 2, 4, 6 of officer's</p>

		<p>comments</p> <p>It would not be practical to base a parking permit on vehicle use.</p>
21	<p>I am completely opposed to this tax, the main people you are targeting are the poor and vulnerable, people I have spoken to who are local are outraged, I hope you do not go ahead with this as we also have a rise of 3% on council tax and people are struggling. I hope you reconsider even the idea of this.</p>	<p>There is no evidence that this will disproportionately impact upon the poor and vulnerable</p>
22	<p>Our diesel car, the first we have ever had in our lives, was purchased SOLELY because the Government was pushing the population at the time to buy diesel cars, as better for the environment, despite the fact that it was a more expensive purchase compared with a petrol car.</p> <p>It is totally inappropriate now to tax at a different level any parked car, which is not moving, whether electric or diesel - as it's not using any fuel of any sort while parked. If you wish to 'encourage and incentivise diesel vehicle owners to consider adopting lower or zero emission technologies', then why not either tax new diesel cars at a higher rate, or pay diesel owners a reasonable amount to scrap their cars and buy new petrol ones? This proposal definitely won't encourage me to sell my car until I choose to, but pay me a fee towards changing my car (as scrappage schemes run by the Government in the past) would be the only way to encourage me to do so.</p> <p>It is not only totally inappropriate to discriminate against those very purchasers the Government encouraged to buy diesel cars in the first place but to add yet another stealth tax is going too far.</p> <p>Why even bother to ask us now, when you have decided exactly what you are aiming to do? Whatever happened to democracy?</p>	<p>Refer to points 1, 2, 5 of officer's comments</p> <p>The Council is responding to the recent and emerging evidence regarding the impact of diesel vehicles on London and Merton roads</p>
23	<p><u>1<sup>st</sup> Representation</u></p> <p>I am a Merton resident and permit holder in the Wimbledon Park ward and have a few queries with the proposal to introduce a levy to the Parking Permit for diesel vehicles. I'm not sure if you are able to answer all of the queries, it would be appreciated if you could forward the queries to council officers/departments as appropriate and let me know who is dealing with the query.</p> <p>"The introduction of a levy charge for all diesel vehicles that have a Resident, Business or Trade parking permit with the introduction of £150 levy phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20."</p> <p>1) Can you confirm that, as this is a levy the total cost for diesel owners for parking permits will rise to £155 in 2017/18, £180 in 2018/19 and £215 in 2019/20?</p> <p>2) Can you confirm that the purpose (or one of them) of the levy is to persuade residents to change to vehicles that will produce less air borne particulates (Petrol / Electric)?</p> <p>3) Please comment on intentions for the expected additional revenue of £516,000 in 2017/18 to £861,00 in 2019/20. (noted in appendix 2 of document</p>	<p>Refer to points 4,5,7,12,13 of officer's comments</p> <p>In response to the precise question raised in 1) the answer is No the levy is an additional cost to the type of resident, business and trade permit purchased that is for a diesel powered vehicle.</p> <p>Listed below is the diesel levy effect for three types of parking permits affected based upon the following levy (additional) £90 in the first year, £115 in the second year and £150 in the third</p>



<http://democracy.merton.gov.uk/documents/b8765/Supplementary%20Agenda%20Monday%2014-Nov-2016%2019.15%20Cabinet.pdf?T=9> )

Allowed usage of additional revenue is understood to be:

- Provision and maintenance of off-street parking facilities
- Provision and operation of ( or facilities for) public transport services
- Highway improvements
- Other schemes that facilitate the implementation of the Mayor's Transport Strategy
- Roads maintenance
- Environmental improvements

How much will be used to reduce stop/start traffic, traffic idling and other measures to reduce traffic pollution? When will these plans be announced?

4) What rebates (if any) will be offered to Motability/disabled badge owners, retired residents, carers etc.?

"That the Council reviews the impact of the diesel levy for a period of 2 years, with a view to the introduction of comprehensive emissions based parking scheme."

- 1) What is the scope of the review?
- 2) What are the targets in reduction of particulates in the borough over the review period?

The introduction of the levy on parking permits will affect residents currently in resident parking zones within Merton.

As noted in the above document, there has been an increase in the number of diesel vehicles, so diesel ownership across the borough will potentially rise for resident in non-parking zone areas.

- 3) Is there an estimate for the number of vehicles crossing/arriving in the borough from non-Merton residents?
- 4) Is there an estimate (percentage of total) for the borough particulate pollutants generated by the major London road arteries the A3, A24, A217, A236, A237 and A296?

"The overall aim of the scheme is to influence residents and business users to consider changing to lower or zero emission vehicles with any revenue derived from the scheme reinvested to support local sustainable transport initiatives and necessary infrastructure. Successful introduction of this type of scheme demonstrates the local authority's commitment to reducing emissions and improving air quality towards national objectives"

1) Will this include introducing parking permit schemes across the whole borough, so that all residents can benefit equally from the scheme?

year.

Business Permits currently cost £802 for a 12 month permit which will be subject to the following additional charge for all diesel vehicles of £90 in the first year, £115 in the second year and £150 in the third year.

Trade permits cost £900 for a 12 month permit which will be subject to the following additional charge for all diesel vehicles of £90 in the first year, £115 in the second year and £150 in the third year.

In the case of resident permits there is a separate 3 tier charging policy:

- the first resident permit purchased for an address the charge is £65 plus the diesel levy where applicable
- the 2nd resident permit is £90 plus the diesel levy where applicable
- all subsequent resident permits are £140 plus the diesel levy where applicable

All of the above charges are subject to the 3 year phased increase (1st £90, 2nd £115 and 3rd £159)

The pollution of primary concern and the one that Merton consistently exceeds is NO2.

Blue badge holders will not be charge the diesel levy this exemption does not apply retired residents or carers and will

2nd Representation

Can you kindly let me know how the email below is being treated?

Are the queries forwarded to a central process/committee?

Should I expect a response?

Is there a public meeting that I can attend?

3rd Representation

Thank you for the information below.

Am I correct in my understanding of the council terminology used?

Statutory consultation - let some people know about the proposed changes/plans - and request feedback on concerns.

Cabinet member decision - I'm not clear on this. A cabinet member is a councillor given certain remit to lead (e.g. Environment). Feedback will be given (in an overall document of responses?) once a decision on how to proceed (or not) is finalised by the cabinet?

Will this be when council employees (Environmental officers, Traffic management staff etc) also give their professional opinions on the proposals and likely outcomes?

Called in - found info on the Merton web-site

<http://democracy.merton.gov.uk/documents/s12256/ConstitutionPart4E2016.pdf> - so if the proposals are challenged, then they could potentially be "called in" to have more (outside bodies?) review completed in a scrutiny meeting. As Merton Council want to reduce particulate emissions to improve people's health, then NHS advisers will review the proposals/assess likely outcomes??

4<sup>th</sup> Representation

Please add the following representation for review in the consultation.

The attached spreadsheet contains information from the London Atmospheric Emissions Inventory 2013.

"The LAEI 2013 is the latest version of the London Atmospheric Emissions Inventory and replaces the previous versions.

Estimates of key pollutants (NOx, PM10, PM2.5 and CO2) are included for the base year 2013 and projected forward to 2020, 2025, and 2030. Emissions for previous years 2008 and 2010 are also provided, to allow comparison with previous versions of the LAEI.

The LAEI area covers the 32 London Boroughs and the City of London and up to the M25 motorway"

be subject to a review after 2 years as part of an introduction of admission based policy.

The Council does not hold data on trip generation by non-Merton residents.

For information on generation of particulate pollutants  
<https://data.london.gov.uk/dataset/london-atmospheric-emissions-inventory-2013>

Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :

- On the council's website
- Advertised in the Local Guardian and the London Gazette newspapers
- Via leaflets and posters at libraries, leisure centres and at Merton Link
- Via all ward councillors
- Via all known resident and business associations
- Via local radio station
- Via social media including several press release

This above 2013 data is actual data and is therefore more accurate and recent to the data supplied in the Council Report (14 November 2016).

<http://democracy.merton.gov.uk/documents/b8765/Supplementary%20Agenda%20Monday%2014-Nov-2016%2019.15%20Cabinet.pdf?T=9>

The data supplied in "Table 1: Annualised emissions for 2015 from the LAEI in Merton in tonnes per year" looks to have been supplied from the 2008 report and based on that reports projection for 2015. So these are not actual figures.

The differences between the reports "Published - 2008 data projection for 2015" and actual 2013 data.

Examples for Merton Borough:

Petrol cars produce 8% of total NOx; Latest actual data shows this is 14%

Diesel cars produce 37% of total NOx; Latest actual data shows this is 27%

Petrol cars produce 36% of total CO2; Latest actual data shows this is 42%

Diesel cars produce 31% of total CO2; Latest actual data shows this is 23%

Another troubling aspect of Table 1, is that it only lists pollutants levels from vehicle exhaust emissions (PM10). PM10 (and PM2.5) pollutants come from vehicle exhausts, brakes and tyres. The attached table shows the values for all vehicle types showing pollutants PM10 and PM2.5 from all sources (Exhaust, Brakes and Tyres). The difference in the source and values listed again shows large discrepancies. Examples for Merton Borough:

Petrol cars produce 9% of total PM10 exhaust; Latest actual data shows total PM10 value is 33%

Diesel cars produce 48% of total PM10 exhaust; Latest actual data shows total PM10 value is 30%

Diesel vehicles are dirtier for PM10 and PM2.5 emissions per vehicle, but table 1 in the document massively overstates this, by ignoring the fact that petrol cars produce 97% of their PM10, and 94% of their PM2.5 pollutants from the brakes and tyres. Not something that cars/vans can do without!

Also in attached spreadsheet, are the results of an unscientific street survey I undertook today (between 10:30 and 11:15). The parking tab in the spreadsheet shows the high number of cars parked after the morning rush hour/commute. I did not take in all the P2 CPZ roads - but 85% of cars/vans given permits for the roads surveyed were parked. This should be expected with high numbers of people using the District Line (and local buses) to commute to London & Wimbledon. So the majority of people with diesel cars in Wimbledon Park will be paying a high levy for owning a vehicle but not using it!

Also refer to points 1 of officer's comments

The Cabinet decision was subject to Scrutiny and the original decision was not changed

The use of LAEI 2008 predicted data was chosen as this was standard practice at the time of drafting the report. It is also important to note that this was used to set the scene for the report and the use of 2013 or 2008 data would not have altered any of the conclusions and recommendations of the report

The regulated emission that Merton fails is NOx and not PM. So the focus on brake and tyre wear, although noted, is not necessarily relevant.

Recent studies from the DfT show that all Euro 6 diesel cars understate their real world emissions for NO2. Therefore much worse than we thought.

The analysis of importance carried out by this report was the review of the vehicle makeup that we can influence, or those with permits. We reviewed all of these vehicles based upon the individual vehicle, real world driving and the subsequent emissions. It was very clear that diesel vehicles were the worst pollution for NO2, and therefore the emissions levy was focused upon those

		vehicles, with scope to extending this to all vehicles dependent upon the 2 year review.
24	<p>I am in principle supportive of the initiative to levy a levy on polluting vehicles. However a levy must be levied in a sensible way, especially when it comes to vehicle ownership. Most of us don't buy new cars every year / at three month's notice. Hence it is nearly impossible to change behaviour at such short notice that the council is proposing.</p> <p>By introducing £90 levy starting a few months from now is clearly just a mechanism to raise tax revenues and it is not fair on us residents. If you give the residents a reasonable chance to change behaviour (of at least one year) I can accept this.</p> <p>With most expenses relating to vehicle ownership it is very likely that once people are used to a cost, it is no longer serving as a dis-incentive to the extent expected originally. For example vehicle mileage only has a very small correlation to cost of fuel. Hence if we are already used to paying a fee, we will be less likely to change to petrol vehicles to adhere to the objective.</p> <p>I would like the council to explain why diesel vehicles that use off-street parking (or on-street in an area without CP) are not levied a levy. Are these diesel vehicles somehow deemed less harmful?</p> <p>Also can the council please explain what proportion of harmful pollutants in the area come from diesel vehicles using on-street parking / subject to the levy vs. through traffic and diesel vehicle parking on driveways etc? If the levy simple pushes diesel vehicles to park on driveways (as it will for us and we will park our petrol car on-street) the tax is not properly designed.</p> <p>Finally, if I have paid the levy but change cars to a petrol car mid year, will I get a partial refund? A refund will of course help change behaviour...</p>	<p>Refer to points 1, 4, 5, 7 of officer's comments</p> <p>Any refund will be made as per current refund process</p>
25	<p>My wife and I live at XX XXXXXXXXXXXXXXX and have been resident in Wimbledon for almost 30 years now. We both strongly object to the proposed imposition of a levy for parking permits for diesel vehicles in the Merton area.</p> <p>Ignoring the fact that for many years the public was encouraged to purchase diesel vehicles for economic reasons (and so it seems hypocritical now to levy a tax as a result of following the recommendations), this clearly has nothing to do with the environment but is purely a revenue raising mechanic. It ignores the basic facts that far more environmental harm from pollution is caused by:</p> <ul style="list-style-type: none"> <li>• Constant lorry and heavy vehicle movement through Wimbledon – none of which will be subject to the levy regardless of the fact that they are parked on a regular basis</li> <li>• Public transport – buses in particular – cause far more pollution.</li> </ul> <p>If the Council genuinely wanted to reduce emissions it would restrict the movement of lorries through residential areas. It would also seem appropriate to levy a charge on all commercial lorries and public transport with</p>	<p>Refer to points 1, 2, 10 of officer's comments</p>

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	<p>scheduled use of Merton streets. And an additional levy at public car parks and parking machines. This levy is entirely arbitrary and will make no material impact on the environment: all it does is penalize residents who may have followed previous public recommendations. A wholly irrational and arbitrary suggestion that no reasonable Council would implement. We are emphatically against the proposal.</p>	
26	<p>We have only just been told about Merton's plan to introduced a levy on diesel cars. We were encouraged by the Government to buy a Diesel car nearly 10 years ago and did so, at the time they were considered an environmental friendly option, therefore it is not our fault. We are pensioners and object to this levy.</p>	<p>Refer to point 2 of officer's comments</p>
27	<p><u>1<sup>st</sup> Representation</u>          Thanks for coming back to me - your prompt response is much appreciated. Whilst I do appreciate that there is a need to tackle air pollution in London and that local authorities have limited powers to dissuade use of diesel cars, I do feel that the increase to the cost of residents' permits for diesel car owners in the borough by such a large amount is not only arbitrary but a punitive tax that is likely to hit those who need help with the disposal of their vehicles hardest.</p> <p>The air pollution in Merton does not just come from residents but from the thousands of vehicles that drive through the borough on a daily basis to make deliveries, commute to work or travel on to other boroughs. It also comes from large vehicles and lorries including the council's own contractors who, presumably, are not going to be penalised.</p> <p>Of course, there are also those cars (in particular 4x4s) that are owned by those drivers who live in Merton that are fortunate enough to not have to pay for resident permits because they have their own off-road parking.</p> <p>If the cost of the parking permits is to be increased for diesel car owners then what guarantees can the council give to ensure that those monies are specifically ring-fenced to tackle air pollution? What is this money going to be used for and will there be transparency in how it is used?</p> <p>Thank you for copying in the Traffic and Highways team - by copy of this email to them I would be grateful if someone could respond to these queries and also confirm that my concerns and views are included in the consultation process. The other way that drivers could be dissuaded from driving into Wimbledon Town Centre would be to increase the parking restrictions in the lower half of South Park Road from Trinity Road either to Bridges Road or further on to Haydons Road which could then reduce the air pollution within the borough. (This could also happen in other neighbouring roads).</p> <p>I and other residents of South Park Road have seen a huge increase in the volume of traffic parking on South Park Road - particularly after 6.30 and on Sundays when the parking restrictions end. Vehicles without parking permits often park on this section of South Park Road as it is the first part of the road where the traffic restrictions are relaxed (the other half of South Park Road from Trinity road to the town centre having restrictions until 11pm and on</p>	<p>Refer to points 2, 4, 10 &amp; 13 of officer's comments</p> <p>There is no evidence that this will disproportionately impact upon those who need help with the disposal of their vehicle</p>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 122</p>	<p>Sundays).</p> <p>The road is effectively used for free parking being a short walk to the town centre, the theatre, the YMCA, the leisure centre and local restaurants and bars. This will only get worse when the car park next to the theatre closes and the Premier Inn is built (which has no parking for hotel guests included in the plans).</p> <p>We are often told when there is a planning application that has no parking in the plans that this is because Wimbledon has good transport links and that people either do not own cars or do not drive them.</p> <p>Unfortunately, this is simply not the case and unless the Council does not act to make it more difficult for vehicles to park close to the town centre then I cannot see how air pollution is going to reduce. I should be grateful for your views on this and also any comments that the Traffic and Highways team have.</p> <p><u>2<sup>nd</sup> Representation</u></p> <p>Of course this penalises those drivers (like me!) who purchased their cars in 2005 when we were actively encouraged to buy a diesel car as they were supposedly better for the environment than a petrol vehicle! This I did in good faith. If I could afford to change my car to a petrol one I would but it's not possible financially for me.</p> <p>By copy of this email, I would request that Mr Hammond MP and/or Councillor Garrod look into this anomaly and see if there can be any concessions for "innocent" drivers like me who are now to be penalised for relying on misinformation when buying a diesel car was considered to be the right thing to do for the environment.</p>	
<p>28</p>	<p>I am emailing to strongly object to your proposal to add a levy to the parking permit annual charge. We bought our car in good faith that diesel was a cleaner fuel than petrol and it is grossly unfair to punish those who have already bought a car. We do not change our car regularly - we had our last one for at least 10 years - and thoroughly object to this charge. As car owners in a built up area we are already being penalised enough in that we now have to pay for the privilege of parking our car outside our house.</p> <p>We use public transport to go to work so it is not as if we are heavy pollutants in the area. The car we own has an inbuilt mechanism whereby the engine cuts out if the car is stationary. If you are going to introduce this levy it would be fairer to add it to those new applicants who are applying for permits with a diesel car rather than retrospectively.</p>	<p>Refer to points 2 &amp; 5 of officer's comments</p>
<p>29</p>	<p>I am the owner of a diesel car and was upset to see your plans to increase the cost of parking permits.</p> <p>One of the major factors in purchasing a diesel car for me was its fuel efficiency. Also, at the time diesel was considered to be a more eco-friendly alternative to petrol, and a diesel car was even endorsed by the Green Party for environmental reasons around 2008. For these reasons, diesel was generally a more expensive type of car. Your proposal is based on new research that indicates local air quality is negatively impacted by diesel cars.</p>	<p>Refer to points 2 &amp; 5 of officer's comments</p> <p>There are already established recycling facilities for vehicles</p>

	<p>I would like to raise a few points:</p> <ol style="list-style-type: none"> <li>1. If the bill does make people replace their diesel cars, surely the environmental burden of disposing these vehicles and replacing them would be considerable.</li> <li>2. The increase is unlikely to motivate people to replace their cars. Hybrids and electric cars are an expensive category of car. For wealthier vehicle owners, an increase in parking price is unlikely to make them truly consider replacing their vehicle. For the less wealthy, it will simply price them out of owning a car, as they will not have the money to replace the vehicle and may not have the money to pay for an increase in parking fees. This is simply an extra tax on already extremely costly vehicle ownership.</li> <li>3. This is a tax on parking. A parked car is not in use, and thus not polluting the air. The tax is thus extremely indirect. It would make more sense to tax the use of diesel vehicles, not the right to have a space to put it in. A parking place is same for a diesel, petrol or electric car.</li> <li>4. This is a morally unjustified punitive measure for a decision (to buy a diesel car) made in good faith based on the best information available at the time. The tax, if anything, should be for new diesel cars, not old vehicles purchased with good intent before this new research came to light.</li> </ol> <p>These seem entirely reasonable objections, so please take the time to consider them.</p>	
<p>30 Page 123</p>	<p>With reference to the proposed levy to be charged on diesel cars which have parking permits issued by the London Borough of Merton I would like to make my views known on this subject.</p> <p>Under the previous Labour government, a party under which the present borough council has a majority, we as motorists were encouraged to switch to diesel cars which were deemed to be more "environmentally friendly". This people did in their millions to the extent that the majority of cars now sold in this country are diesel.</p> <p>It is also a fact that Euro 6 regulations means that a vast number of diesel cars are CO2 and NOx compliant and in many ways as good or better than their petrol equivalents.</p> <p>We are now told by Merton Council that in order to encourage car owners to move away from diesel (the complete opposite advice from the Labour government) they will "punish" ALL diesel cars and their owners by arbitrarily adding punitive levys on parking permit holders. The fact that other diesel owners who have the good fortune to park off the public highway and buses, taxis, lorries together with all the cars that drive through Merton, which according to the logic of Merton Council cause untold damage and pollution to the environment, will not be subject to any levy.</p> <p>This fact alone proves that the proposals are discriminatory and are being used by the Council to fill their "coffers" and target one section of the motoring public using them as a "cash cow".</p> <p>By attempting to introduce these measures in such a hasty fashion the Council have apparently failed to take in to</p>	<p>Refer to points 2 &amp;3 of officer's comments</p>

	<p>account certain difficulties faced by those motorist who will be affected by this.</p> <ol style="list-style-type: none"> <li>1. The number of diesel cars owned, in a lot of cases at great expense, means any attempt to sell them and move to petrol would "flood" the second hand market with cars that are perceived as undesirable and as a consequence prove difficult to sell with possible financial loss.</li> <li>2. Many owners, myself included, have these cars on a fixed term lease and are unable to change until its expiry without financial penalty which I, and I am sure many others, would not be able to bear.</li> <li>3. Many diesel cars are now compliant with Euro 6 and meet the NOx levels which is at odds with Merton Council's claim that they harm the environment and therefore should not punished.</li> </ol> <p>wish to strongly object to the way Merton Council has approached this subject. The fact that these measures are being brought in at such short notice and in such a discriminating way will have serious consequences for many people who have been given no means to avoid this.</p> <p>The fact that all diesel cars with parking permits are being targeted when some actually produce less pollution than some petrol cars is extremely unfair and the Councils plans should be shelved until it is proved to be conducted in a way that takes all these considerations seriously.</p> <p>I would like the Council to reply to points raised and not by the way of a standard bland acknowledgement.</p>	
31	<p>I am responding to the consultation for traffic management orders to CPZs to apply a tax on diesel vehicles.</p> <ol style="list-style-type: none"> <li>1. The imposition of an immediate tax on diesel owners is unjust. I purchased my diesel vehicle less than 2 years ago when diesel vehicles were being advertised as a greener option to petrol. I acted on misinformation spread by central and local government, and the manufacturers.</li> <li>2. I am tied into a 4 year purchase agreement. To tax me immediately does not allow me to change my motoring behaviour, or allow me to see whether I can extract myself from this agreement and buy another car. Whatever I do, I will suffer a financial loss as a direct result of Merton Council's decision.</li> <li>3. Merton Council's policy does not take account of the pollution of non-local vehicles, or of vehicles which are not parked in a CPZ, and therefore it does not apply to all vehicles: it is a selective punitive tax on residents who pay for a car parking facility.</li> </ol> <p>To introduce this change now makes it a clear punitive tax, and not a mechanism for changing people's behaviour, otherwise Merton Council would allow for a period of adjustment and education</p>	Refer to points 2, 4, 5 7 and 10 of officer's comments
32	<p>Successive Labour Governments encouraged the use of diesel vehicles. Having done so</p> <ol style="list-style-type: none"> <li>1. why are placing punitive taxes on those who followed their policy.</li> <li>2. why is this tax being levied disproportionately. It is only being levied on this people in those areas which require Parking Permits</li> </ol>	<p>Refer to points 1 &amp; 5 of officer's comments</p> <p>All Councillors are allowed to park at the Council Offices car park at no</p>



	3. I have been told that Councillors parking near or at the Council Offices are not required to pay for Parking Permits. Is this correct?	charge. 2 senior Councillors are allowed a parking permit to park on street for which a charge is paid.
33	<p>I am shocked to hear about the special parking fees planned by Merton on diesel cars. If the real aim is to reduce pollution and emissions a cross borough and London wide scheme should be adopted. How is a Merton resident's car pollution different from that of a car driven in whole of our neighbourhood by an owner who resides in Mitcham or Wandsworth. We need joint up action instead of penalising just Merton residents.</p> <p>Moreover, as a parking permit holder I have not been consulted at all and presented with facts and choices on this matter. I would urgent the team to reconsider their proposals and follow due process and consultation and also aim to be fair to their own residents instead of aiming to pass back door regressive taxes.</p>	Refer to points 5 & 10 of officer's comments
34	<p>I understand that the Council is proposing to bring in a levy on diesel vehicles as early as this April, with a surcharge for parking permits and business permits, that is likely to increase in future years.</p> <p>Please take this e-mail into account in reply to the public consultation that you are (belatedly) undertaking. While I understand that modern research shows that such vehicles bring health issues, there does need to be a period of time for public education and during which people are able to change vehicles, otherwise the costs to them will be inordinate.</p> <p>Most people change their vehicles only every three years or so, and those who have recently bought such a vehicle will be heavily penalised, given the depreciation in value. If the proposal has merit, it should be introduced over a number of years.</p> <p>The proposal will also hit hardest those who are less well off, as they can ill afford to change their vehicle, simply to avoid extra costs. Further, there seems little evidence of such bad air pollution in Merton that it is vital to introduce this scheme at such speed. I trust that the Council will defer the introduction of the scheme at this time.</p>	<p>Refer to points 1 &amp; 5 of officer's comments</p> <p>There is coordination currently underway within the GLA and nationally through DEFRA</p>
35	<p>I was shocked to learn from the Union of Wimbledon Residents Association's newsletter that Merton Council have decided to introduce a levy of up to £150 on parking permits in Merton if you own a diesel car. This seems an unfair charge for diesel owning residents (it is not a dictatorship). As a pensioner on a fixed income how can I put my hand in my pocket every time someone comes up with a 'money making scheme'. I have a number of questions I would like addressed:-</p> <ol style="list-style-type: none"> <li>1. What will Merton do about diesel cars parked on residents drives, if they do nothing this will be discrimination against residents who have to park on the road?</li> <li>2. What does Merton council propose to do about the diesel cars, vans, lorries, buses and taxis that drive around and through Merton every day? These are the major polluters not residents, so to penalise residents is not going to make one jot of difference as 90 per cent of my journeys are long distance on motorways I would argue that any pollution in Merton from my car is minimal.</li> </ol>	Refer to points 1, 3, 4, 5 & 10 of officer's comments

	<p>3. Every make and model of diesel car needs to be assessed and tested separately and compared to the same petrol car with the same test. My car is a 2016 model with a 'particulate filter' so I would strongly argue it is no more of a pollutant than a petrol car of the same model. This should be taken into account when setting a levy.</p> <p>I find the charges introduced by the London Borough of Kensington &amp; Chelsea (£19 extra per permit) and the London Borough of Camden (£10 extra per permit) more acceptable. As it is I find a rising charge to £150, on top of my parking permit charge, staggering! I look forward to hearing from you.</p>	
36	<p>The proposed levy to be placed on diesel owners in controlled parking zones (CPZs) only is not the answer to the pollution problems in Merton - many lorries, buses, taxis and vans drive through Merton towns on a regular basis - will they have to contribute? The majority of CPZs are in the Wimbledon area again - why should people who own diesel cars, because they do not have an off road parking space, be held to ransom by the council?</p> <p>For my part I have a new diesel car which has a 'particulate filter' I do not drive into Wimbledon town centre - most of my driving is motorway - I am also a pensioner on a fixed income. I do not believe the council have thought the proposal through - I have also been in touch with the national press - as the subject of council's introducing levys (which may not be legal) are being accused of making diesel car drivers into 'cash cows'.</p>	Refer to points 1, 3, 5 & 10 of officer's comments
37	<p><u>1<sup>st</sup> Representation</u></p> <p>Further to an earlier email - I am again writing to you to emphasize the unfairness of the proposed levy on diesel cars in CPZs only. I am going to be penalised for having a diesel car even though it is fitted with a 'particulate filter' - simply because I have to pay to park in my road - can you let me know why? What will the sums raised be used for - will the council be targeting the real polluters i.e. lorries, buses, taxis etc?</p> <p>I feel I am being punished on behalf of the whole borough - this is grossly unjust. How many other cars in the London Borough of Merton will be targeted in this way i.e. the diesel cars in CPZ's only? Is there going to be a consultation on this as it has being implemented a short notice? I look forward to hearing from you</p> <p><u>2nd Representation</u></p> <p>As the cabinet member responsible for the diesel levy can I please have answers to my questions raised in my earlier email addressed to Mr Alambritis as follows:-</p> <p>1. Why are you making diesel car owners in controlled parking zones responsible for the whole of the pollution in Wimbledon town centre? As stated before I have a new diesel car which is fitted with a 'particulate filter' I do not drive into Wimbledon town centre - surely your unrelenting approach to the air quality in our borough should include all diesel vehicles i.e. diesel cars parked on driveways those outside the controlled parking zones, lorries, taxis, buses etc where is the fairness in what you are suggesting?</p> <p>How many controlled parking zones are in the other areas within the London Borough of Merton - or are the diesel owners in Wimbledon to be responsible for the whole of the boroughs air?.</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press release</li> </ul>

	<p>2. Westminster council may have approved a levy but it is nowhere near as high as the one which the London Borough of Merton intend to implement - I am not even sure this is legal.</p> <p>I will also be forwarding an email to the Traffic and Highways division of the council.</p> <p>It is not for you or the London Borough of Merton to tell me what I can and cannot drive- your concerns and efforts should be with the manufacturers to produce cleaner diesel vehicles and not punishing people who thought they doing the right thing.</p>	<p>The Charge will apply to all CPZ's</p> <p>The Local Authority is legally entitled to use Parking Fees as a way of tackling air quality</p> <p>Also refer to points 1, 2, 3, 6 &amp; 10 of officer's comments</p>
38	<p>The tax is unfair and discriminatory. Six years ago we bought a diesel car because we thought we were contributing to cleanliness in the environment as a direct result of advice given by the government.</p>	<p>Refer to point 2 of officer's comments</p>
39	<p>I strongly object to the proposed Diesel levy to be introduced from 1 April 2017. The proposal is clearly discriminatory as it only applies to residents who live in a CPZ and have no alternative but to park in the road. Many of the poorer residents of the borough will have to pay while richer residents with off street parking will not. Why is the levy set so high compared to other boroughs in London, this is clearly set to raise money to fill the councils coffers. If it was really about the environment then all diesel vehicles would be paying the Levy. The council is being very two faced about this levy which should only be introduced when the councils 180 odd diesel vehicles have been replaced and we have a level playing field. The dust carts and other Merton vehicle's which are used all day cause far more pollution than private cars that are used far less often. This Labour council should remember that it was past Labour governments which actively encouraged motorists to buy diesel cars.</p>	<p>Refer to points 2, 5, 6 &amp; 11 of officer's comments</p> <p>There is no evidence that this will disproportionately impact upon those poorer residents of the borough</p>
40	<p>I have become aware that Merton Council plan to vote on an increase to the cost of parking permits for the owners of diesel vehicles, which would become effective from April this year, and increase year on year following this.</p> <p>As a Merton resident and an owner of a (2007) diesel car I am extremely concerned about this. Not only does this break an election promise, it seems to me to me nothing more than yet another fund raising exercise on behalf of Merton Council that is disguised as a green levy. I urge you to reject this plan and await your response</p>	<p>Refer to points 1, &amp; 13 of officer's comments</p>
41	<p>Quite frankly this proposal is a disgrace. An immediate penalty for driving a car that up until very recently was vaunted for its 'greener' credentials.</p> <p>How you possibly come up with a penalty based purely on NOX is beyond me. The science of air quality and associated health benefits is purely subjective. You have no 'proof' that NOX is any worse than CO2 for instance.</p> <p>I am not against efforts to improve air quality, far from it, the general initiative is welcome. There must be far fairer ways to achieve this however than a thinly veiled cash grab on undeserving diesel driving residents.</p> <p>At the very least delay the onset for diesel drivers by 3 years to give them a chance of changing their car. Charge the levy for all new diesel cars applying for a permit after 2017 for instance. In the meantime accept that all motor vehicles are contributing to poor air quality and charge a flat £50(for example) to make up your budget shortfall.</p>	<p>Refer to points 1, 2 &amp; 5 of officer's comments</p>

I have been made aware by a local residents' association that there is a consultation under way in to a proposed levy to be applied to parking permits for drivers of diesel cars. Since this would directly affect our household, as we have permits for 2 cars in a CPZ, one petrol and one diesel, I would like to input to the consultation. It would have been preferable if affected households had been informed by letter, since the council obviously holds all the relevant data to administer the parking permit scheme.

I have 3 main objections:

### 1) Fairness

There is a significant annual cost to a relatively small number of residents under the proposal. There is a degree of arbitrariness in which residents would face increased costs, since the cost only falls on those with parking permits and not those living outside CPZs or with off-road parking. This is in contrast to the health impacts the proposal seeks to mitigate, which relate to pollution produced when driving, not when parked. For example, a resident with a diesel car parked in a CPZ who rarely drives far within the borough pays the diesel levy, while another with the same car who parks off-road and daily drives back and forth through busy areas does not. Changing cars is not cheap and many will have been bought when diesels were considered the lesser evil, and indeed incentivised compared to petrol cars.

### 2) Effectiveness

Nowhere in the documents can I find an estimate of what proportion of vehicle journeys made within the borough are actually made by CPZ permit holders. I estimate that it is likely to be a small proportion, since many residents are not in a CPZ or have off-street parking, and many journeys in the borough will start outside the borough anyway. To understand this point, consider that the A3 running through the borough is highlighted as one of the most polluted roads. Clearly only a very small proportion of vehicles driving along it would belong to MBC parking permit holders. Local roads will not be as extreme, but I reckon a fair estimate might be 10-20% of journeys in town centre pollution hotspots could be by parking permit holders, of which 1/3 might be 'in scope'. Further to this, almost all of the most polluting vehicles (diesel HGVs, vans, buses, etc) are not going to be permit holders anyway. So a very high proportion of polluting vehicles will not be affected at all, and the effect of the narrow targeting of the scheme is likely to be de minimus, even if the incentivisation effect were strong.

### 3) Practicality

Introducing the scheme almost immediately means it is effectively a retrospective tax until you can next afford to change car. Only applying the levy to newly registered permits for, say, three years would preserve the incentive to change while allowing some time for residents to do so. Although obviously, given you are parking on-street in a CPZ, a plug-in electric vehicle is not going to be a practical alternative anyway.

So in summary, the proposals are unfair, ineffective and impractical. There is already incentivisation through the vehicle and fuel tax systems related to emissions and driving behaviour. This proposal uses twisted logic to link parking permit charges to pollution reduction, and it will raise a bit of revenue, but it is clear that this is not the most

Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :

- On the council's website
- Advertised in the Local Guardian and the London Gazette newspapers
- Via leaflets and posters at libraries, leisure centres and at Merton Link
- Via all ward councillors
- Via all known resident and business associations
- Via local radio station
- Via social media including several press release

Also refer to points 2, 4, 5 & 10 of officer's comments

	<p>sensible lever to pull but the one within MBC's reach. In terms of reducing pollution, it is analogous to the drunk searching for his lost keys under the lamppost.</p>	
<p>43</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 129</p>	<p>I have read through the proposal to introduce a levy on diesel cars in Merton that have parking permits. As a diesel car household with a parking permit I wish to object on the grounds that this is unfair and discriminatory. What about all other diesel cars owned in Merton who benefit from off-street parking ? How many are there of these?</p> <p>If I had run the research study I would want to find out what the diesel car population of Merton is. What is the proportion of diesel cars with parking permits relative to all diesel cars in the borough? Surely the DVLA could have provided details of all diesel car owners in Merton or would this fall foul of data protection?</p> <p>How people use their diesel cars is also pertinent. We rarely use ours apart from driving long-distances as we were told by the government that diesel was more economic and emission friendly. Electric cars are not an option for us for long-distance travel.</p> <p>We now use public transport where we can and have a small petrol car that we may consider changing to an electric one for around-town driving . Many residents with diesel cars will pollute far more than us if they commute/ do school runs regularly. What about all the commuters in diesel vehicles who travel through Merton polluting our air? What studies have been done to find out how many transiting diesel vehicles are involved?</p> <p>It seems to me that the council has to be seen to be doing something to meet this EU directive and at lowest cost using outsourcing to top-down experts whose report is not easy reading for a lay person and no evidence of validation. Undertaking a full survey of diesel car owners and then generating and evaluating options in the context of Merton's air quality and providing the public with a full review of the air that we all breathe would have been far more equitable and informative given the deaths it is likely to cause. Democracy is not working as all diesel car owners living in Merton and travelling through the Borough are not being treated fairly and those who have parking permits (and whose data readily can be used) having to bear the burden for Merton's air quality.</p>	<p>Refer to points 1, 3, 5 &amp; 10 of officer's comments.</p> <p>The councils study investigated the option of all vehicles being subject to the CPZ charge and Diesel cars were shown to be disproportionately polluting.</p> <p>It would not be practical to introduce a levy based solely on vehicle mileage</p>
<p>44</p>	<p>It seems to me that most of the diesel pollution in Merton is caused by vans and trucks passing through (and particularly those driving over the speed limit and using residential roads illegally as cut throughs from Wimbledon Broadway to Haydens Rd ).</p> <p>You are chasing soft targets, namely those who have smaller diesel cars living in crowded roads where they do not have off street parking ( unlike those driving huge 4 x 4's in larger houses with off street parking). It would be much fairer if you charged a levy on ALL diesel cars registered to owners living in Merton as this would catch the larger vehicles in the larger houses who still drive all over the Borough causing pollution. Also, you could charge a diesel levy on all builders carrying out work in the Borough as their vans are inevitably diesel and the skips/vans/trucks delivering on site are too. I don't drive a diesel but can see the inherent unfairness in targeting those who bought in good faith, believing they were better for the environment. You won't help the pollution by charging extra, you'll just make some hard needed cash for the Council. It will be spent on shortfalls rather than in reducing pollution.</p>	<p>Refer to points 2 &amp; 5 of officer's comments</p>

45	<p><u>1st Representation</u></p> <p>I refer to your plan to victimise drivers of diesel fuelled vehicles by introducing a levy. To be honest Merton council never ceases to amaze me and I would imagine many more captive council tax payers. I have read through your documentation and even you concede that drivers of diesel vehicles were given contradictory advice by the Labour government and as that advice regarding emissions has found to be incorrect you wish to punish those drivers who took it. This is a bit rich even coming from a bunch of councillors.</p> <p>I agree that measures should be taken to remedy this situation but your idea even though it is within the law and naturally adopted by other councils is nothing short of a legalised scam to raise money.</p> <p>I didn't see anything in the documentation to say how this money will be used in the Borough to improve air quality so perhaps you could enlighten me on this. If this is not the case perhaps you could tell me what you intend to use it for in case it is not the daylight robbery I am taking it for.</p> <p><u>2nd Representation</u></p> <p>Would you please acknowledge receipt of this email and let me have an answer to my query.</p>	Refer to points 1, 2 and 13 of officer's comments
46	<p>I am extremely concerned at this proposed levy, which is due to be in place from April this year - just two months away.</p> <p>1. As car owners we were advised, in the past, to purchase diesel cars as they were deemed better for the environment than petrol cars. That is why we originally bought such a car. I fully accept that this has been disproved now, and will certainly not be buying a diesel car in the future, but it is unfair to penalise those of us who bought diesel in good faith. We are more than happy to take your advice over what kind of petrol car is greenest when we come to look to purchase another car in the future - but that is not a financial possibility in the near future, and I imagine will not be for many of us diesel owners. Buying a car is a major expense which doesn't happen often for most of us.</p> <p>2. Whilst I never wanted a CPZ in my road for a number of reasons, not least that it means there is virtually nowhere to park in Merton now during the daytime, which makes visits to older and vulnerable members of our community much more difficult from carers and family members, I accept that they have become part of life. However, to single out those of us who are unable to park off road and already have the additional financial burden of paying for the privilege of parking somewhere in the vicinity of our homes (even if that vicinity is in the next road on occasions) to pay an extra amount is basically unfair. If a diesel tax is essential it should be payable by all those driving a diesel car and not just those who happen to be easy targets because you already have their details.</p> <p>It means that those who are able to afford larger houses with off street parking also benefit from not having to pay the levy - how can that be deemed fair. Added to this the sum of the levy is a considerably amount of money from year 1.</p> <p>3. The timescale. Two months notice from consultation to implementation is hardly fair or reasonable. By all means educate us over the importance of changing cars as soon as practicable, lobby the government to stop</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul> <p>Also refer to points 1, 2, 5 &amp; 10 of</p>

	production of diesel cars - I will join the lobby, but please be fair on us citizens. I suspect that there are many of us who have not realised that this is even being discussed.	officer's comments
47	I am in favour of the diesel levy. What concerns me more are the awful polluting buses on Ridgeway and through the village. The 200 and the 93 are the worst culprits. What are your plans to deal with these? I try to avoid walking on the Ridgeway with my children it is so bad.	Refer to point 10 of officer's comments
48	I would completely accept that we need to improve London's air quality. However, it does seem completely unfair to introduce this in a borough such as Merton where only about half the borough has a CPZ. There is therefore no incentive for half the borough to reduce diesel car ownership. In somewhere like Islington, nearly all the borough has a CPZ! How much of your Lavender Fields ward has a CPZ?!	Refer to points 1 and 5 of officer's comments
49	I protest against the proposed diesel levy most strongly as it is unfair to those of us who bought diesel cars especially within the last couple of years. Modern diesels have particulate filters to remove unburned fuel and engines consequently work very cleanly. This is a very unfair tax and will affect many of the poorer families who have no way of parking their cars off road. THIS IS UNFAIRLY PUNISHING THOSE WHO BOUGHT DIESEL CARS on the governments recommendation	Refer to points 2 & 3 of officer's comments
50	<p>I wish to record my representation against the proposed diesel levy. As background, my previous car was petrol driven, three years old when I bought it, and it lasted me 21 years until 2010 before rust got the better of it. I consider I have done my bit for the environment by not changing cars too frequently.</p> <p>At that time, late 2010, the Government was putting out dire warnings on global warming due to increased carbon dioxide, and was coercing us to opt for diesel vehicles to reduce CO2 emissions. So, against my personal preference, I followed government advice and chose a diesel car as a replacement to "save the environment."</p> <p>Within six months of my buying it the Government changed its tune and started advising us to avoid diesel vehicles because of nitrogen dioxide exhaust emissions and particulates, and associated cancer risks. I felt conned by the Government.</p> <p>Now, Merton Council intends to impose this increased parking levy. I personally won't be affected because I have off-street parking space. However, if I didn't have such facilities, I would be incensed because this discrimination against diesel vehicles by local government would be adding insult to injury.</p> <p>We are talking about parking here. If the car is parked with the engine switched off it's not putting out any pollution, and it's not taking up any more road space than its petrol equivalent. Why not admit that this is just a fund raising exercise. If Merton Council is going to increase parking tax on diesels, it should do exactly the same for petrol vehicles.</p> <p>If Government really wants to encourage and incentivise diesel vehicle owners to consider adopting lower or zero emission technologies, it should introduce a scrappage scheme for diesels, along the lines of the scrappage scheme for elderly vehicles in 2009-2010.</p>	Refer to points 2 & 5 of officer's comments

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 132</p>	<p>51 I have read your proposals for the introduction of a diesel levy on residents who own diesel cars and park on the roadside in Merton and wish to lodge an objection to the proposal.</p> <p>Whilst it is a very well-meaning initiative towards reducing air pollution, the introduction of the levy at short notice in April 2017 is unwelcome. It gives an impression of short term financial opportunism by the Council to raise extra cash. It is unjust because it gives residents insufficient time to research the various alternative types of vehicle available and raise the necessary finance. Does the Council intend of offer a scrappage scheme or finance to support this initiative?</p> <p>What is personal irritating is that we bought our diesel car based on the Government advice on the reduction of carbon emissions. Having contributed to the reduction of carbon emissions, the Council are now charging us a levy on the choice of vehicle we made on Government advice.</p> <p>I live in a terrace of 6 houses. Mine is the only property which has a front garden with a small pond, trees, bird feeders and nest boxes. My 5 neighbours have all paved over their gardens and use them for car parking. 4 of my neighbours are two car households, whilst the fifth has a single car parked on its hardstanding. So out of the 10 cars owned by my terrace I will be the only resident who pays the diesel levy because I park on the road. I do accept that some of my neighbours may apply for additional parking permits for visitors etc. However it strikes me that the Councils focus only on those residents who park on the road is discriminatory and as a result the levy will have a limited impact in reducing emissions.</p> <p>To be successful any emissions policy needs to have a broader and joined up scope. What action is the Council taking to ensure that it and all its contractors do not use diesel vehicles for Council duties? Ditto staff travelling on Council business and claiming mileage expenses?</p> <p>What is the Council doing to reduce bus and taxi emissions in the borough particularly near schools, nurseries and care homes for the elderly? Unless co-ordinated policies like these are in place the well-meaning initiative will be an ineffective drop in the air pollution ocean. Delaying introduction of the levy until April 2018 would give residents time to think about their choice of alternative vehicle and see how it fits in with Merton's wider approach to cutting air pollution and also that of the Mayor of London. At the moment introducing the levy in April 2017 comes across as unreasonable and short term financial opportunism. I urge the Council to think again on the timing of the introduction of the levy. In the meantime I am writing to my MP about the Council's proposals and its apparent financial opportunism. I will also contemplate greying my green garden - grey hard standing and two Merton Council wheelie bins – what a sad picture!</p>	<p>Refer to points 1, 5, 10, 11 &amp; 12 of officer's comments</p> <p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul>
<p>52</p>	<p>I wanted to let you know that I support your plan to introduce a levy on diesel vehicles. I had some other queries, Would it be possible to introduce something similar for highly polluting petrol vehicles? Could this be extended to council car parks using ANPR to identify diesel vehicles? What will the proceeds of the levy be spent on?</p>	<p>Refer to points 5, 10 &amp; 13 of officer's comments</p>



<p>53</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 133</p>	<p>I object on the following the basis:</p> <p>Overall everyone wants cleaner air. But this needs a central government approach that includes all vehicles. Is Merton air different from Wandsworth air? Well it's probably better run and cheaper...</p> <p>Specifically:</p> <ol style="list-style-type: none"> <li>1. Negative Economic Impact: Increasing the burden on Merton motorists is profoundly unfair and places a further costs on residents, the majority own diesel cars.</li> <li>2. Targets wrong polluters: the most polluting vehicles are vans, buses and lorries passing through the borough. How will they be taxed?</li> <li>3. Change in government advice: Motorist like me were until very recently advised by Government that diesel was good for lower CO2 emissions and economy. I bought my car on that advice. To now be penalised by local government as science has changed seems wrong.</li> <li>4. Undemocratic greenwash tax increase: a major increase in tax was not on the Labour manifesto, indeed it has said it will not increase taxes. Many people voted for labour on that basis. It is disappointing, but not surprising, that you are proposing a tax increase.</li> </ol> <p>I note that it is the type of objection rather than the volume of objections is being applied here. A very arbitrary and fundamentally undemocratic basis for consultation. I guess you rightly assume that people will not vote for tax increases.</p> <p>Overall another example of Council officials trying to scam more money out of hard working people, who will have no chance of avoiding the costs, and no money for a new car. Merton Council once again out of touch with the realities of its tax payers</p>	<p>Refer to points 1, 2, 5 &amp; 10 of officer's comments.</p>
<p>54</p>	<p>I write in response to the statutory consultation in respect of the proposed Diesel Levy. I am in support of measures to reduce harmful emissions, both in terms of greenhouse gases and localised air pollution. However, I object to this scheme for the following reasons:</p> <ol style="list-style-type: none"> <li>1) It is completely contrary to the messages and incentives from central government which encourage diesel cars vs petrol because of lower C02 emissions. Many people, myself included, will have taken this into account when purchasing their vehicle and therefor it is completely unfair, at short notice, to reverse these incentives in this way. Taking into account VED and this levy, I will now be paying more than I was for my old, inefficient petrol vehicle.</li> <li>2) It takes no account of the different classes of diesel vehicles. Surely the scheme should be based on measures such as the European emissions standards – my diesel car meets the latest Euro 6 standards, and is fitted with adblue technology. I believe it is therefore significantly more environmentally friendly, both in terms of C02 and nitrogen oxides, than most older petrol vehicles.</li> <li>3) It is not vehicles per se but use of vehicles that creates air pollution. As a low mileage driver, I am already</li> </ol>	<p>Refer to points 1, 2, 3, 5 &amp; 7 of officer's comments</p>

	<p>disproportionately penalised via VED versus high mileage drivers – this will only add to this. I believe strongly that all environmental taxes on vehicles should be collected via fuel levies, not ownership levies.</p> <p>4) It is completely inexplicable why such a levy should only apply to those living in a CPZ. If this is a genuine issue, it should be applied to all diesel vehicles registered in the borough.</p> <p>Accepting that the council as a local government body may not have the means to address point 3, I would propose a much fairer and more effective scheme would exclude diesel vehicles which meet the latest Euro 6 emission standard and / or are fitted with adblue technology, which breaks down nitrous oxides into harmless nitrogen and oxygen.</p> <p>The scheme should also take account of the fact that most people operate on a 3-4 year replacement cycle for their vehicles therefore should not be implemented at such short notice. The scheme in its present form appear to be a lazy effort by the council to raise additional revenue, attacking only ‘low hanging fruit’ rather than something that will drive change and impact all residents of the borough in a fair way.</p>	
<p>55</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 134</p>	<p>Thanks for publishing your consultation on the proposed diesel levy. I’m writing to register my opposition to the proposal, on the basis that it seems an unnecessarily blunt instrument that will penalise local residents who don’t have the financial means to replace their vehicles at short notice and that won’t necessarily achieve the desired outcome of reducing harmful emissions (which is certainly a laudable aim that I share). I would much rather see a sliding scale for vehicles on the basis of their actual emissions, rather than lumping together all diesels, including the latest low-emissions models, as “bad”, and all petrol engines, including old, large, more-polluting models as “good”.</p> <p>Many people chose diesel cars on the basis of their significantly lower CO2 emissions compared to petrol alternatives, and this continues to be promoted through significantly lower rates of vehicle tax – the increased vehicle tax of switching to a petrol alternative would be roughly equivalent to the proposed hike in parking rates for a diesel, and plug-in electric vehicles are not an option for many who live on roads with no off-street parking given the relative lack of charging points locally.</p>	<p>Refer to points 1,2 &amp; 3 of officer’s comments.</p>
<p>56</p>	<p>I am writing to you in relation to the proposed ES/DIESELLEVY. Your statement of reason states: The proposals will encourage and incentivise diesel vehicle owners to consider adopting lower or zero emission technologies.</p> <p>I changed from a petrol Renault Clio 1.2 to a Diesel Renault Clio 1.5 on the basis I had been led to believe they were better for the environment as the CO2 emissions were so low, the Government Road Tax was very cheap and the fuel efficiencies were very good. I thought that by managing to do more miles to the gallon would mean less emissions.</p> <p>To now be told I am wrong after I paid an extra £1500 for a diesel model and that I will now start to be financially penalised in frustrating. Luckily, I do have off street parking at the moment, however, I question the fact that you think that adding a levy of £90 increasing to £150 will incentivise a driver to change their car.</p>	<p>Refer to points 1,2, 5, 11, 12 &amp; 13 of officers comments</p>

	<p>I strongly suspect with the anti diesel rhetoric in the press and by councils at the moment that the residual value in my existing car will now be reduced which will make it harder to fund the purchase of another car. Also replacing my car will cost significantly more than £90-£150. Surely a better way to work forward will be to work with the car industry to reduce the production of diesel cars and work towards making greener vehicles more affordable. I have looked at a hybrid car but can not afford to buy one.</p> <p>What affirmative action is Merton Council taking to ensure the reduction in diesel vehicles used directly by the council or by their service providers? How will the additional levy be spent? Will it be used on green projects or will it just be absorbed into general income? Are senior staff at the council leading by example and adopting lower or zero emission technologies?</p> <p>To summarise I strongly object to this additional charge and under no circumstance do I think it encourages or incentivises drivers to change car.</p>	
<p>57</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 135</p>	<p>The planned introduction of the diesel levy on parking permits states that its intention is to:</p> <p>"...encourage and incentivise diesel vehicle owners to consider adopting lower or zero emission technologies. This will lead to reduced harmful emissions, particularly nitrogen dioxide and particulate matter within the borough and thereby mitigate their adverse impact on the health of residents"</p> <p>I completely agree that high emission vehicles are damaging to health and the environment and that action is required to reduce emissions across the board, however I strongly object to the approach being taken by the council on this matter for the following reasons:</p> <ul style="list-style-type: none"> <li>- This levy penalises all diesel car owners without reference to the actual emissions that each car generates. There are many diesel cars (mine included) that use Urea (AdBlue) to capture the nitrogen oxide / nitrogen dioxide and greatly reduce emissions. The emissions of these diesel cars are therefore often much lower than petrol equivalent car.</li> <li>- The levy only penalises those residents who require a parking permit and not those with access to off-street parking. This in variably penalises those who live in smaller houses or flats.</li> <li>- The levy penalises diesel car ownership and not the actual process of driving a car which is what produces the emissions. A car owner who drivers little is penalised as much as an owner who drives extensively.</li> <li>- The decision to impose the levy has not been done with sufficient notice to allow car owners to plan a change of vehicle. With less than 3 months between the announcement and planned introduction of the levy residents cannot be expected to purchase new vehicles to avoid the levy.</li> <li>- A policy to reduce the number of diesel vehicles should be a London-wide policy and part of a much wider strategy on air pollution and low emissions vehicles, not applied in isolation by some boroughs</li> <li>- At the proposed level the levy looks like a revenue generation process rather than an instrument to change behaviour and reduce emissions (levy costs vary considerably between boroughs, £90 in Merton, £10 in Camden,</li> </ul>	<p>Refer to points 1,3,4,5 &amp; 6 of officer's comments</p>

	<p>£19 in Kensington &amp; Chelsea).</p> <p>The approach being taken by the council here is a very blunt instrument that arbitrarily penalises a segment of the Merton population. A much better and fairer approach to this type of issue would be to adopt a progressive levy based on car emissions across all engine types (much like the road tax levy). This would be easily enacted as all residents requesting a parking permit are required to provide the vehicle registration document that contains emission level details.</p> <p>Finally, I am very angry that the council is trying to enforce this levy without sufficient notice or proper consultation. This has been poorly thought through and is being arbitrarily applied.</p> <p>I am aware that public bodies, such as the council, must follow certain procedures in their decision making process. Please forward me any information relevant to this case.</p> <p>Please keep me informed about any developments on this subject.</p>	
58	<p>Your diesel levy leaflet invites residents to give their views. Here are mine:</p> <p>Like most people I am concerned to protect and enhance the environment and do my best to contribute personally. Many residents including me bought their diesel car when we were encouraged by Government to do so through tax breaks etc., diesels then being considered cleaner and greener than petrol vehicles. Even now, the Government road tax on cars depends on CO2 emissions only, and does not penalise diesel.</p> <p>However, it seems the thinking has recently changed. You now want to penalise drivers for doing something that until recently was encouraged because it was “green”. This seems unfair.</p> <p>Your proposal would be ineffective because it penalises the wrong thing; parking not driving. Cars do not pollute by being parked, only by being driven. As far as I can see, this levy would not even apply to parking meter parking or Council car parks. Cars parked in non-CPZ's or on private land cause the same pollution as those in a CPZ. It is hard to understand how this levy can be considered equitable or effective.</p> <p>It would be unfair, being a binary yes / no levy on diesel, irrespective on engine size, size and age of car and mileage driven. I wonder what owners of two vehicles, one diesel one petrol, and one off-street parking place will do. By choosing to park the diesel off the street will they be contributing to easing pollution?</p>	Refer to points 2,4,5,10 & 12 of officer's comments
	<p>The levy would not affect large commercial vans, trucks, coaches and busses, which are largely parked off street. These vehicles are responsible for the vast bulk of harmful emissions. I note that the Council and its contractors are major diesel fleet operators. What is planned here?</p> <p>In summary would be taxing the wrong thing by introducing a discriminatory diesel parking levy, which would be unfair and likely to be ineffective.</p> <p>Here are some constructive alternative suggestions:</p>	The Council promotes sustainable modes of transport including cycling. Merton works in partnership with TfL to improve cycle infrastructure including cycle lanes, shared surface, cycle parking etc.

	<ul style="list-style-type: none"> <li>• raise the levy on mileage and emissions, or at least a toll for entering polluted parts of the Borough, not on parking</li> <li>• introduce a scrappage programme to encourage replacing diesels by low-polluting vehicles</li> <li>• encourage cycling by making it easier and safer</li> </ul> <p>I contend that your whole concept is inequitable and, in my opinion, unlikely to be affective. I urge you to drop the plan</p>	
59	<p>I am writing having heard about the proposal to penalise residents for owning diesel cars.</p> <p>Whilst the aim of improving air quality in the borough is laudable, approaching it in this way would appear to be the council picking an easy target rather than the main cause of the problem.</p> <p>As we are all well aware, the Wimbledon end of the borough is a very heavily used cut through by commuter traffic, a significant proportion of which will be diesel. Add to this the busses that travel throughout the borough and the numerous lorries and vans delivering to the local area and I believe that you will find where the majority of the diesel pollution comes from. Finally, I would guess that in the Wimbledon half of the borough (which has the many more CPZ's) typically the cars are more modern and less polluting; having DPFs, urea injection and other innovations.</p> <p>I would ask you to reconsider this proposal and, instead, concentrate on reducing the volume of traffic through the borough (especially that generated by people just transiting the area) and in identifying the polluting vehicles and either taxing them or removing them from the roads.</p>	Refer to points 1,3,5 & 10 of officer's comments
60	<p>Yet another 2014 election promise broken by our Labour Council. Please explain</p> <ol style="list-style-type: none"> <li>why is the tax considerably more expensive than in other boroughs?</li> <li>why does it only apply to diesel vehicles in CPZ zones and not to all diesel vehicles if the idea is to reduce pollution from such vehicles?</li> <li>why did Merton ignore the advice of its own consultants in not consulting with residents on the impact of such a high levy, with it being argued that residents could seek to avoid it by concreting over their front gardens to create more off street parking. Is Merton Council out of its mind in supporting yet more people concrete over their gardens to create off-street parking and add to climate change twice over?</li> <li>what evidence is there to show the tax will improve the quality of the air?</li> <li>what guarantee can Merton give that the money raised will be used for environmental purposes and improve air quality and not to boost its own coffers?</li> </ol> <p>It smacks of a desperate money grabbing exercise the only purpose of which is to squeeze yet more money out of ordinary residents for the council to have more to squander. We therefore object to this diesel levy in the strongest possible terms.</p>	<p>Refer to points 4,5,6 &amp; 13 of officer's comments</p> <p>The consultant's advice for further resident engagement was carefully considered. It was felt that this would be both counterproductive and would delay in taking urgent the urgent action necessary.</p>

61	<p>I wish to strongly object to this unfair and punitive money making charge on the following grounds:</p> <ol style="list-style-type: none"> <li>1. This levy is not a blanket charge for all diesel vehicles registered in Merton. It only applies to those diesel vehicles who are unfortunate enough to have a CPZ. Those who have off street parking and those who do not have a CPZ and own a diesel car will not be charged anything.</li> <li>2. Anyone living outside the borough who owns a diesel car will still use Merton's roads and cause pollution. Most lorries are diesel and they not the cars are the major output of diesel in Merton, they will not be charged.</li> <li>3. Those on low incomes will be disproportionately affected by such a high charge (£150) and they are the least able to afford the change to a petrol car.</li> <li>4. The new diesel cars are much cleaner than the old engines and this is a blanket charge taking no account of the new cleaner diesel engines.</li> <li>5. I am afraid, as usual, this is purely a money making scheme for Merton picking on a small segment of the community.</li> </ol>	<p>Refer to points 3,5,10 &amp; 13 of officer's comments</p> <p>There is no evidence that this levy will disproportionately impact on those on a low income.</p>
62	<p>I am writing to protest the council's proposed diesel levy for CPZ resident permits. We bought our car in 2012 and although we chose to buy a car with a diesel engine, we made sure we bought one which included a number of BlueMotion energy-saving technologies which cut fuel consumption and reduce harmful emissions. We took this very seriously and now feel we are being penalised for making a very responsible decision about a subject that both my husband and I feel very strongly about. The levy is disproportionately expensive especially when compared to other London boroughs where traffic congestion is more of a concern than it is in Merton, for example in Camden it is just £10 and in Kensington and Chelsea it is £19. The charge, at £90 in the first year, represents a 238% increase in parking permits for those with diesel cars with just a five-month notice period, which is totally unacceptable.</p> <p>We care about the environment and are happy that the council is trying to improve the air quality in the borough but this smacks of an easy fundraising scheme. Will the funds collected under this levy truly be ring-fenced to provide better, environmentally friendly transport options?</p> <p>This scheme penalises those in the borough who bought their supposedly more environmentally friendly cars, like us, in good faith. We cannot afford to change our car so are now forced to pay this disproportionate charge, which will increase from £65 a year to £215 in just two years, which is outrageous. This charge is both disproportionate and the timing totally unfair to Merton residents</p>	<p>Refer to points 2,3,6 &amp; 13 of officer's comments</p>
63	<p>I object to the proposal by The London Borough of Merton announced in the 13 January press release to introduce a new diesel levy in April 2017.</p> <p>This proposal is said to be in response to a national health emergency and the Mayor of London's pledge to cut air pollution in the capital accept there is a need to improve the quality of the air in all our cities throughout the world. However, I oppose strongly the piecemeal approach being suggested, the ignoring of open communication to residents requested by members of the Sustainable Communities Overview and Scrutiny Panel and turning this global environmental matter into a political issue so that car owning residents trapped in CPZs are treated by Merton as "cash cows."</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p>

My objections are set out below.

1. In section 2.11 of the paper “The introduction of a diesel levy for all types of resident and business parking permits” discussed by the Scrutiny panel on the 7 November 2016, the statement is made “...The Council's Pollution Team in conjunction with a leading transport research consultant has looked at the vehicle make-up in the borough, and concluded that in Merton, as with many other Boroughs, diesel vehicles contribute disproportionately to local air quality emissions....” But Merton is not an island. The Borough is surrounded by the London Boroughs of Kingston, Wandsworth, Lambeth and Sutton and intersected by several major trunk roads which bring commercial and private vehicles into the area from all over Europe, other parts of London and the country.

The composition of the atmosphere in Merton does not remain fixed as the proposal assumes. The atmosphere is changing constantly with the weather systems. Therefore any pollution at a particular location in Merton will be affected by the movement of vehicles, industrial processes.....anywhere, and not just in this Borough. There is very little value in trying to clean up atmosphere in Merton if the neighbouring Boroughs are continuing to pollute the environment so their dirty air continues to move through this area.

If there is an intention to seek to reduce the atmospheric pollution in Merton, then it should be done as part of a scheme for London as a whole and not by the piecemeal approach proposed.

2. I object to the speed with which this proposal is being rushed through. The announcement of this proposal by Merton was made on the 13 January 2017, requesting any comments by the 3 February 2017, before introduction in April 2017.

This timetable is in conflict with the reported views of the majority of the Scrutiny Panel at their recent meetings.

The Panel minutes of the meeting of the 7 September 2016 and the Emissions Levy Paper produced for the meeting on the 7 November 2016 state clearly that “....Members also agreed that there is need for officers to give further consideration to how the diesel levy is going to be communicated; members expressed their concern about residents not being given sufficient notice (of at least a year) so they have a chance to change their behaviour before the levy is imposed....”

This communication does not appear to have been carried out. Instead the residents in the CPZ areas affected have been ignored while Merton Council attempts to steamroller through its short sighted proposal which must be stopped until everyone affected has been notified directly, their views collected and an open public discussion conducted and a way forward agreed, rather than allowing them to be treated as “cash cows.” This is for the benefit of Merton and London as a whole and not one particular area.

3. This proposal by Merton Council has turned the issue of local atmospheric pollution from an environmental problem into a political matter. Section 6 of the minutes of the Scrutiny Panel held on the 7 September states “....Currently there are more Controlled Parking Zones in the west of the borough but that demand for these is growing in the east. This will mean the impact of this policy will be uneven initially but will become more equal over

- On the council’s website
- Advertised in the Local Guardian and the London Gazette newspapers
- Via leaflets and posters at libraries, leisure centres and at Merton Link
- Via all ward councillors
- Via all known resident and business associations
- Via local radio station
- Via social media including several press releases

The Council is not obliged to undertake any informal consultation. However, the Council has undertaken a statutory consultation for the introduction of the proposed levy and the fact that representations have been received including this one, it can be considered that the Council has succeeded in its consultation and therefore consulted with its residents.

Also refer to points 1,5, & 10 of officer’s comments

	<p>time.....” But the Wards in the west of Merton are Conservative while those in the east are mainly Labour controlled. Furthermore the phrase “... will become equal over time...” is meaningless and simply illustrates the political nature of the proposed action by Merton Council.</p> <p>Merton Council are attempting to penalise the residents of Merton, failing to communicate with residents in a democratic manner. Most CPZ bound residents of Merton do not know this proposal exists. This issue should be resolved for London as a whole and NOT as a piecemeal approach by individual Boroughs.</p>	
64	Great idea! I hope you implement it. Pump the money raised from it into social care!	Noted
65	<p>As a resident in Merton I am writing to you as Leader of the Council to object to the proposed discriminatory rise in parking permits for owners of Diesel cars. This strikes me as extremely biased and unfair and smells rather like a cynical way to raise revenues in the guise of a green agenda. Clearly pollution must be reduced. And so surely all pollution sources, petrol and diesel should be equally targeted.</p> <p>Any rise in charges/levies/permits etc should apply equally to all petrol and diesel users. To single out diesel is definitely discriminatory and unfair. Especially since most diesel owners bought their vehicles with the prevailing understanding (now found to be untrue) that they were less polluting than petrol. Why should they now be disproportionately penalised?</p> <p>If you do decide to go ahead with this measure, then surely it should only apply to vehicles registered after the date of the legislation as these owners would be buying diesel vehicles in full knowledge of the problems and associated penalties.</p>	Refer to points 1,2,3 & 4 of officer's comments
66	<p>We are the Charity and local amenity society for Merton Park, and we discussed the proposed diesel levy at our Committee Meeting last night. We would like to put it on record that as a Committee we wholeheartedly support the proposed levy and look forward to its early implementation.</p> <p>We consider the evidence is overwhelming that diesel particulates cause serious health problems. We hope the levy will help to make people aware of the damage choice of a diesel vehicle can do and that as motorists replace their vehicles, they will consider alternative fuels.</p>	Noted
67	<p>I am emailing with regard to the proposed levy on all diesel vehicles registered in CPZs in Merton, and I am against such a proposal for the following reasons</p> <ol style="list-style-type: none"> <li>1) Insufficient notice given to those effected, to enable car owners to pre-plan whether to have a petrol or diesel vehicle.</li> <li>2) In essence, the proposed levy penalises the poorer in the community, as those who have off street parking, private driveways etc., which tend to be at higher valued properties, will avoid such proposed levy.</li> <li>3) Has no consideration as to the actual annual mileage driven by the vehicle involved, and is therefore grossly</li> </ol>	<p>Refer to points 1,5 &amp; 6 of officer's comments</p> <p>It is not possible at this time to introduce a mileage based parking charge</p>



	<p>unfair.</p> <p>4) The level of the proposed levy is substantially higher than that in other London boroughs.</p>	
<p>68</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 141</p>	<p>I am writing to express my ardent disapproval of Merton's Labour Councillors' decision to vote through an increase to the cost of parking permits for owners of diesel vehicles. The reasons for my dissent are as follows:</p> <ul style="list-style-type: none"> <li>- The unjustifiable increase to the levy: how can Merton Council rationalise an increase which at its height in 2019/20 (£150) will be substantially higher than other levys in London (15x that of Camden, more than 7x that of Kensington &amp; Chelsea etc.)?</li> </ul> <p>Is Merton's air pollution that much worse to warrant such an excessive penalty on the borough's diesel vehicle owners? If so, please provide the evidence. The unparalleled nature of Merton's increase suggests that the decision is more about raising funds (perhaps to fill a budget deficit??) than abating any environmental concerns. By 2019/20, the levy will generate almost £1 million (£861,150) and hence almost 4x the figure (£250,000) first muted in the summer of last year. (Not to mention Labour's promise in its 2014 manifesto to "freeze the cost of resident and visitor parking permits for another 4 years").</p> <ul style="list-style-type: none"> <li>- Its environmental message is inconsistent: whilst the levy has been advertised as an environmental and anti-pollution measure (Statement of Reasons), it will have the opposite effect of encouraging even more residents to concrete over their front gardens in order to create more off-street parking. Already half of London's front gardens are completely paved over (RHS) and we know that this has caused not only a loss of greenery and plants in urban environments but also a substantially increased risk of flooding.</li> <li>- It is socially regressive: the levy will place a disproportionately higher burden on lower-income residents since it unfairly penalises those diesel vehicle owners who do not have garages or off-road parking (typically those living in flats and smaller houses) and who cannot afford to update their vehicles</li> </ul> <p>For the above reasons, I urge Merton's Labour Councillors' to reconsider the magnitude of the levy and, in doing so, demonstrate that otherwise worthy environmental measures can, and should, be taken for their own sake and not as covert means to plug a budget gap.</p>	<p>Refer to points 4,5,6 &amp; 13 of officer's comments</p> <p>There is no evidence that this levy will disproportionately impact on those on a low income</p>
<p>69</p>	<p>I write to object to the arbitrary decision to penalise without due notice and on a somewhat random basis, the owners of diesel cars living in CPZ areas in the Borough, mainly in the West of Merton.</p> <p>Citizens of this country were encouraged to buy diesel cars in past years as Westminster led us to believe that they were better for the environment. Indeed the proportion of diesel cars sold in the UK has exceeded petrol engined cars for the past few years. We bought our first diesel car only 5 years ago in line with this guidance. Now, one suspect at least partly because of the faking of emission tests by a large number of car manufacturers, we are led to believe that diesel cars are no longer good for the environment.</p> <p>We all want to take care of the environment but the proposed levy on residents living in Merton's CPZ's seems to</p>	<p>Refer to points 1,2,3,5 &amp; 10 of officer's comments</p> <p>It is not always possible to determine if a vehicle is diesel. Administering a charge at parking meters is not physically possible. However, the approach of charging diesel vehicles when parked at a meter could also be</p>

	<p>hardly to address the overall issue of pollution in Inner and Outer London. It looks to the electorate much more like a fund-raising exercise.</p> <p>Why not charge anyone parking a diesel car on a meter in Merton extra as they are proposing in Westminster? This would raise the revenue the Council needs and should deter the driving of diesel cars in and out of Merton, which is presumably a leading contributor to local pollution, and not static parked cars belonging to the residents of the CPZ's.</p>	<p>considered as part of the 2 year review and full emissions based permit system</p>
70	<p>I understand there are plans to levy a charge on diesel vehicles in the borough that have Merton parking permits. I have not received official notice of this (just word of mouth), as a permit holder - are you planning to go to public consultation on this matter?</p> <p>I am all in favour of discouraging the use of diesel engines, we have been misled by government into thinking they were less polluting, but I think it is very unfair and unjust of Merton to charge permit holders this levy, without charging all other owners of diesel vehicles in Merton. I certainly will be switching away from diesel with my next car purchase but not because you might be charging a levy.</p> <p>Clearly the difficulty is identifying such owners, you only know who the permit holders are, unless you are given access to the full DVLA records - unlikely I would have thought.</p> <p>So this is inherently unfair - my neighbour who drives a diesel car but has no permit will not be charged as he parks off road during controlled hours - but is often on-street parking during evenings and Sundays (and driving in the borough naturally). He won't be charged.</p> <p>It is not the parking that causes the pollution but the driving... and you don't appear to be planning to levy a higher rate to those vehicles which are more polluting than smaller cars with lower emission rates. Another unfairness.</p> <p>I hope you will re-consider this matter - perhaps suggest to the Mayor of London that there is a capital wide levy on all diesel vehicles, on a sliding scale, that would be much fairer.</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul> <p>Also refer to points 2,3 &amp; 5 of officer's comments</p>
71	<p>Whilst I applaud your aim of reducing emissions, but your proposal to raise a high levy is unfair and short sighted. It penalises vehicle owners whose properties are too small to have off street parking and will encourage people with green front gardens to pave them over</p>	<p>Refer to points of 1 &amp; 5 of officer's comments</p>
72	<p>This is an unfair tax on owners of diesel vehicles and does not take into account the fact that in the not so distant past one was encouraged to purchase diesel vehicles. Also it does not take into account that not everyone is lucky</p>	<p>Refer to points of 2 &amp; 5 of officer's</p>

	enough to have access to off street parking. I personally drive a petrol vehicle	comments
73	<p>I wish to strongly object to the proposed diesel levy proposed by Merton Council. The reasons for this objection are:</p> <ol style="list-style-type: none"> <li>1. I was encouraged to buy a diesel car through government encouragement (car tax, fuel tax etc) as it was then seen to be an environmental responsible choice. Why should I be penalised for following that encouragement and advice by the UK government.</li> <li>2. When parking permit consultations occurred we were informed by Merton Council that the costs would be reasonable and were to cover administration costs, it was not positioned as a tax or levy. It is clear from the annual accounts of Merton Council that this is now a revenue raising exercise as the revenue is greater than the costs to administer. An additional levy would only reinforce this position.</li> <li>3. The parking permit was not introduced as a method of influencing travel choices but as a cost to help manage the demand for parking for residents. To change the rationale of the resident parking aim without consultation is undemocratic.</li> <li>4. Any substantial changes to the rationale and pricing levels of residents parking should require a re-consultation exercise with the residents as to whether they still want CPZs.</li> <li>5. The proposed charging levels for diesel vehicles are extremely high and are phased in over a very short time period which are not in keeping with the long term purchasing asset of a car. Most people are not able to change their vehicles on a frequent basis to suit such short term changes that the Council is proposing to make.</li> <li>6. There may well be further changes made in two years time post the review, as it is unclear whether petrol cars will be impacted and will face an additional levy as well. Therefore any decision about which type of car to purchase instead of diesel is impossible to make with this complete lack of predictability and transparency.</li> <li>7. This will impact the value of an important asset for residents. This needs to be compensated by the Council.</li> <li>8. These proposals were not made visible at either the time of the Council elections or at the time of the CPZ extension into SW20 and therefore do not reflect the views of the residents.</li> </ol>	<p>Refer to points 1,2 &amp; 4 of officers comments</p> <p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul>
74	<p>I am writing to you to object strongly about your plans to impose a levy on owners of diesel cars wishing to park in one of the CPZs. This levy is wholly unfair for these reasons:</p> <ol style="list-style-type: none"> <li>1) The levy is discriminatory and imposes no tax on people who are able to park on their own property or who live in an area without a CPZ</li> <li>2) Many of us were encouraged to purchase our diesel cars by the Government who at the time encouraged us by telling us diesel was more environmentally friendly. How is it fair that we will now be fined?</li> <li>3) When many of us were consulted on Controlled Parking, there was never any indication that there could be the possibility of charging us for anything other than parking</li> </ol>	<p>Refer to points 2 &amp; 5 of officer's comments</p>

	Now that we have scientific evidence of the harm caused by diesel omissions, it is right that such vehicles are phased out. (Next time we need to purchase a car it will be, for those reasons, a petrol car.) The way forward is to levy new diesel vehicles brought on the market, or for the Government to make some financial assistance to those of us it wrongly encouraged to purchase these cars in the first place so that we can make the change to a petrol car.	
75	I just want to formally register my disappointment in the unfair new diesel tax for parking permits in merton. No one let me know about the poor diesel emissions issues when I bought the car. Indeed it was seen as efficient at the time. This tax should not apply to existing owners only to buyers of new cars.	Refer to point 2 of officer's comments
76	I wish to object to the proposed scheme, it is well intentioned but will not achieve its aims and will punish Merton residents and businesses. Many diesel owners bought these vehicles years ago when the widely held belief was that diesel cars were more efficient and therefore good for the environment, you cannot impose such a scheme at short notice, Merton has to give at least three years notice of intent. The biggest polluting diesel vehicles in the Borough are those of Black Cabs and delivery vehicles, they would be immune from your proposals, which is ridiculous.	Refer to points 1,2 & 10 of officer's comments
77	While I welcome the idea of lower pollution in Merton. I feel this proposal will NOT address the real problem. All it will do is force diesels off the road and on to hard-standing, garages and alleyways that don't need parking permits. If this is new policy is enforced, I expect to see more hard-standing instead of front gardens and more diesel cars and large white vans parked on them, which will spoil the look of the Merton Park area and damage the grass verge. Your policy will NOT address or stop the long-term problem of people that run their car and van engines, (petrol and diesel) with no-one in the cars and vans (both on the road and on hard-standing) or for the people that stop driving to check and use their phones, while leaving their engines running. What is needed is a proactive policy to stop unnecessary, anti-social parked engine idling and encourage social responsibility for lower pollution and improved air quality.	Refer to points 4,5 & 12 of officer's comments
78	There can be no question that the reduction of diesel particulates in our atmosphere to improve public health is the right long-term objective. In the short-term, however, it is important that if the costs of the measures implemented are to be borne by rate-paying diesel car owners alone they are as fair as possible to that specific category which was, after all, historically encouraged to purchase diesel cars by central government. We believe the current proposal is flawed for the following reasons:  1. All diesel-powered cars pollute. Only levying the charge upon the holder of a resident's parking permit is completely unfair as a neighbour parking a diesel-powered car off-road (without the need for a permit) escapes scott free and has no incentive to change to petrol or electric propulsion.  2. All diesel-powered cars pollute regardless of their registered location. Levying the levy solely upon those areas of the borough subject to CPZs means large numbers of residents, again, for no good reason, escape scott free.	Refer to points 5 7 10 of officer's comments  There is no legal mechanism to include all diesel-powered vehicle registered to owners throughout Merton

	<p>3. Commercial vehicles of all types will be major contributors to pollution and untold numbers of them based outside Merton pass through the borough every day: they will not be levied.</p> <p>We fully understand the Council feels a responsibility to act: but this is a serious issue and needs more careful thought. Accepting the fact the Council couldn't afford the technology required to levy a charge on vehicles transiting through the borough it is axiomatic the heavy burden must fall upon residents - many of whom could be hard-pressed financially. Our conclusion is the proposal has been rushed and should be sent back to the drawing-board to achieve a much more even-handed, fairer result.</p> <p>Specifically: The introduction of a levy on all diesel-powered vehicles registered to owners throughout Merton: to be introduced on a sliding-scale over a period of three years with an associated resident's parking permit concession for electrically-powered vehicles. We strongly oppose the current proposal.</p>	
79	<p>I write in response to the proposed Diesel Levy charge in Merton as proposed by Merton Council. I strongly oppose this idea. The government encouraged citizens to buy low emitting CO2 diesel vehicles previously, which is why there are so many on the roads...With public transport fares are still rising, my diesel car is the only realistic choice for a young family</p>	<p>Refer to point 2 of officer's comments</p>
80	<p>1. This levy will not affect business's and residents who have garages or off-road parking, although their cars are equally responsible for diesel pollution. Residents with garages and off road parking are generally wealthier, probably driving larger (and therefore less fuel efficient) vehicles. This levy will hurt poorer residents more.</p> <p>2. A great many older diesel vehicles were bought when government was encouraging diesel vehicles as being more efficient and having a less damaging effect on global warming. Apparently this doesn't matter any more, but it is unfair to motorists who bought their diesel cars for ethical reasons. I therefore think that diesel cars more than, say, 6 years old, should be exempt.</p>	<p>Refer to points 2 &amp; 5 of officer's comments</p> <p>There is no evidence that this levy will disproportionately impact poorer residents</p>
81	<p>I am writing to object the planning changes on diesel car parking permit levy. Although I am concerning the air quality within Merton, but I am not completely agreed with the methods introduced because of the following reasons. Firstly, I am living at Braeside Avenue where 99% of the residents are driving a diesel car and have to use on-street parking. The residents are using these cars mainly during the weekend. Hence, I am not convinced that we are contributing much to the excessive air pollution, but if the new policy is in place, we all have to pay for extra just for parking the car on street for 5 days a week.</p> <p>Secondly, this change will have no impact on most of the people having a drive way. They will still drive their cars and contributing nothing to the claimed disproportionally air pollution.</p> <p>Thirdly, the price is much more comparing to other boroughs and is unfair to local residents. Local resident should have a discount comparing to business parking permit holders because commercial establishment should contribute more financially.</p> <p>Last but the least, I didn't see too much charging post around Braeside Avenue and it's impossible for residents</p>	<p>The diesel levy is set at a level along with a phased increase over 3 years to bring about change in the type of vehicle that permits holders drive. Business and Trade permits are charged in excess of 10 times the rate of the Residents Permits and therefore they do contribute financially more.</p> <p>The roll-out of electric charging points across the borough is currently underway</p>

	<p>using on-street parking space to install charging post by themselves or run a cable from their home.</p> <p>Based on the above concerns, I plead the council to reconsider the decision and how it should be exercised.</p>	<p>Also refer to points 5 &amp; 6 of officer's comments</p>
<p>82</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 146</p>	<p><b>OBJECTION TO PROPOSED DIESEL LEVY FOR CPZ PERMIT HOLDERS - Summary</b></p> <ul style="list-style-type: none"> <li>- Only 4,000 – 6,500 diesel vehicles have borough parking permits; a very small proportion of those diesel vehicles actually owned by borough residents</li> <li>- Unfair to penalise such a small proportion of borough resident-parked cars</li> <li>- Studies on which the policy has been based cannot be considered to be valid, as they only look at resident parking permit vehicles, and not those actually driving within the borough</li> <li>- Proposed policy takes no account of the diesel cars/taxis/lorries etc. that actually drive within the borough and pollute daily – assume many tens or probably hundreds of thousands across Merton</li> <li>- Proposed policy takes no account of diesel resident-permit cars' mileage, nor their driving habits and routes (i.e. where there journeys are made, within or outside the Borough)</li> <li>- Any sensible and effective policy should correctly target the real polluters – i.e. the diesel vehicles that are driven within the borough, not those that are merely forced to have a resident's parking permit</li> <li>- Surcharging multiple vehicles per household is also unfair, as many would not be being driven simultaneously – and especially not within the borough</li> </ul> <p>I am writing to object strongly to the proposed introduction of a parking permit levy to those residents who are were encouraged by relatively recent government policy to purchase more efficient diesel cars, and who are also unable to park off-road and therefore forced to purchase a resident's parking permit.</p> <p>This proposed policy is one of the bluntest instruments that could be wielded to resolve what I would agree though is a very important issue.</p> <p>The two documents linked above – which I believe are the studies that you undertook – appear to make absolutely no reference whatsoever to the actual numbers of diesel cars, lorries, taxis, vans and HGV's that are the real polluting vehicles that drive through this borough on a daily basis – of which there must be tens of thousands daily, and which are therefore those that are polluting the borough (i.e. Not just those diesel vehicles that happen to have a CPZ permit...). For any professional research study to be considered valid, it MUST surely consider the actual polluters, as it is surely these vehicles that are responsible for the emissions into the local environment – and NOT those that just happen to have a resident's parking permit, merely because they happen to have a diesel vehicle and cannot park off-road.</p> <p>According to your study documents there are only between 4,000 and 6,500 (depending on which document is correct) diesel vehicle permit holders within the borough of Merton. Those diesel cars that have resident's permits</p>	<p>Refer to points 1, 2, 5 &amp; 10 of officer's comments</p> <p>It is not possible to implement a mileage based parking system</p> <p>The local authority has very few powers or regulatory controls it can use to try to change driver behaviour. The use of an emissions based parking system is the most significant. As legislation changes and we see the introduction of things like Clean Air Zones, we will use this to help in tackling other vehicles as they pass through the borough.</p> <p>The proposed CW3 CPZ will include the southern side of Victoria Road within the Lavender Fields ward</p> <p>As with any new charging mechanisms we can sometimes only make assumptions of its impact and how this translates to the real world. To assess the impact of the new emissions levy we will look carefully at a number of areas including, but not limited to; the change in vehicles types associated with the CPZ's, impact to parking outside the areas, any changes to off-road parking and reduction in emissions at the tailpipe. We also intend to look at a wider more holistic charging system that will capture all types of</p>

can only be a very small proportion of those diesel vehicles that are actually owned by borough residents – as there are many that are parked off-road, in driveways or garages, or in roads where resident parking is not (yet) in force. So you are also intending to only penalise those residents who are actually unable to park off-road, and are forced to pay for a parking permit.

This has to be seen as extremely inequitable and unfair. This proposal will undoubtedly also have the effect of losing yet more front gardens to driveways – to avoid paying outrageous charges just to park outside one's own house. Paving over front gardens is becoming an increasingly prevalent non-green activity, which should also be actively discouraged.

The fact that a driver has a resident's parking permit also does not consider how much mileage he/she does in reality per year – nor indeed whether that mileage is either within the borough or outside – which merely serves to demonstrate what a very badly thought through policy is being proposed.

I do intend to revert to a petrol car when my current vehicle is due for replacement – but to penalise the few for the 'sins' of many cannot be considered fair, and to provide less than 3 months' notice is patently far too short a period for the vast majority to make any changes that might be possible – before even considering the cost of purchasing an alternative petrol/electric vehicle. I find it staggering to understand how Merton Council really believes that so few CPZ permit holders are actually responsible for all the pollution within the borough, and that they should be penalised for it.

#### 2nd Further Representation

As a resident of West Wimbledon for over 25 years, who will be affected by the proposal to implement a diesel levy to the small minority of Merton residents who live in a CPZ and are forced to pay for a Resident's Parking Permit, I thought I should write to you to provide you with a personal copy of my objections that I lodged last week - and to request a response to my questions below.

Since submitting my formal objection, I have been made aware that you are the councillor who has overall responsibility for this proposal, so I would like to believe that if you really consider what you are intending to do, that you re-think this, and scrap the whole idea.

In principle I have no objection to your views that diesel cars pollute far more than we were led to believe when we were persuaded in various ways that they were the correct type of car to purchase some years ago. And when I come to replace my car in due course, I will almost certainly revert to a petrol powered vehicle. However, in the meantime your method of trying to reduce the Borough pollution levels, and to 'influence' Merton residents is so far wide of the mark, that it beggars belief. I have read the minutes of a couple of the 2016 council meetings on this proposal, and there are some statements that I would be concerned about if they were made at a secondary school, let alone by councillors whom we pay to serve us locally. Any impartial observer can only come to the conclusion that this proposed scheme is just another revenue generating idea for the council, under the guise of a green policy to improve the air quality within the Borough. Surely the only fair way to reduce diesel car ownership and therefore

vehicles; including petrol, hybrids and electric.

At this stage the Council is using all available tools to address air quality and the CPZ permits fall under the Council's jurisdiction which can be used as such a tool.

By law, any revenue generated from parking must be spent on transport related schemes. These include but are not limited to, traffic management and control schemes, road and infrastructure schemes and Concessionary Fares.

The Council is aware that the pollution in the borough is not solely due to residents in CPZ's, we know that there is traffic passing through the borough and our residents contribute to this.

There are many initiatives, regulations both old and proposed that are aimed at tackling air pollution caused by freight traffic, buses and taxis, however very few aimed specifically at cars.

We know that diesel cars disproportionately contribute to poor air quality and as such we need to address this where we can.

As other initiatives develop that will enable us to tackle through traffic and other vehicles outside the CPZ's we will consider carefully how we can use this to help reduce poor air quality.

pollution would be to nationally raise the car tax paid by all UK diesel car owners, in the same way that this was reduced some years ago (– for what at that time was a similar reason!). Your efforts should be focussed in this direction.

I look forward to hearing from you please with answers to the following points:-

1. [http://www.merton.gov.uk/z11-25-02\\_cpz\\_work\\_in\\_progress-overview.pdf](http://www.merton.gov.uk/z11-25-02_cpz_work_in_progress-overview.pdf)

Is it true that the map of Merton's CPZs clearly demonstrates that you are unfairly targeting just a small minority of the residents within the Borough?

2. Is it also true that your own ward (Lavender Fields) will remain almost totally unaffected?

3. Do you agree that even within CPZ's – many diesel owning residents are able to park off-road, and would therefore remain unaffected?

4. Do you think that this proposed policy will also result in the 'paving over' of yet more front gardens within the Borough to avoid a resident's parking charge?

5. <http://democracy.merton.gov.uk/documents/s13962/>

[Diesel%20levy%20OS%20Report%20FINAL%20august%2026%2016.pdf](#)

Para 2.9 within this document states about the levy introduction

"It also adopts the long standing principle that the 'Polluter Pays' something that is not recognised in our current scheme."

Could you please confirm precisely how your proposed levy targets all diesel owners within the borough – let alone all those from outside that drive through Merton on a daily basis?

6. Para 2.11 states "The Councils Pollution Team in conjunction with a leading transport research consultant has looked at the vehicle make-up in the borough, and concluded that in Merton, as with many other Boroughs, diesel vehicles contribute disproportionately to local air quality emissions.

Crucially, the Merton study was based on data associated with actual on-road emissions as opposed to the manufacturers' specification."

How did this study connect the above statement to just those diesel cars owned by residents within CPZ's who are not able to park off-road? i.e. Those that will be subject to the proposed levy.

7. <https://democracy.merton.gov.uk/documents/s15436/>

[Appendix%20C%20officer%20response.pdf](#)

Section 1.5 "It is correct to say that if everyone who owns a diesel vehicle in a CPZ bought a permit with the levy added on, it would not single-handedly reduce air pollution rather, the funds generated would be available to

Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :

- On the council's website
- Advertised in the Local Guardian and the London Gazette newspapers
- Via leaflets and posters at libraries, leisure centres and at Merton Link
- Via all ward councillors
- Via all known resident and business associations
- Via local radio station
- Via social media including several press releases

All arguments put to Scrutiny were considered and addressed accordingly



mitigate the pollution created."

Please could you confirm precisely how you propose to mitigate this pollution with the funds generated?

8. <https://democracy.merton.gov.uk/mgAi.aspx?ID=6402> These minutes include a comment by you:-

"He drew the Commission's attention to information (on page 52 onwards) showing the overlap between air quality hotspots and CPZs".

Are you really of the opinion that there is a causal link between these air quality hotspots and CPZ's? - therefore implying that residents within these CPZs, who happen to own diesel cars and have to pay for a parking permit, spend all day driving around their CPZ polluting their neighbourhood? Or is it actually the general traffic of cars, taxis and lorries from elsewhere outside the borough who are causing this pollution whilst driving through? I live quite near to the A3, which I am sure causes significant local pollution – but this is clearly nothing to do with the CPZ residents who happen to live close by.

9. Further "Councillor Ross Garrod said that he could only take measures that were within the council's power and that communication would take place with affected residents in CPZs."

To my knowledge this household has received no communication about this proposal whatsoever – and if any announcement has been made in the local newspaper, I can confirm that we have not had one delivered since well before Christmas. Their delivery is very erratic and infrequent.

10. Please explain why you appear to have totally ignored the powerful and rational arguments contained within both of the attached documents:-

<https://democracy.merton.gov.uk/documents/s15438/Appendix%20E%20submission%20from%20Alliance%20of%20British%20Drivers.pdf>

<https://democracy.merton.gov.uk/documents/s15584/submission%20from%20RAC%2009.12.16.pdf>

My questions above – and letter of objection below are probably best summed up by your own council observations within the following (p44). I find it quite staggering that you can seemingly just choose to ignore these totally valid council raised comments.

<https://democracy.merton.gov.uk/documents/s15435/Appendix%20B%20call-in%20request%20form.pdf>

(a) proportionality (i.e. the action must be proportionate to the desired outcome);

The decision to proceed with the emissions levy is disproportionate to the desired outcome. The claimed outcome is a reduction in diesel pollution in the borough and the council claims this could be done by targeting diesel car owners who live in Controlled Parking Zones (CPZs) and have

purchased a permit. Nowhere in the reports to Cabinet or the Sustainable Communities scrutiny panel does it state categorically that specifically reducing the number of Merton residents living in a CPZ and purchasing a permit for

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 150</p>	<p>their diesel vehicle would cause a drop in air pollution. The air pollution maps presented to the scrutiny panel and Cabinet clearly show that the residential areas where most of these CPZ and diesel owners live continue to have low pollution levels. The decision does not establish the principal sources of the air pollution in Merton. It is not clear what proportion of air pollution is coming from the vehicles affected and what proportion is emanating from either diesel vehicles in other parts of the borough without a CPZ or from vehicles simply travelling through the borough but whose owners live elsewhere.</p> <p>This policy as proposed is a blunt instrument which doesn't appear necessarily to target the behaviour which is causing the borough's air pollution problems. The levy simply penalises residents with a diesel car who live in a CPZ regardless of how much they actually drive their vehicle.</p> <p>It also unfairly penalises those who have no off road parking at their property since they will have to buy a permit. If two residents have diesel cars, but one needs to buy a permit and the other doesn't, this says nothing about how much each of them drives around and how polluting each of them is.</p> <p>Nor does it say anything about how many non- Merton residents with diesel cars drive through Merton. Merton is often described as a commuter borough in that people are often travelling through or starting journeys here. Many of the hotspots are on the major roads (often managed by Transport for London) or those residential streets which people use as shortcuts. The people using these roads are contributing towards air pollution in the borough and yet this policy imposes no penalty on them for this.</p> <p>As was raised in pre-decision scrutiny, there is no mechanism proposed to charge on through users, including heavy goods vehicles etc., nor even to charge all diesel vehicle owners in Merton. The risk is that this levy will have no significant impact on air pollution on the key road networks in the borough where air pollution is worst and therefore is a disproportionate measure to impose on a minority of residents. I look forward to your reply</p>	
<p>83</p>	<p>Entirely agree with this proposal. It has been clear for many years that diesel is environmentally unsound. No reason to pamper to those who were stupid enough to ignore the evidence and buy a diesel car.</p>	<p>Noted</p>
<p>84</p>	<p>Regarding the introduction of a diesel levy, I would agree that this is a good idea and will discourage people purchasing diesel cars. I'm very interested however in how to promote clean alternatives. Reduction of the permit for electric is great however the biggest problem that I see still with electric is the ability to charge for the majority of people who have no off-street parking.</p> <p>I've been following the potential introduction of charging infrastructure and while initially very encouraged by the plans I've now discovered a major issue. The contract with Source-London and the associated costs rule out the solution from a cost perspective. It will cost more money to "park and charge" on our street than to fill up with petrol for the same mileage range, and that's without the monthly membership charge, and at the same time we would need to give up our parking spaces for this company to make money from, presumably for non-residents coming</p>	<p>Refer to point 13 of officer's comments</p> <p>Cheaper alternative methods of charging are being trialled (socket networks) which utilise existing street furniture for those locations not viable for Source London charge points</p>

	<p>into London to park on. This is a massive shame and great opportunity lost.</p> <p>The reason therefore for writing are to explore alternatives for charging from home. At my own expense, are there proposals or options to install pavement channels from a house border to the kerb with removable covers to allow a cable safely from the property to a charging car on the kerbside when parked outside the house?</p> <p>If this or an alternative solution was supported by the council I could see real potential for people to feel and make a difference to air pollution in Merton.</p> <p>I've added Councillor Andrew Judge as cc as I've been discussing the charging points and I thought he would also be interested to know that the actual solution that's being implemented is not fit for the purpose for local residents and seems to be aimed at people driving into Merton to park from outside. This is most likely going to increase local traffic and pollution as well as reduce local parking, which seems like a poor result for the street and local planning.</p> <p>Hopefully you can provide a ray of hope in finding a solution that benefits the environment without compromising any local residents.</p>	
85	<p>I hereby register objection against the Council's plan to introduce unfair Diesel Levy for All CPZ Resident, Business and Trade Permits and a Discounted Rate for Electric Vehicle Parking Permits</p> <p>I have been a resident in Dandonald and in lack of a parking space, have had no choice but to apply for a resident parking. Based on scientific evidences that may be different from the ones that you are using, I have decided to purchase a small car with a 1200cc diesel engine which is said to be cleaner than petrol engines.</p> <p>If you believe that the diesel engine is more halm to health than petrol ones, people who can afford to pay for a private parking space should be charged or penalized rather than people with limited financial ability who cannot afford to pay for a private car parking space. it would be much more fairer if you impose more diesel tax at the time they purchase diesel fuels. This should make sense; more diesel fuel to consume, more tax to pay for.</p>	Refer to points 3 & 5 of officer's comments
86	<p>I read the recent news release on the introduction of the levy on parking permits for diesel cars with interest - I am very supportive of this. I note also the press release mentioned the installation of electric car charging points - I see a number were installed on Dudley Road before Christmas, but are not yet available for use - can you please let me know when you expect them to be activated?</p>	Noted Electric charging points will be activated end of April
87	<p>I am responding to the Merton Borough Council's consultation on the proposed levy charge on diesel vehicles. My concerns about this charge are set out below. Whilst fully appreciating the concerns about the effects of diesel emissions in London and the need to reduce them, I am opposed to the Merton proposals for an additional levy on parking permits for residents with diesel vehicles. If I understand the proposals correctly, this would provide at best a partial and limited reduction in diesel emissions, whilst imposing a heavy (some might say "punitive") burden on a proportion of diesel car owners, whereas many others who drive diesel vehicles in Merton would be exempt from the charge. Moreover, to justify such a significant charge, one would expect to see more substantial and detailed evidence of the current emissions problem as it specifically affects Merton and the extent to which it would be</p>	Refer to points 1,2,3,4,5 & 6 of officer's comments It is not currently possible to introduce a mileage based parking system

reduced by the proposed levy. These observations are amplified below.

#### Evidence

Much of the argument for introducing a levy seems to rely on research into emissions across London as a whole. It is not clear to me to what extent the proposals are underpinned by a extensive monitoring and in-depth analysis of the actual conditions in Merton. Trunk routes which traverse the borough like the A3 are clearly major contributors of emissions, but much (if not the bulk) of the traffic on these roads is through traffic, which will not be affected by the proposed charge. It seems to me that any estimate of potential reductions in emissions as a result of the levy must be treated with caution.

#### Fairness

Since the proposed charge would apply only to Merton residents who have diesel vehicles with parking permits, it follows that residents who own such vehicles, but who are fortunate (and possibly wealthy) enough to have private driveways or other off street parking, would be exempt.

So too would hundreds, if not thousands, of other drivers who pass through Merton from out of borough. This hardly seems fair. The charge would also have a particular impact on less wealthy residents, who already face the prospect of an increase in Council Tax and inflationary cost-of-living increases, and for whom the option of switching to a new electric or less-polluting petrol car may simply be unrealistic, particularly if the value of their diesel vehicle has fallen as a consequence.

#### Usage

The proposed charge appears not to take account, at least initially, of fact that the latest diesel vehicles are less polluting (notwithstanding the recent controversy over manufacturers' claims) and that increasing numbers of vehicles now switch off their engines when stationary.

Also the pattern of usage can vary significantly, with some residents using their vehicles daily for commuting or business, while others may use them relatively sparingly, for example at weekends. A "one size fits all" charge would be a very blunt instrument, particularly when it is only applied in relation to resident parking permits and not based on actual vehicle usage/fuel consumption.

Although Merton appears to envisage the eventual introduction of a "comprehensive emissions-based parking system", it is not clear how this would operate, whether it would apply more generally than to permit holders, and how the issue of "through traffic" would be addressed.

#### What is needed

Instead of a piece-meal, "patchwork" approach that leaves it local authorities to impose charges (in a way which risks being seen as a revenue-raising exercise), I believe there needs to be a comprehensive strategy at the national level aimed at reducing diesel car emissions, through an appropriate mix of taxation on new diesel vehicles (unless or until they meet acceptable standards), changes to road fund tax and diesel fuel duty (the latter to

	encourage less consumption), and incentives for people to buy petrol or electric cars, including a scrappage scheme for existing diesel vehicles (at least the more polluting ones). Only central Government can do this whilst, of course, working closely with local authorities. I hope that the Council will reconsider its proposals for imposing a levy on diesel cars owned by residents with parking permits, pending further debate of these issues at the national and local level.	
88	<p>This proposed levy on Diesel cars is totally outrageous.</p> <ol style="list-style-type: none"> <li>1. Only a few years ago we were told that diesel fuel was less harmful than any other fuel. Diesel cars 3 years and onwards have to undergo a yearly MOT, of which emissions is a very important part of the test. As does all petrol vehicles.</li> <li>2. Why should only owners of diesel cars in CPZ areas be liable for this levy, and not those where there is free parking? Do we see this as selective environmental issues? "This is Discriminator"</li> <li>3. How will raising this money affect the environment? Where will this money go to, and how will it be used?</li> <li>4. It is not only diesel cars that pollute the air. Lets point out the real offenders. <ol style="list-style-type: none"> <li>(a) Aircraft – Heathrow – Gatwick – City Airports</li> <li>(b) Buses – London Transport etc</li> <li>(c) Large lorries, small lorries, Delivery vans to all major super markets, shops etc</li> <li>(d) Construction lorries and machinery etc</li> </ol> </li> <li>5. Will the Council be accountable for this extra money raised from the levy on diesel cars? Will the public be able to access information showing how the extra funds are being used?</li> <li>6. Diesel cars in CPZ liable for diesel levy which will increase "OFF ROAD PARKING" in CPZ in same borough "NO LEVY" why? All cars are driven and produce fumes</li> <li>7. Diesel cars in "FREE" parking zones in same borough "SAME POLLUTION" but no LEVY Why?</li> <li>8. This is blatant DISCRIMINATION however you see it</li> <li>9. If Councils so wish to impose a levy on diesel cars why not consider a fairer way to the motorists eg start with vehicles 10 years and over. This would and should be implemented on ALL VEHICLES in ALL AREAS. That way motorist can move over to the more efficient modern type of car.</li> </ol> <p>To change a car now 1-&gt;2-&gt;3 years old incurs a huge loss to the owner. I hope that Merton Council will reconsider their proposals regarding this unfair diesel levy. The general public were unaware of the proposal until recently, and feel that there should have been more open consultation</p>	<p>Refer to points 10 &amp; 13 of officer's comments</p> <p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul>
89	I write to register my dissatisfaction with Merton Councils proposal to increase to the cost of parking permits for the owners of diesel vehicles. For the sake of completeness I am against the proposal. (not a duplicate)	Refer to point 1 of officer's comments
90	I write to register my dissatisfaction with Merton Councils proposal to increase to the cost of parking permits for the owners of diesel vehicles. For the sake of completeness I am against the proposal. (not a duplicate)	Refer to point 1 of officer's comments
91	A few years ago it was encouraged to get a diesel car and now diesel is terrible and a levy is being looked at. People are being penalised in having a diesel car even though it was encouraged. The levy should be charged on	Refer to point 2 of officer's comments

	vehicles over a certain limit as they would cause more pollution than cars.	
92	<p>I think that it is inappropriate for London Borough of Merton to penalise residents like ourselves with this levy. We bought a diesel car based on the current environmental information at the time in 2013, when the government were promoting diesel cars as a greener alternative to petrol ones. Merton's proposed diesel levy is penalising people retrospectively for doing what was seen to be the right thing for the environment. Unfortunately we cannot afford to change our car just because LBM have decided to apply an increased levy to diesel cars; perhaps Merton should compensate us for the devaluation in the resale value of our car by their proposed actions.</p> <p>It would be fairer to introduce the higher rates for people who buy a diesel car from today onwards, knowing Merton's policy. It is not right to apply this to current owners of diesel cars, who acted in good faith when they bought their cars. Please take this email as an objection to London Borough of Merton's current proposal to increase the cost of permits for owners of diesel cars. We have included our ward councillors in our response and expect them to express our views at future council meetings</p>	<p>Refer to point 1 &amp; 2 of officer's comments</p> <p>The introduction of higher rates for people who buy a diesel car in the future would not be an incentive for a change away from diesel</p>
93	<p>1. I strongly agree that polluting diesel vehicles should be discouraged - but there should also be more control over all vehicles parked by drivers with their engines left running whether petrol or diesel types - including commercial vehicles of all types eg coaches bringing people to Wimbledon Theatre have often parked nearby in Wimbledon Broadway with engines running and their drivers just sitting waiting for passengers near the end of performances. In a major traffic artery in the Borough these substantially add to the pollution problems in the area. More control also generally needs to be done about the number of such coaches parked up on these occasions and it is more obvious at pantomime time with parties of school children.</p> <p>2. Coaches have obstructed line of sight for vehicles at junctions entering or exiting Wimbledon Broadway, for example, which has been dangerous and there is no control, policing or other monitoring of this situation. Under the new scheme, the Council should also liaise more with the Theatre to reduce numbers of these large commercial vehicles coming into the area and control them more. This would also help reduce pollution in Central Wimbledon.</p> <p>3. It is noticeable that many private car drivers just generally park and lazily sit in their vehicles with engines running while using their mobile phones etc - this is a London and UK-wide problem and needs to be addressed by all boroughs - this is also a major source of pollution. Perhaps Merton could lead the way in tackling this nuisance.</p> <p>4. In your e mail you say.."The Council will review the effectiveness of the levy in two years' time with a view of introducing a comprehensive emissions-based parking scheme which could link permit pricing to the vehicle's environmental performance".</p> <p>In this regard when considering Residents' Parking permits, I think the Council will have to be careful about how they introduce this scheme covering petrol vehicles - after all whether based on emissions or not, asic smaller cars cannot possibly be compared with large engined Audi or BMW type cars or Range Rovers - to take a few examples of vehicles used by residents and visitors. This will have to be discussed in due course. A 1.1L engine will generally have far fewer emissions than a 1.6L or more for example.</p>	<p>Refer to points 4,12 &amp; 13 of officer's comments</p> <p>At this moment in time visitor permits can be used in any vehicle petrol or diesel so there is not a process to identify the relevant diesel vehicles</p>

	<p>5. Finally, would there be diesel-engine related cost changes for visitors' permits in CPZ's? In fairness this perhaps also has to be considered in conjunction with residents' permit charges.</p> <p>I hope these initial comments about the new scheme are helpful.</p>	
<p>92</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 155</p>	<p>In answer to a question from a member of the public on 1 Feb 2017, the Cabinet Member for Regeneration, Environment and Housing stated that “Air Pollution in London has been described as a ‘Public Health emergency’”. We agree, and that’s why Merton Liberal Democrats would welcome a focus on improving the borough’s air quality.</p> <p>We have long been advocates of improving air quality through reduced traffic and congestion – we’ve supported improved cycling facilities, better public transport and living streets. For example, in early 2012, Merton’s Liberal Democrat councillors led the council in calling for the administration to open negotiations with the Mayor about extending the cycle hire scheme. Later that year, Lib Dem councillors proposed a borough-wide “default” 20mph speed limit on residential roads. This has various safety benefits, but limiting the need for acceleration and braking also reduces fuel consumption. Sadly, this option was rejected by the administration and the Conservative opposition. Any proposal needs to be judged on impact and fairness and we would like to know the following of the administration’s diesel levy:</p> <ol style="list-style-type: none"> <li>1. Given that air pollution is a “public health emergency”, what other options for improving air quality have been considered (whether these are measures to reduce the number of diesel vehicles or otherwise)? And why have they been rejected as against the administration’s current proposals? We understand that Kensington &amp; Chelsea and Camden already have emissions-based parking charges in place, and wonder why Merton is simply looking at this as a long-term possibility, when example schemes already exist?</li> <li>2. What is the expected reduction in diesel vehicle numbers resulting from the increased levy? From the report provided, this doesn’t appear to have been modelled and should be – it’s a significant flaw in the plans.</li> </ol> <p>According to the Cabinet Member, “Encouraging vehicle owners to move away from diesel cars is essential to reducing poor air quality in our borough and in London as a whole.” And yet there has been no analysis as to whether this scheme will change behaviour. Indeed, the Cabinet Member’s response to a question on this bordered on complacent: “I would consider any shift away from polluting vehicles as a success.” The scheme is to be reviewed, but without any idea of what success looks like. A proper framework for review should be put in place.</p> <ol style="list-style-type: none"> <li>3. Has a full equality impact assessment been carried out? Para 8.1 of the report states that that there are no implications of the scheme on “human rights, equalities and community cohesion”. We disagree. In broad terms, larger, more expensive properties tend to have off-street parking and so will not be affected by the plans. Furthermore, the levy could be a factor in residents rejecting new controlled parking zones.</li> <li>4. What is the revenue from the levy going to be used for? We feel it should be additional funds for improving air quality and the local environment, and stronger support for walking strategies and electric vehicle infrastructure.</li> </ol>	<p>Refer to points 4,7,12 &amp; 13 of officer’s comments</p> <p>A full equality impact assessment has been undertaken</p>

	<p>Can the administration guarantee this will be the case?</p> <p>We're not convinced the case has been made that this proposal will make the impact suggested: there is no work to show this, and no detail on how the levy will be spent. It would be fundamentally dishonest of the administration to be simply using this as a 'backdoor' means to increase Council revenue, and it would undermine the stated aim to increase public education on these matters.</p>	
94	<p>I write to express my objection to the manner of the diesel levy that is proposed from April 2017. I understand the need to reduce emissions and I have no objection to this. I do feel, however, that the way in which you are implementing it is unfair on existing owners. As you are well aware, in 2001 the Labour Government encouraged diesel ownership due to lower CO2 emissions by offering tax breaks and it is for this reason the number of diesel cars on the roads increased significantly. I view it as entirely unreasonable to penalise existing owners of diesel cars who followed the Government's advice only to find out the government had made a huge mistake. It would seem far more sensible to charge the levy in full on all news cars registered after April 2017, as those users have a choice on the type of car they buy and will be fully aware of the tax implications resulting from that choice. I therefore urge you to reconsider.</p>	<p>Refer to point 2 of officer's comments</p> <p>The approach to charge the full Levy for all new cars registered after April 2017 would provide no incentive for owners to change their vehicles</p>
95	<p>This levy is unfair to those who were encouraged to buy diesel cars. Our car has an added substance every few thousand miles to neutralise the diesel which is already a large expense, it therefore seems unfair to have to pay even more. When we had a drive this would not have to be paid, therefore you are punishing those of us who have down sized our houses, and therefore have to park on residents permits. I thought you wanted to encourage the elderly to downsize! Diesel cars also last far longer than petrol cars and are therefore kinder on the environment as they are not replaced as often!</p>	<p>Also refer to points 2,5 &amp; 6 of officer's comments</p>
96	<p>I wish to strongly oppose your proposed changes to parking charges for diesel cars. I think it is unfair and unjustified. It punishes those who bought diesel cars to reduce fuel usage and improve economy to try and be more environmental. This increase for diesel cars should not be allowed.</p>	<p>Refer to points 1 &amp; 2 of officer's comments</p>
97	<p>I strongly object to the new Diesel Tax Levy being introduced in the London Borough of Merton from April 2017. We were encouraged to buy a Diesel car by the Government to reduce the CO2 omissions and save the planet. Now we are being told the emissions are harmful, and the manufacturers gave out in correct figures. We should therefore not be penalised and made to pay more to park in our own CPZ.</p> <p>We have seen no consultations on this matter and wholeheartedly object to the new levy which is grossly unfair on people who have to park in the street.</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> </ul>



		<ul style="list-style-type: none"> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul>
98	I support the diesel levy.	Thank you for your comments
99	<p>I write with representations concerning the Merton Council's proposed annual levy on Merton Residents who own/possess diesel vehicles. I am a Merton resident and have owned a diesel car for the last 9 yrs. I object to the levy because:</p> <ol style="list-style-type: none"> <li>1. It discriminates against residents who own existing diesel vehicles that were purchased before they became aware of the initiative.</li> <li>2. While the charge itself is not retrospective it is, in effect, a retrospective tax, resulting from a purchase made without knowledge that the tax would be imposed.</li> <li>3. It would leave residents with the choice of accepting the charge or, disposing of the vehicle at a much discounted price and so at further financial penalty.</li> <li>4. It would add £150 to the cost of my Residents Parking Permit.</li> <li>5. Since the charge is not being proposed by the GLA as part of a Greater London scheme, it discriminates against residents (and thus property values) in Merton relative to other London Boroughs.</li> </ol> <p>I would support a levy that applies from the date the levy is introduced, to diesel vehicles for which a first application for a Residents Parking Permit is made. Such vehicles would also attract the levy on subsequent yearly applications.</p> <p>Diesel vehicles owned by a resident and possessing a Residents Parking Permit at the date of the introduction would be exempt until disposed of by the resident. The levy should not apply to Visitors Permits. (i.e. there should not be a two tier charge for petrol/diesel vehicles).</p>	Refer to points 2 & 6 of officer's comments
100	I am totally opposed to the proposed increase in parking permit cost for diesel cars as I don't think it's fair	Refer to point 1 of officer's comments
101	<p><u>1<sup>st</sup> Representation</u></p> <p>With respect, the Council's discriminatory proposal to levy an extra 'tax' on hapless owners of diesel vehicles</p>	Refer to points 1 & 4 of officer's

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 158</p>	<p>seems unfair, impractical and futile. The manner of imposing this measure is probably wrong in law. I share the views expressed by Mr XXXXX in his representations in opposing your proposals. I urge you to find some other route to raise revenue –which I suspect is your aim – and/or protect the environment.</p> <p>Experience must have shown you that ‘punitive taxation’ does little to change the habits of addicts. Air quality cannot be controlled by piecemeal measures based on arbitrary administrative boundaries. The hapless owners of Diesel vehicles were encouraged fairly recently to adopt this mode as being better for the environment. To penalise them at short notice seems unfair.</p> <p>Your delegated powers under The Road Traffic Acts (parking provisions etc) should surely only address the purposes of that Act – safety, traffic flows, preventing obstructions etc. The charges you impose for these purposes are fees – which are accountable – and should relate to the service you provide. To assume powers for other purposes, such as changing the habits or preferences of the citizens, seems to go beyond the law. Please think again, and find a better and legal way to achieve your purpose</p> <p><u>2nd Representation</u></p> <p>I cannot get too upset about the increase in charges, or LBM’s efforts to increase its revenue, but I suspect that Council is trying to use the wrong law to do so. The relevant street management law is aimed at avoiding obstructions to traffic. It is not intended as a measure to improve air quality, and avoid climate change. Therefore, the type of propulsion motor of a parked car should not be considered relevant. It is the size of the car that matters.</p> <p>Too often Councils use the street management powers as revenue gathering measures. This is a gross misuse of their delegated powers – which should only be used for the purpose the law is intended to address.</p>	<p>comments</p> <p>The Council can legally use parking legislation to help improve air quality</p>
<p>10278</p>	<p>I would like to express my opinion about the suggested Diesel levy. When I bought my diesel car 10 years ago, I specifically chose it because it had low emissions and therefore it was more environmentally friendly option than equivalent petrol cars. Now all of the sudden it's quite the opposite.</p> <p>I totally agree that the pollution levels should decrease and get under control, but I don't agree that people who bought their cars with good intent should be made to pay. I know this levy will be rolled in regardless, so the only thing I ask you to consider is that there are people who cannot afford a penny more expenses than they are paying already on top of their rents and rates. These are people on low incomes, benefits, disabilities etc. People with no money won't pay for all the costs involved in owning a car for nothing so the car is most likely vital for them, but changing it to a petrol or electric car is simply not an option due to the costs involved.</p> <p>As always, the wealthy part of the community avoids paying the levy as lots of them do not pay for permits anyway as they have private parking facilities. In Wimbledon Village there are tons of huge Range Rovers parked on private roads and driveways. The levy is not going to encourage them to change their behaviour. Please consider people who cannot afford to pay the new levy and introduce either a exemption or a reduced rate for car owners on benefits or low income.</p>	<p>Refer to points 2 &amp; 6 officer’s comments</p> <p>There is no evidence that this levy will disproportionately impact on residents on benefits or low income</p>

103	<p>May I object in the strongest possible terms to your proposed diesel levy.</p> <ol style="list-style-type: none"> <li>1. I bought a diesel car because the government said that it was the green and environmentally responsible choice. You now intend to penalise me for following that advice.</li> <li>2. The parking permit was not introduced as a method of controlling residents purchasing choices or implementing Council policy.</li> <li>3. When we were asked whether we wanted to bring in parking controls, the council informed us that the cost would be at a reasonable level to cover administration costs. We were not told that they would used as a revenue raising device.</li> <li>4. If these changes are to be made, residents should be re-consulted about whether they want a controlled parking zone.</li> <li>5. If punitive charges are to made for owning certain types of vehicles, these should be introduced with a reasonable time warning. Cars are a long term purchase, so at least 10 years would be reasonable.</li> <li>6. These measures will reduce the value of a significant asset. These losses will be the responsibility of the Council.</li> </ol>	<p>Refer to points 1 &amp; 2 of officer's comments</p> <p>The Council can legally use parking legislation to influence air quality</p>
104	<p>I understand it is proposed to tax those who have diesel cars and Merton parking permits in the borough. The stated aim is to discourage diesel vehicles to reduce Nitrous Oxide and other emissions. I agree that this is an issue. BUT: Given that this is a singular action with no joined-up thinking on the totality of diesel usage in the borough it can only be seen as a cynical and very discriminatory tax.</p> <ol style="list-style-type: none"> <li>1. UNFAIR DISCRIMINATION: I live in a semi-detached house where given the size of the front garden am unable to park my diesel car (It is the only diesel car I have ever owned and was purchased as a direct result of national and local government and other campaigns to encourage diesel usage). I have no option but to park it in the street and pay for a parking permit. My neighbour directly opposite me has exactly the same diesel car, lives in a large detached house with a driveway, and does not have a parking permit. They will continue to live and drive in the borough with a diesel car and will not be taxed.</li> <li>2. OTHER DIESEL USERS NOT TAXED: I see no attempt in this proposal to tax other users in the borough who do not have a parking permit but will by definition be the larger number of users..."white vans", trucks, lorries, buses, taxis etc etc....and all the other residents of the borough where there is street parking without permits.</li> <li>3. SIMPLY PUNITIVE AND DOES NOT DELIVER STATED AIM: Given the small target number of vehicles that will be taxed relative to the total number of diesel vehicles in the borough and driving through the borough every day this tax will not deliver the sated aim anyway. What are the calculations...?</li> </ol> <p>I urge that this very cynical tax is reconsidered in favour of a borough-wide, strategically planned and fair approach to dealing with the issue.</p>	<p>Refer to points 1,2,4,5 &amp; 10 of officer's comments</p>

105	<p>I wish to protest in the strongest terms about the unfairness of the proposed levy, which in the case of residents plainly discriminates against one segment of the Merton residential community. There are numerous residents in the Borough with diesel cars; if the aim is to reduce diesel emissions then it would be appropriate to tackle all diesel car owners, not just those who are already paying for the right to park in their own road.</p> <p>Furthermore given the limited extent of resident parking (restricted as it is to the more affluent areas and not all areas which need it) this can only be viewed as a vindictive and politically cynical action. It will raise a limited amount of money which doubtless will not be ringfenced in order to be employed in air quality improvement measures for the benefit of the Borough but just go into the overall Merton tax pot. I urge you to reconsider this unfair and inappropriate proposal</p>	Refer to points 1,2,5 & 13 of officer's comments
106	<p>I wish to register my opposition to this proposed levy, which would be both unfair and ineffective. It would be unfair because it would be retrospective. It seeks to penalise current owners of diesel vehicles despite the fact that when they bought their vehicles they did so in good faith, often believing that diesel cars were better for the environment. They had no idea that they might have to pay a "pollution" levy at a later date. It's also unfair that all diesel owners would be asked to pay the same charge notwithstanding that some pollute far more than others. What about cars that are rarely driven, and/or meet the Euro 6 pollution standard?</p> <p>The levy would be ineffective, at least initially, because it would not change behaviour. Merton residents have to park their cars. Imposing a levy on diesel cars would be rather like chaining someone to a lamppost and then charging them with loitering. The conclusion must be that the proposed levy is not about pollution but about raising revenue. I think the levy would be more defensible if the levy were to apply just to additional cars brought into the borough.</p>	Refer to points 2,3,5 & 13 of officer's comments
107	<p>I am disappointed and surprised to learn that Merton Council has decided to impose a levy on owners of diesel vehicles who pay for residents' parking permits in the borough. I consider this action to be punitive, ill-considered and unfair. It would appear that Merton Council is confident to act outside of the remit of our elected Government who control MOT testing stations, levels of emissions and ultimately VED rates. In 2012 I purchased a diesel car because the emissions were low and for the first year of ownership I paid zero road fund tax. I am a pensioner on a fixed income and I have to consider all costs.</p> <p>My vehicle is currently in VED Band (B) so for 2016/2017 I paid £20.00 road tax. This proves that the vehicle does have extremely low CO2 emission rate. I acknowledge that diesel engines do emit more particulates and NO2 and accept that this has to be tackled by Governments and manufacturers</p> <p>Perhaps this should be the priority before councils get involved with imposing an unfair levy on residents. As you have records of vehicles owned by residents that have to purchase residents' parking permits it seems easy for you to target those who own diesel vehicles.</p> <p>There are other groups of motorists in the borough who may own diesel vehicles that you do not appear to be targeting, as follows:</p>	Refer to points 2,3,5 & 10 of officer's comments

	<ul style="list-style-type: none"> <li>• Merton residents who have off street parking yet own a diesel vehicle</li> <li>• Visitors to the Borough with diesel vehicles who park with visitors' parking permits, on parking meters or in council car parks</li> <li>• People with diesel vehicle who work in the Borough and drive into the borough on a daily basis</li> <li>• Large numbers of battered and elderly vehicles owned by the building industry and service vehicles that are regular road users in the Borough</li> <li>• Motorists from outside the Borough who may own diesel vehicle and "rat run" on a regular basis</li> <li>• Hundreds of diesel trains running through huge ares of the Borough daily</li> </ul> <p>If you are serious about reducing emissions from diesel vehicle to reduce air pollution then please do it in a fair and just way. By picking on me, and fellow residents like me, would seem to be an easy option for you. Perhaps you should consider putting a levy on the Council tax that everyone pays.</p> <p>I urge you to rethink this planned legislation but continue to seek ways to combat air pollution, not in a way that punishes those diesel owners that you have on your database, but in a way affects all diesel vehicle owners/users in the borough. I look forward to hearing your views.</p>	
108 Page 161	<p>I am writing in response to the Council's consultation on its proposal for levy on all diesel vehicles registered in Controlled Parking Zones in Merton. I object to this most strongly, on several grounds:</p> <ol style="list-style-type: none"> <li>1. Firstly, I am somewhat surprised the Council has the powers to do this.</li> </ol> <p>When the controlled parking zone in Rayleigh Road was brought in, my understanding was that the charge was to allow me to continue to park my car in the road (which had been free up to that time), and that the revenues would be used to cover the costs, not as a way of raising revenue for the Council, for which there is an established route - the Council tax.</p> <p>Now the proposal is to use the new levy to raise money, albeit that the Council says the money will be spent on "tackling air pollution, local sustainable transport initiatives and necessary infrastructure such as cycle lanes". Isn't that what the Council tax is for?</p> <p>[Is the Council legally able to levy an additional charge on say all red cars, or all cars with a wheel diameter greater than a certain size, and just because they already have to pay for a parking permit?]</p> <ol style="list-style-type: none"> <li>2. The amounts to be levied are exorbitant - an extra £90 from April 2017, rising to £115 in April 2018 and topping out at £150 from April 2019 onwards. And these are considerably higher than those for diesel cars in other London boroughs (eg £10 in Camden, £19 in Kensington &amp; Chelsea and £96 in Islington). How were these figures arrived at?</li> <li>3. The Council will rake in money and then have to find ways to spend it, whether or not that expenditure is</li> </ol>	Refer to points 2,4,5,6,10 & 13 of officer's comments

warranted.

4. As I understand it, the Council also ignored the advice of its own consultants in not consulting with residents on the impact of such a high a levy, with it being argued that residents could seek to avoid it by concreting over their front gardens to create more off street parking.

5. So one impact is expected to be that front gardens will be concreted over. This is environmentally unsound as (on a large scale) it will result in fewer plants, less wild life and additional water run-off into the roads and drains, leading to flooding. Has this impact been assessed?

6. I strongly suspect (and I guess the Council does not know either) that most of the diesel pollution that is in Merton air comes from buses, taxis, vans, and those (plus cars) that originate from outside Merton – none of which would be subject to the levy. So the impact of the levy on the quality of Merton air will be small.

7. The levy will not apply to a large house with a forecourt (and maybe several diesel 4X4s). How fair is that?

8. I agree that the polluter should pay. However this scheme would be far from meeting that aim. It has no relation to how much pollution any one person/car actually creates; it would be much better to raise money (if it is needed), and to change behaviour, via a general increase on the duty on diesel. (And for central government to pass that on to local Councils, ideally in a way that relates to the actual pollution in each borough).

9. It seems likely that Central government will anyway act in some way to make diesel vehicles less attractive, and then Merton residents will be hit by a double-whammy. Would the Council then withdraw the levy? (I bet not).

10. The Government has for many years encouraged car buyers to buy diesel-powered vehicles on the grounds that they were better for the environment (global warming) as they emitted less CO2 than petrol. Diesel cars owners are now being penalised for following this steer. Cars are expensive and are not something most people sell and buy frequently, at least new ones. And the second-hand value is likely to fall.

11. If the Council wants to reduce pollution in Merton, it should remove all the speed bumps. These have been shown to increase pollution as vehicles tend to brake as they approach them and then accelerate away.

12. Finally, these consultations are flawed, as essentially whatever feedback the Council gets, it will do what it wants. (The Council has 'form' - for example in building on Dundonald Recreation Ground and now the proposal to introduce wheelie bins). There is nothing to say in advance what would persuade the Council not to introduce this levy.

In my view, it should be a requirement that all responders should 'declare an interest' in that they should be asked whether they own a vehicle and if so whether it is diesel. I can't see that anyone affected would do other than argue against the proposal, and anyone not affected would argue in favour. The latter group are probably less likely to respond, so my guess is that the responses against will outnumber the responses in favour, but the Council will find some kind of rationale to go ahead anyway. I hope Labour is not counting on my vote in the next local elections

109	<p>I live at XXXXXXXX in Zone 4f. Since the parking zones were changed several years ago, parking on the border of the zone is an absolute nightmare which negatively impacts the residents quality of life.</p> <p>We often cannot park after 6:15pm during the week, people sit in their cars waiting for the end of restrictions (you never see a warden) and on Sundays. The NHS building on the Broadway have been given free permits which now means they use the permit bays during the day. I used to have to drive to work but because of the parking situation had to leave earlier than I would have liked in order to park, this was unfair on me and the company and I no longer have this job. We get very little for our permits, we often cannot park, the neighbouring streets use our zone for their visitors and also pay less per hour for their visitors parking permits. To increase permit fees for diesel vehicles, (which many people are stuck with because of the VW emissions problem) without consultation, adds insult to injury. Please review parking in the borough to ensure it is fair to everyone.</p>	<p>Refer to point 5 of officer's comments</p> <p>Should the residents within a CPZ require a change in hours of operation that would provide further protection against non-permit holders, they would need submit a petition and the Council will consult accordingly.</p>
110	<p><u>Res Association</u></p> <p>We think any reduction in diesel emissions is a good thing in Merton and the rest of London. However, a parking levy will not reduce emissions, but will increase revenue for Merton Council of course. The only way to reduce emissions is to extend the low emissions zone to all vehicles. Why not propose this to the Mayor?</p> <p>Then Merton Council vehicles such as dust carts, coaches and lorries should be converted to electric NOW. All London buses and taxis should be converted from diesel to electric NOW. All local delivery vehicles should be converted NOW.</p>	<p>Refer to points 1,5 &amp; 10 of officer's comments</p>
111	<p>I would like to register my unhappiness with the diesel parking price increase (ref ES/Diesel Levy). I dont doubt that those polluting should pay more but I have always been told by the council that the parking permit is purely there to pay for the costs to ensure that traffic wardens can enforce the parking rules so that those with permits can park. That made good sense. At no point has it been stated that it is a tax raising power or it is an anti pollution tax. So why is it more expensive to monitor the parking of a diesel car vs a non diesel car? Or was the previous stated aims of the parking permit fee now been changed into a tax raising / pollution tax?</p> <p>This rule does not impact any diesel car owner that has a parking space so if it is a anti pollution tax then it seems to be only targeting the people that cant afford the luxury of having off street parking. So smaller houses and flat owners. The rich dont seem to be impacted by this rule. It feels the council is not being entirely honest in the past or maybe not now and it appears to be a money grabbing approach using the stealth of a vice / sin tax so people cant complain.</p> <p>Can the council think of a more straightforward, open and fair approach to either raising taxes or in their anti pollution policy especially as it does not take into account how much the car is used or the pollution produced.</p>	<p>Refer to points 1, 5 &amp; 10 of officer's comments</p>
112	<p>This household is FIRMLY OPPOSED to the proposal to put a levy on diesel permits because</p> <p>1. Only 5 years ago central government were encouraging us to BUY diesel cars - that advice was misguided but it is not easy to ditch a car and change our ownership policies when the 2nd hand market is so poor. We may have</p>	<p>Refer to points 1,2,5 &amp; 10 of officer's comments</p>

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	<p>little choice but to use the car until its value can be written off the household balance sheet.</p> <p>2. Surely it is inappropriate for a London Borough to take unilateral action against a small sector of the ratepayer community. Are you taking action against the diesel taxis that chug past our house several times an hour? Or the diesel van owners? If not why not?</p> <p>3. So you are proposing a unilateral tax on ownership but not usage. But not all owners but those who have to park on street and are not lucky enough to have a garage or driveway. Those diesel car owners are being unfairly taxed. A proposal to tax all diesel owners in Merton might at least offer consistency and punish all owners, not just those without driveways or garages</p>	
113	<p>I am delighted to hear of the planned increased parking levy on diesel cars. It is good to know that something is being done in Merton to reduce the worryingly high levels of air pollution</p>	<p>Thank you for your comments</p>
114	<p>We hereby set out our objections to the proposed diesel levy proposed to be introduced by the London Borough of Merton. Our objection is divided into three separate areas:</p> <ol style="list-style-type: none"> <li>1. Disproportionate impact on residents located within controlled parking zones;</li> <li>2. Unreasonable decision by the Council including non-provision of alternatives; and</li> <li>3. Breach of human rights of local residents.</li> </ol> <p>The first issue that we have with the proposal is that it will only apply to residents within CPZ. Of course, these residents already pay additional charges over and above residents that do not live within such areas. The purpose of creating CPZs is to deter commuters, however, this new measure will deter existing residents, who may be reliant on a car from owning a car. This is clearly totally unreasonable and will not achieve the purpose of the measure. The only way for Merton to achieve a real and proportionate reduction in diesel car ownership is by a borough-wide tax and not penalising people for where they live.</p> <p>The second issue is that the Council's approach for taxation is wholly unreasonable given that no alternatives have been promoted by the Council. This tax on local residents is premature and wholly unreasonable. Should the Council had implemented a wide range of measures to allow for local residents to achieve a move towards local carbon vehicles, then this measure may have been acceptable. However, the Council has done nothing of the sort.</p> <p>There are no hydrogen filling stations in the Borough and the electric charging point system is extremely patchy. The decision to invest in additional charging points has only just been made <a href="http://democracy.merton.gov.uk/ieDecisionDetails.aspx?Id=394">http://democracy.merton.gov.uk/ieDecisionDetails.aspx?Id=394</a> and these have not yet be installed. As such, it is our view that this tax is premature and the Council should invest in carbon reducing technologies rather than tax a limited number of residents. Furthermore, this measure may lead to residents in these areas moving towards petrol cars rather than low carbon alternatives, thus making the entire tax wholly contradictory and, in fact, making the</p>	<p>Refer to points 1,5,10 &amp; 12 of officer's comments</p> <p>The council is legally entitled to use the parking permit system to address issues of poor air quality</p> <p>We do not consider that the introduction of this levy is in conflict with residents' human rights</p>



<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 165</p>	<p>situation worse.</p> <p>Finally the third issue is that the proposal breaches the Human Rights Act 1998 and the EU Convention on Human Rights. In particular, there is a breach of: PART II THE FIRST PROTOCOL ARTICLE 1 Protection of property</p> <p>Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.</p> <p>The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.</p> <p>The proposed unfair and unreasonable tax on a limited amount of people is more than likely going to lead to some people having to relinquish their possessions (cars) without any alternative. This tax will lead the Council depriving people of their possession, and whilst there is public interest in reducing air pollution, the discriminatory and unreasonable measure proposed by the Council means that this is targeted at specific people rather than providing an overall response.</p> <p>To conclude, we consider that this tax on certain residents in the London Borough of Merton is wholly unreasonable, unfair, discriminates against some residents and will not achieve the purpose of the tax. It is also premature and ineffective and may lead to increased emissions rather than reduced ones.</p> <p>We urge you to drop this ill-conceived tax and work on a proportionate and effective plan that does not penalise a small fraction of local residents.</p>	
<p>115</p>	<p>I have no doubt that if you are determined to introduce the additional levy on diesel vehicles via the parking permit scheme then you will do it. However I feel that it unfairly penalises residents such as myself who have diesel MPV cars of only 2 years old with relatively clean and efficient engines, who only do short journeys 2 or 3 times a week.</p> <p>We are also not in central London with a high concentration of traffic. If you could phase road works and traffic light timings in a better manner to reduce traffic cues or introduce hybrid buses which do not run on diesel this would be a better option. Until the government introduces a ban on the sale of all diesel cars and the price of second hand diesel cars starts to come down significantly we will still have this problem. In fact several years ago we were encouraged to buy diesel cars rather than petrol. I feel you are tickling around the edges with what is basically a stealth tax.</p> <p>We are already penalised by higher fuel costs. As a family we get the bus more than we used to and walk more. This needs a rethink. The cost of parking will simply be passed on. What about delivery vans which have no parking permits – no charge there!</p> <p>I feel there has been a lack of publicity about this. I never received a leaflet. This is under the radar stuff. Please</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council’s website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> </ul>

	reconsider.	<ul style="list-style-type: none"> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul> <p>Also refer to points 1,3,6,10 &amp; 12 of officer's comments</p>
116	<p>The diesel levy is an excellent idea, there is now so much clear evidence that the pollution from this fuel is causing harm. Many will complain but diesel is indefensible and it is unjust for people to suffer poor health and premature mortality because of flawed government policy incentivising diesel in the past. My only comments would be that it would be good to put the levy on all vehicles registered in the Borough rather than just those who park in CPZ zones. Is there a way you could do this working with the DVLA? It may also be worth considering a discount for electric and small volume turbo engine vehicles.</p>	Refer to point 5 of officer's comments
117	<p>The statement of reason for the introduction of the diesel levy on parking permits state that its intention is to "...encourage and incentivise diesel vehicle owners to consider adopting lower or zero emission technologies. This will lead to reduced harmful emissions, particularly nitrogen dioxide and particulate matter within the borough and thereby mitigate their adverse impact on the health of residents".</p> <p>There is no doubt about the significant impact of vehicle emissions on air quality and health and I believe strong action is needed to improve emissions for both climate change and health reasons. However I strongly object to this diesel levy and the way this is being introduced on the following grounds.</p> <ul style="list-style-type: none"> <li>- It penalises parking not the use of the vehicle and distance driven, I could have much lower emissions from my car because I hardly use it than someone using a petrol car every day.</li> <li>- It is an extremely unfair levy as those that have garages and/or off-street parking (and do not need a parking permit) for diesel cars produce emissions in the same way as those having to park on the street, so those in smaller houses or flats are penalised disproportionately.</li> <li>- It does not give fair warning to actually encourage and enable financing of a different car, the levy is proposed to come into force in less than 3 months; most people cannot afford to simply buy a different car in a short time period.</li> <li>- A policy to reduce the number of diesel vehicles should be a national or at least London-wide policy and part of a much wider strategy on air pollution and low emissions vehicles (cost vary considerably between boroughs, £90 in Merton, £10 in Camden, £19 in Kensington &amp; Chelsea). It is an extremely blunt legislative instrument and seems to be more about raising income for the council. What is the evidence base on which this decision is made in terms of</li> </ul>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several</li> </ul>

<p>Page 167</p>	<p>being an effective policy tool to improve air quality?</p> <p>I am also extremely angry about the way this is being done without proper consultation. I have not received any information to my address informing me of the plans of the council and/or the deadline for representations.</p> <p><u>Further Representation</u></p> <p>I absolutely agree that air pollution needs to be tackled in London and I am fully aware that in many areas the annual limits are breached by January. This is not disputed.</p> <p>As you are probably aware, the government has recently lost its judicial review brought by ClientEarth with regards to the quality of its plans for improving air quality as soon as possible. Furthermore, last week plans for a diesel car scrappage scheme were announced. This suggests that in the near future a better targeted and more effective policy will be introduced to reduce the number of diesel cars in London which very likely will support the intended policy outcome of reducing harmful particle emissions and therefore improving air quality and health.</p> <p>This stands in marked contrast to the regressive policy of the diesel parking levy which disproportionately affects those on lower incomes who cannot afford a driveway, garage, or to replace their car at relatively short notice. In reference to your comments below, you were hoping that government would take the lead on air quality and it seems likely that this will now happen.</p> <p>With regards to the consultation, I am extremely disappointed that you consider the way the information was available a sufficient process to be considered a consultation. I live on the edge of Merton Council and use more facilities in Wandsworth than Merton. Considering the council is perfectly able to remind all residents who currently require a parking permit of their renewal dates, a letter pointing out the proposed plans with references to additional information would have been a simple solution to ensure awareness and engagement. I sincerely hope the council will reconsider its plans in the light of new government policy which has been announced and either abandon its regressive policy or delay it to coincide with financial incentives to replace diesel cars. I look forward to your response</p>	<p>press releases</p> <p>Also refer to points 1,5 &amp; 6 of officer's comments</p>
<p>118</p>	<ul style="list-style-type: none"> <li>• Totally agree that more needs to be done (nationally) to reduce diesel pollution</li> <li>• BUT this penalises those without off-street parking. Most polluting diesel cars in Wimbledon are the huge 4X4's in the village and surrounds. They have off-street parking/ driveways/ garages so won't be penalised. Poorer people are paying for their pollution . This is a regressive tax and surprising from a Labour Council</li> <li>• The above link is not clearly worded and seems to imply that all CPZ permit costs will be rising. Please clarify that these price increases apply only to permits for diesel vehicles and that the cost for petrol engine cars will remain at £65pa for the foreseeable future</li> </ul>	<p>Refer to points 4 &amp; 5 of officer's comments</p> <p>The levy will only apply to diesel vehicles.</p>
<p>119</p>	<p>I am very concerned about the stealth tax you are introducing. Which in 2014 you promised you wouldn't. This is yet another stealth tax on the working class. I have a 1.3 litre. What about the bigger engines.</p>	<p>Refer to points 1 &amp; 6 of officer's</p>

	I can't afford off street parking. I live in a small flat. What about the huge Land Rover fuel guzzlers all the rich people drive. I need my van to make a living. How about, if you are so concerned, giving people a finical incentive to change instead of taking money out of their families mouths. I will never be voting labour again.	comments
120	<p>I have picked up from Stephen Hammond's newsletter that Merton intends to levy all residents living in a CPZ area for diesel owned cars.</p> <p>We have not been consulted on this issue and despite the claims of the Council when the parking zones were first introduced against the wishes of many residents, we were assured that the council would not look to make a profit from the scheme. This is now clearly not the case.</p> <p>The vast majority of the CPZ schemes are located to the West of the borough and here in the Village area all the streets are subject to the order. This levy (the highest by far in London) will unfairly penalise residents who do not live in a large house with off street parking. In our own road off street parking is impossible for the vast majority of the residents and therefore we will be expected to pay huge sums of money to drive our vehicles that only a short time ago, we were encouraged to purchase by the Government.</p> <p>My own diesel vehicles was purchased by my company as an eco-friendly car with very low emissions. How will this be treated by the scheme? The Council surely cannot be serious in addressing the issue of pollution if this is the best you can come up with? Much of the borough's pollution comes from commuter traffic, lorries and buses. This scheme will do nothing to assist and will only further alienate the very people that you are in your role to represent.</p> <p>This charge will of course add greatly to the Council coffers and no doubt that was foremost in evaluated the levy. The council should not be in the business of unfairly discriminating against residents who do not have off street parking and I will looking to take this matter further. As a minimum the council should have ensured that every household in a CPZ area had clear notification that this was being proposed as none of my neighbours knew anything about it.</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones.</p> <p>The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul> <p>Also refer to points 3,5,6 &amp; 10 of officer's comments</p>
121	I am objecting to the extreme rise in cost of Parking Permits for residents who have diesel cars. This must be deemed very unfair on the owners. Not everyone can throw a car away and replace it just like that. I would have thought that the Council should be helping these owners to get rid of theirs diesel cars by offering a scheme similar to the scrappage scheme of yesteryear, rather than penalising them for having cars that the Government/Council encouraged them to have.	Refer to points 1,2 & 6 of officer's comments
122	I wish to object most strongly to the proposed diesel levy to be introduced on 1st April, 2017. The proposal is, apart from anything else, contrary to the manifesto of the ruling party on the Merton Council in 2014 to 'continue to freeze the cost of resident and visitor parking permits for another four years', there is little evidence that it will actually help	Refer to points 1,2,4,5,6,10,11 & 13 of officer's comments

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 169</p>	<p>improve the air quality in the borough and no guarantee that the extra money raised will be used for environmental or anti-pollution measures.</p> <p>Successive central governments of both political persuasion have encouraged the purchase of diesel cars in order to reduce the emissions concerns about petrol powered vehicles. It is totally unacceptable to penalise those who have followed this encouragement</p> <p>The proposed levy is a 'one size fits-all' levy covered the oldest and most inefficient and polluting vehicles as well as much more recent Euro 5 and Euro 6 complaint diesel engines which have very low levels of polluting emissions.</p> <p>We have specifically bought a new car with a Euro 6 diesel engine for this reason and see no reason why we should be penalised for having done so. The vehicle does very little mileage in congested urban areas, mainly being used out of London.</p> <p>If this levy is imposed, as far as we are concerned, Merton Council will be the net loser. We have off street parking and purchase a parking permit for infrequent parking in local restricted areas when we have visitors. If the levy is introduced, we shall no longer purchase a parking permit but will keep the vehicle off the road on our private drive. Thus not only will Merton Council not get the 'Diesel levy' but it will lose the revenue from the existing parking permit. What a big win for Merton Council!</p> <p>If Merton Council is so concerned about diesel emissions, can you please advise me:</p> <ol style="list-style-type: none"> <li>1. When will Merton Council have phased out all diesel vehicles from its vehicle fleet and required all of its contractors to do likewise e.g. waste collection vehicles and what will the cost be, no doubt to the Council Tax payer, or maybe more services will be cut back.</li> <li>2. When will Merton Council prohibit the geriatric and filthy black cabs from the Borough, particularly those parked at Wimbledon Station with their engines running, pumping out great quantities of noxious emissions.</li> <li>3. When will Merton Council ban all non-Euro 5 and Euro 6 commercial vehicles, including vans, from the Borough. These are the vehicles that sit for hours in dense traffic pouring out noxious fumes.</li> </ol> <p>Should you not respond satisfactorily to these questions, I will table a Freedom of Information request.</p> <p>I trust forlornly that Merton Council will change its mind on this matter and direct its energies to more useful and pressing matters rather than jumping on yet another politically correct bandwagon.</p>	
<p>123</p>	<p>I object to the proposed levy--please advise the legislation that you claim allows this charge by a local council? which wards do the proposals affect?</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all</p>

	<p>why has there been no advance consultation?</p>	<p>properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council’s website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul> <p>The Charge will affect all wards where CPZ’s operate</p>
<p>124</p>	<p>Thank you for publishing the consultation on the diesel levy.</p> <p>This is a highly disappointing move which will penalise a broad class of drivers as a blunt instrument. The proposed levy does not reflect the difference between newer and older cars, or take a broader overview of how to tackle all emissions in a positive way. It would penalise the owners of lower emission vehicles which happen to be diesel whilst not discouraging ownership of older more polluting petrol vehicles.</p> <p>This is also contrary to the direction of travel taken in general on emissions, where the overall level of emissions is the key driver (as it reflected in VED).</p> <p>The size and scale of the levy also seems highly disproportionate when compared to others who have introduced something similar.</p> <p>The move to introduce the levy in large steps over a short space of time also penalises owners of vehicles who are not able to replace them at short notice, and imposes an additional cost on families who are already struggling with the increased cost of fuel in an environment when wages are reducing in real terms.</p> <p>It is also surprising that a broader scale consultation was not undertaken, given the impact that this will have on residents and businesses</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council’s website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business</li> </ul>

		<p>associations</p> <ul style="list-style-type: none"> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul> <p>Also refer to points 3 &amp; 6 of officer's comments</p>
125	<p>My views as requested for the Diesel Levy consultation:</p> <p>I believe strongly that air quality is a major issue for London and that effective measures to improve it should be taken capital-wide. However, I do not believe that Merton's plans to introduce a diesel levy are the answer, for the following reasons:</p> <ol style="list-style-type: none"> <li>1. Surcharging residents who already have a parking permit will not in itself help improve air quality. My car is used maybe twice a week; the rest of the time I and my family travel throughout the borough and beyond by bicycle. My static (modern diesel) vehicle causes less pollution than the many vehicles that pass down Haydons Road every day yet they won't pay and I will. This makes the proposed levy both unfair and ineffective.</li> <li>2. The charge levels are significantly higher than other boroughs and thus unfair. Council officers when questioned seem unsure how effective this new measure will be. Introducing a random levy without any clear idea of what 'success' will look like is unscientific and ineffective.</li> <li>3. Air quality monitoring in this borough appears sporadic and random. If Merton Council is serious about reducing pollution in the borough it should have a more radical approach to encouraging motorists to drive less. This could include improved cycle lane provision and publicity, and an end to the offer of free parking to lure drivers into centres including Raynes Park and Wimbledon.</li> </ol> <p>In summary, I believe that the proposed diesel levy is an ineffective, ill-thought out measure that will have a minimal effect on air quality in the borough and should therefore be shelved pending a more thorough investigation into how better to reduce pollution and support more sustainable transport solutions across Merton.</p>	<p>Refer to points 1,5,6 &amp; 12 of officer's comments</p>
126	<p>As a local resident and owner of a diesel car I am shocked and disappointed that you choose to tax me for driving my car. When I bought the car in 2011 it was on the basis that it had such low emissions that I do not pay road tax nor the Congestion Charge. Since then the Mayor of London has removed the latter advantage with a 3 year notice period that ended in 2016.</p> <p>Government guidance at the time of my purchase was that my decision to buy diesel and low emission was the best one for the environment. Yet now you expect me to pay for that privilege or buy a new car. In this current economic climate neither is helpful.</p> <p>An incremental introduction is not fair either and whilst I recognise that views on the impact of diesel have changed</p>	<p>Refer to points 1,2 &amp; 6 of officer's comments</p>

	<p>over the past 6 years it would be much fairer to give 3 years notice as the Mayor of London did before introducing the charge. I also run a small local business and along with other charges and tax increases from both local and central government it will have an impact on our operations and likely lead to a reduction in the people we employ locally.</p>	
<p>127</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 172</p>	<p>I have become aware of our Labour councillors decision to not only breach their election promise but to do so without consultation against the advise of their own paid advisors (good use of public funds there then).</p> <p>I object strongly to this blatant revenue generating scheme whereby Labour seek to penalise the owners of Diesel cars under the pretence of caring about the environment.</p> <ol style="list-style-type: none"> <li>1. A parked car does not produce any emission's, diesel or otherwise, so linking this levy to a parking permit shows a staggering lack of common sense.</li> <li>2. If I am rich enough to have a large drive way then I don't pay anything. So even if you think the argument about linking the levy to parking is valid then the idea that a car parked on a drive way wont get taxed but one on the road will is simply idiotic.</li> <li>3. Are you going to issue two different types of visitors passes or don't you care about people driving into the borough in Diesel cars?</li> <li>4. I have a permit that covers two cars - one petrol and one diesel - will my permit only incur half the levy?</li> </ol> <p>Given the national nature of car ownership, i.e. the fact that car owners don't simply drive around their local area this proposed levy is nonsensical in the extreme and typical of Labour.</p> <p>If you wish to go it alone on protecting the local environment from the evils of diesel then here are some suggestions from my 7 year old that she came up with in less than 10 minutes;</p> <ul style="list-style-type: none"> <li>* Ban black cabs from the area.</li> <li>* Ban black cabs from sitting in taxi ranks with their engine running.</li> <li>* Ban the highly polluting buses from the streets and invest in clean energy versions. I assume that's very achievable as you seem to think it should be for individual citizens.</li> <li>* Apply the levy based on diesel ownership rather than where we park.</li> <li>* Apply the levy to all diesel traffic that passes through the borough.</li> <li>* Increase the cost of parking in all borough car parks for diesel cars versus non diesel cars.</li> <li>* Target old cars rather than modern diesel cars with top end catalytic converters.</li> <li>* Get rid of the sleeping policeman so you don't need a 4 wheel drive to avoid damaging your suspension on every journey.</li> </ul>	<p>Refer to points 1,4,5,10 &amp; 13 of officer's comments</p> <p>The levy is based upon a diesel vehicle regardless of the amount of use.</p>



	<p>* Petition the government to penalise non environmentally friendly cars with higher road tax. oh hang on a minute .. they already do!</p> <p>* Penalise local businesses that use Diesel transport.</p> <p>I don't hold out much hope of common sense prevailing from Labour but I would like clear, direct, and concise answers to the following please;</p> <ol style="list-style-type: none"> <li>1. Why are you breaking your election pledge.</li> <li>2. Why do you think it is logical to penalise hard working white van man that can't afford a house with a drive way while ignoring a rich man with a fleet of diesel cars and a large driveway. Hardly seems in line with you socialist rhetoric.</li> <li>3. Are you going to ensure that all revenue raised is used for environmental protection without reducing the existing budget.</li> <li>4. Why don't you tackle the real cause of diesel pollution in Merton which is black cabs and buses.</li> </ol>	
<p>128</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 173</p>	<p>This is a cynical, unilateral revenue increase proposal which, logically, has little to do with environmental protection and blatantly and unashamedly penalises those who have legitimately followed Government advice to drive diesel vehicles and just happen to hold residents parking permit versus those who don't have permits (by far the greater number) and it is LBM who have chosen which areas have resident parking and those who have not; so it is also completely arbitrary. The lack of logic and fairness is demonstrated by the following points:</p> <ul style="list-style-type: none"> <li>• Cars do not pollute by being parked, only by being driven, yet the levy is on parking not driving. If a vehicle leaves the borough for the majority of its driving life the pollution is not in Merton, so when did Merton become the conscience of the UK or wider world?</li> <li>• This is a flat rate, not graduated, so smaller vehicles are charged the same rate as larger ones which is both unfair and penalises disproportionately. I assume the administrative effort in determining a graduated levy would not be cost effective in raising additional revenue, which is what this is all about.</li> <li>• Many motorists bought their diesel car when they were encouraged by government a few years ago to do so through tax breaks etc. diesels then being considered greener than petrol vehicles. However, the scientific thinking has now changed but many people haven't switched cars as recognised by Government and maybe better technology in particulate capture will make this levy obsolete anyway.</li> <li>• Will those driving through Merton be charged as they are polluting as much as, or more than, resident permit holders? Of course they won't because they are a more difficult target.</li> <li>• Cars parked in non-controlled zones or on private land cause the same pollution as those in Residents' Parking Zones; but they will not be subject to this levy, which seems unfair and will certainly reduce the effectiveness of the levy, if a proportion of those who have permits decide against renewing them and parking on their drive instead of in</li> </ul>	<p>Refer to points 1,2,3,5,6 &amp; 10 of officer's comments</p>

	<p>controlled bays adjacent to their residence</p> <ul style="list-style-type: none"> <li>• If Merton wish to tax diesel vehicles they should ask DVLA to add a Tax to all diesel vehicles registered in the borough, but that would also be undemocratic as it would penalise LBM resident compared with all other LA's in the country and this, in effect, is a Governmental issue not a local issue</li> <li>• The net result of this proposal is likely to be a reduction in resident parking revenues, not pollution; as this undemocratic, disproportional and ill-considered proposal will undoubtedly result in current permit holders finding alternative parking arrangements on their own property. If that involves paving front gardens then this will also reduce green space.</li> </ul> <p>If Merton wish to tax diesel vehicles they should ask DVLA to add a Tax to all diesel vehicles registered in the borough, but that would also be undemocratic as it would penalise LBM resident compared with all other LA's in the country and make Merton less desirable to live in; as will this proposed levy. This whole proposal is an ill thought out revenue capture mechanism, will be ineffective in reducing pollution in the short and medium term and will most probably reduce resident parking income for Merton in the short and long term.</p>	
129	<p>I believe the current proposals to introduce a diesel parking permit is unfair. Serially governments have stoked demand for diesel cars by reducing rates of company car tax for diesel vehicles. Both this and the reduced diesel fuel duty were introduced to encourage drivers into diesels for their lower CO2 emissions. While I understand recently, the ongoing emissions scandal has brought the negative effects of NOx emissions into the public eye. The tax breaks, which were introduced by Gordon Brown and helped to bolster diesel sales considerably, are now being recognised as a mistake, given the harmful properties of NOx, even with the reduced CO2 levels taken into consideration. I believe manufacturing and sales should change and thereby bring about the required changes more fairly.</p>	Refer to points 1 & 2 of officer's comments
130	<p>I have been told that Merton Council intends to impose an increase in parking permits for owners of diesel vehicles, effective from April.</p> <p>The purpose of my e-mail is to elicit if there is to be any formal notification &amp; consultation process with those of us potentially affected?</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones. The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> </ul>

		<ul style="list-style-type: none"> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul>
131	<p>It is now well established that air pollution is a major cause of premature death. In particular, in London it leads in the region of 9000 premature deaths every year [1]. The main causes are</p> <ul style="list-style-type: none"> <li>- oxides of nitrogen (NOx ) which leads to asthma and lung infections and so to about 5,900 premature deaths in London of which there are about 140 in Merton each year [1].</li> <li>- small particulates (PM2.5 and PM10) which leads to asthma, impaired lung function, cardiovascular mortality and so to about 3,500 premature deaths in London of which there are about 80 in Merton each year [1].</li> </ul> <p>By far the main local source of both these are exhausts from diesel vehicles. Petrol cars emit very little of these pollutants, see [3] page 31.</p> <p>To put it in perspective, the yearly death toll in London due to air pollution is equivalent to a poorly controlled outbreak of ebola, as happened in Sierra Leone. Alternatively, the death toll is equivalent to having a major terrorist attack several times a week.</p> <p>Another way to view the matter is that air pollution leads to more than 7% of all premature deaths in Merton. In contrast your risk of dying on a given trip by plane is about 0.00001 %.</p> <p>Of course it is true that people who brought diesel cars in the distant past benefitted from a subsidy, however, it is now clear that diesel vehicles are causing massive loss of life, as well as many hospital admissions. Is it reasonable to stand by and do nothing, or should we not accept responsibility for our own actions and help our neighbors and perhaps even ourselves.</p> <p>In view of the above comments I strongly support the actions of Merton Council to discourage the use of diesel cars.</p> <p>References: Some reliable sources of the above information are</p> <p>[1] H. Walton, D. Dajnak, S. Beevers, M. Williams, P. Watkiss and A. Hunt, Understanding the Health Impacts of Air Pollution in London written for Transport for London and the Greater London Authority.</p> <p><a href="http://www.kcl.ac.uk/lsm/research/divisions/aes/research/ERG/researchprojects/HIAinLondonKingsReport14072015final.pdf">http://www.kcl.ac.uk/lsm/research/divisions/aes/research/ERG/researchprojects/HIAinLondonKingsReport14072015final.pdf</a></p>	Refer to point 1 of officer's comments

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	<p>[2] K. Kelly and J. Fusell, Air pollution and public health: emergin hazards and improved understanding of risk, Environ Geochem Health 2015 37: 631.</p> <p><a href="http://link.springer.com/article/10.1007/s10653-015-9720-1?wt_mc=email.event.1">http://link.springer.com/article/10.1007/s10653-015-9720-1?wt_mc=email.event.1</a>. SEM.ArticleAuthorAssignedToIssue1</p> <p>[3] Department for Environment Food and Rural Affairs, Improving air quality in the UK, tackling nitrogen dioxide in our towns and cities, December 2015,</p> <p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/486636/aq-plan-2015-overview-document.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/486636/aq-plan-2015-overview-document.pdf</a></p>	
132	<p>This tax is deeply unfair. Owners of diesel cars purchased them as they were viewed as more environmentally friendly. Now this thinking is viewed as incorrect, the prices of these vehicles have plummeted.</p> <p>To further compound this loss, the council wishes to further penalise us with a tax which bears no reflection as to the amount of pollution a vehicle causes. Our car is never used during the week, and drives very few miles in Wimbledon. A heavily polluting bus or delivery vehicle goes untaxed, as does an identical vehicle parked off street.</p> <p>If you need to raise more tax, please find a fairer way. for example, a permit application could be accompanied by an MOT certificate which shows how many miles have been driven in any year, and the tax applied proportionately.</p> <p>Either way this appears to be an unfair revenue raising opportunity which punishes unfortunate residents, rather than acting in our interests.</p>	Refer to points 2,5,6 & 10 of officer's comments
133	<p>Whilst I comprehend the reasons that the Cabinet has put forward for the imposition of a levy on the resident parking permit for diesel cars I object to its imposition at such short notice and would ask that it be introduced in 2017/8. It is disingenuous to say that other councils have imposed a similar levy without any indication of the amount they are charging, which I understand is usually considerably less than Merton plans to charge. I believe that the level of levy indicates that Merton is using this as a revenue raiser, which they are not allowed to do</p>	Refer to points 1,6,& 13 of officer's comments
134	<p>I am writing in connection with the Council's plan is to introduce a levy charge for all diesel vehicles that have a Resident, Business or Trade parking permit with the introduction of £150 levy phased over a 3 year period - £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20.</p> <p>My wife and I strongly object to this proposal and urge the Council to reverse the decision. We have a diesel car and were encouraged to buy it by the Government as the consensus a few years ago was that diesel cars are greener as they are much more fuel efficient than petrol cars. Government policy has not changed yet the Council is proposing to do something now that goes against what we were all encouraged to do. The proposed flat rate approach is grossly unfair as smaller more efficient vehicles will be charged the same as bigger more inefficient and dirtier vehicles.</p> <p>Also this is effectively a penalty on those residents who live in a CPZ and do not have access to private land to</p>	Refer to points 2,3,4,5 & 6 of officer's comments

	<p>park their vehicles. In the latter case neighbours with diesel cars but one of whom can park on their drive and one who does not have access to private parking will be treated differently even though they both drive diesel cars which the Council believes pollute. Also if you have a diesel car but do not live in a CPZ you will escape the levy. Again this is very inconsistent and unfair. For these reasons we object to the proposal.</p>	
135	<p>This hasn't been thought through. The public have, over the past decade or so, been acquiring diesel vehicles on the basis of advice provided by the government. The government is now saying they got it wrong. It isn't financially feasible to change cars so quickly (how long ago was it officially declared 'wrong' to own a diesel car?), and many of the residents who the council are employed to represent won't be able to do so.</p> <p>It seems to me that rather than charging those who took the advice provided, the government should probably be providing financial assistance to those who were wrongly advised in the first place to make switching to a more environmentally friendly alternative a possibility.</p> <p>Whilst I accept this might not be realistic, I do NOT accept that those who have based a decision on advice provided should be penalised for erroneous advice previously provided.</p> <p>Personally, I am fortunate enough to be able to stomach this charge without seeing a significant detrimental effect to my life, but many residents won't be. I would appreciate a response explaining the "thought process" if there has been one.</p>	Refer to points 1 & 2 of officer's comments
136	<p>I feel that as the Labour Leader you are out of order with a levy on diesel re parking permits the increase is massive and affects the working class. Van drivers Mini Cabs the poor in our community that can only afford old diesel cars. Labours Mr Gordon Brown told us to buy diesel now you wish to punish us as does our new Labour Mayor. What you are doing is not fair if you reply re fumes kill people so does well done toast. Fact is so called experts wish to get taxpayers money to fund them. you are using their nonsenses to unfairly tax Residents. Parked cars do not give out fumes.</p>	Refer to points 1 & 2 of officer's comments
137	<p>Thank you for you reply. I note that you stated that the 9000 people killed by diesel fumes is an estimated figure not an actual real figure. so would you have any proof of these deaths and how many have occurred in Merton. Over 8 million people live in London. You did not address the issue of taxing the poor, van driver, mini cabs, most of which are diesel. I agree with your statement about pollution but that was all you gave a statement with no facts. If the Mayor was worried about pollution why have a new year fire work display which causes a great deal of pollution. I think you don't have answers but do try to reply.</p>	In 2013, mortality from respiratory disease accounted for 180 (rounded to nearest 10) of recorded deaths; this equates to 15% of all deaths after the age of 28 days.
138	<p>I am a resident of Merton with 2 cars, one of them being diesel and both requiring parking permits. While I fully support a shift towards renewables and electric powered cars, I feel that this fee is unfair. Cars parked in ones own drive do not incur any penalty. Also, we use our cars only for school runs and weekends. As such our annual mileage is much lower than average.</p> <p>Charging this fee not based on NOx output also seems unfair. Its also unclear whether hybrids are counted as electric? Since there are few electric options out there none of them work for us as we have a large family and</p>	Refer to points 1 & 6 of officer's comments

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	<p>require a larger car. So at this time I would petition the Council to drop this diesel levy in its current form and investigate a fairer system.</p>	
139	<p>I write as Chairman of the Raynes Park and West Barnes Residents' Association. I understand that the Council is proposing to bring in a levy on diesel vehicles as early as this April, with a levy for parking permits and business permits, that is likely to increase in future years. Please take this e-mail into account in reply to the public consultation that you are (belatedly) undertaking.</p> <p>While I understand that modern research shows that such vehicles bring health issues, there does need to be a period of time for public education and during which people are able to change vehicles, otherwise the costs to them will be inordinate. Most people change their vehicles only every three years or so, and those who have recently bought such a vehicle will be heavily penalised, given the depreciation in value. If the proposal has merit, it should be introduced over a number of years. The proposal will also hit hardest those who are less well off, as they can ill afford to change their vehicle, simply to avoid extra costs.</p> <p>Further, there seems little evidence of such bad air pollution in Merton that it is vital to introduce this scheme at such speed. I trust that the Council will defer the introduction of the scheme at this time. Please acknowledge receipt.</p>	<p>Refer to point 1 of officer's comments</p> <p>There is no evidence that this policy will impact the less well off.</p> <p>Merton has historically and continues to exceed its air quality objectives</p>
140	<p>I have only just found out about this proposal and wish to make a couple of points that I hope will help lead to a fairer implementation. I do not object to the principle of increased levies on diesel vehicles as one way to try to improve air quality. But I find the cost and the timescales for this are unjustly punitive to many people who will be simply unable to act upon this "encouragement" to move away from diesels in anything like the short timescales in which this proposal is to be introduced..</p> <p>I have a diesel vehicle. It is a company car provided to me under a 4 year lease. I have no way of changing this vehicle until the lease is expired. An extra £90 in the first year more than doubles the cost of my parking permit, rising thereafter, and I am therefore a hostage to these proposals, I have no alternative unless I either resign from my job or move house. It seems to me grossly unfair and draconian. As an aside, my commute is on public transport or bicycle already, so I, like many others, am doing what I can to contribute to a cleaner borough already.</p> <p>With your decision being made in November 2016 and an implementation date of April 2017, you are giving people little advance warning or time to make any changes before we are hit with this massive increase. How did you arrive at this rising fee structure? A starting point of 60% of the final levy seems to me to be an attempt purely at maximising the revenue you can make on this scheme in the coming financial year, rather than an equitable starting point for encouraging a long term change in behaviour and improving the air quality in the borough.</p> <p>A lower starting point, and a more gradual ramp up, would be a much fairer way of tackling the issues this is intended to address. Residents would be much more likely to actively embrace these kinds of behaviours rather than balk at the imposition of a harsh increase if this were to go ahead as it is.</p> <p>I strongly urge you to review the fee structure and the timing of this implementation before any final decision is</p>	<p>Refer to points 1 &amp; 6 of officer's comments</p>

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	made, and to publish the rationale for the existing fee proposals.	
141	<p>I am responding to the Council's three-week consultation about the imposition of a levy on people owning diesel cars who live in CPZs and do not have driveways or other off-road parking. I oppose this measure for the following reasons.</p> <ol style="list-style-type: none"> <li>1. The measure is unfairly discriminatory against a restricted class of people who live in CPZs and do not have driveways or other off-street parking. As the "Cabinet" paper dated 7 November 2016 freely admits (para 2.6) it is only those who are unfortunate to live in CPZs over whom the Council has any power to impose measures to support their vague ant-pollution policy. The discrimination is not rational and is probably unlawful.</li> <li>2. It is an abuse of legislation intended to deal with parking congestion to use it to "nudge" an arbitrarily restricted class of people towards "behaviour" which has no direct connection with parking in one particular place within the borough rather than another.</li> <li>3. As the "Cabinet" paper (2.8) concedes "it is very difficult to define at what level a levy will directly influence a motorist's behaviour". People who have bought relatively expensive diesel cars, having been encouraged to do so because they reduced CO2 emissions, will not necessarily be able to afford to replace them within a few years at the whim of the Council. Although the levy will be onerous for many people the cost of buying a new car at the Council's nudge would be disproportionately more onerous, so they will have to put up with what they will suspect to be mainly a disguised revenue-raising exercise. The phased introduction is too short and too steep.</li> </ol> <p>I would add that this inadequately justified proposal, together with the short and poorly publicised consultation, seems to be another example of the contempt of the Council for the very people whom it is supposed to serve (and who pay for it). An earlier proposal for the introduction of a CPZ in Raynes Park had to be withdrawn when it was demonstrated that the consultation had been wholly inadequate.</p> <p>Because I have only just heard of this proposal I make this submission at a very late stage in the consultation period, just before its expiry. Please acknowledge receipt of this submission.</p>	Refer to points 1,5 & 6 of officer's comments
142	I am writing in support of the proposals for a diesel levy that funds incentives for reduction in local air-pollution.	Refer to point 13 of officer's comments
143	<p>Re. Diesel Levy - As a residents of this Borough, we would like to ask Merton Council to re-consider its decision to introduce a levy on certain categories of deisel-powered car owners. Actions in favour of clean air are of course wholly supported for both human health and the environment at large. The manner in which Merton Council is seeking to bring this about in the present scheme is unfortunately:</p> <ol style="list-style-type: none"> <li>1. Unfairly discriminatory in several ways and</li> <li>2. The intended improvement to clean air appears to be minimal.</li> </ol> <p>Specifically:</p>	Refer to points 1,2,3,5,6 & 10 of officer's comments

Unfairly discriminatory -

a) Within the Borough

It is unjustified to impose charges only on those diesel vehicles having a Residents', Business or Trade parking permit. Why is this?

If a levy is introduced, it should be on all diesel vehicles and their owners across the Borough.

a) How does the Council intend to capture a levy from diesel vehicles in transit through the Borough?

b) Higher levy cost compared to other Boroughs outside

Official sources indicate that Merton Council has pegged the levy rates relatively high compared to other Boroughs. Why is this? Again, if a levy is introduced, it should be done evenly across all districts on a national scale

c) Euro 6 emission standard vehicles

Car manufacturers now produce new diesel vehicles conforming to the Euro 6 standard. Has Merton Council considered the low level of NOx emission from these new vehicles? Their NOx level of modern diesel compares well with that for petrol-powered vehicles. This penalises excessively those who drive low polluting diesel vehicles. The levy does not reflect the differences between types of diesel efficiency.

d) Breach of good faith purchases

In the last few years, the government has incentivised drivers to purchase diesel vehicles through eg.lower taxation and public rhetoric. Petrol cars produce more CO emissions than diesel-fuelled vehicles and public policy focussed on this type of pollutant. Consequently, car manufacturers have greatly improved engine efficiency for diesel and diesel-powered vehicles and now, diesel vehicles consume less fuel per km. than petrol as well as producing less CO than their petrol counter-part. Vehicle owners have been encouraged over several years to purchase diesel power and done so in good faith. In a swift move, they are now penalised and it is outside most people's financial ability to purchase a different model (petrol or electric) quickly or at all, or even to support the levy.

2. Minimal effect on intended improvement of air quality

Has Merton Council considered the complex balance between NOx emission rates (the source of the diesel levy issue), CO emission rates, hydrocarbons and particulate matter and the discrepancies between fuel consumption efficiency? The picture is not at all clear that by itself, modern diesel-powered vehicles are greater air pollutants than petrol-powered cars (which still only need conform to Euro 5 for NOx emission).

What evidence is there of the individual quality type and levels of pollution reduction equation that will result?

Correspondingly, what evidence currently exists to show an overall enhancement to air quality following the specific measures the Council has decided upon?

Revision of diesel levy with regard to its measures and their process. The speed and discriminatory nature of the



	Council's vote is unfair and so partial as to limit useful findings. It appears too little consideration has been given to achieving a useful result and in the process will penalise those it has chosen to target. We urge the Council to re-think this action as part of its drive for clean air in the Borough.	
144	<p>I am writing to express my disagreement with the diesel levy that Merton Council is intending to impose on some of its residents. My objections are as follows:</p> <ul style="list-style-type: none"> <li>• It was a Labour Government that encouraged us to buy diesel cars because of their lower CO2 emissions. It is now a Labour Council that wants to punish some, but not all, of its diesel driving residents for the failure of a past Labour Government to understand the science of diesel engines. If central or local Government want to reduce the number of diesel cars on the road they should between them introduce a scrappage scheme.</li> <li>• Merton Council is seeking to levy a tax on those residents who do not have off-street parking and live in a CPZ. If the Council had a genuine desire to reduce the number of diesel cars in Merton it should devise a scheme which taxes all diesel cars registered to owners in Merton or introduce number plate recognition cameras to identify and tax those diesel car owners that actually drive in the borough rather than just park their cars in it.</li> <li>• The proposed diesel levy is just a cynical attempt to raise tax from a small segment of the population. The richest people in the borough who will live in properties with offstreet parking will not be taxed at all - where is the fairness in that? You are exempting the richest people in the borough from a tax - those are not the principles of the Labour Party.</li> <li>• If the proposed levy goes ahead you will presumably use the money so raised for the purpose of reducing vehicle emissions in the Borough.</li> </ul>	Refer to points 1,2,5 & 13 of officer's comments
145	What consideration if any has been given to diesel vehicles with emission cleansing technology that are cleaner than many petrol driven vehicles? Why are diesel vehicle owners in CPZ only being charged?	Refer to points 3 & 3 of officer's comments
146	<p>I object to the Council's proposal in administering the diesel levy through permits. My reasons for objecting include</p> <ol style="list-style-type: none"> <li>1. Cabinet decision - having read through the report which is devoid of any real justification, it states that a full consultation will be carried out to seek views of residents and stakeholders. I have been informed that no such consultation has been carried out. can it be explained as to who made the decision not to informally consult, why and where is this decision published. If this consultation was carried out, when and with whom</li> <li>2. The same report refers to a statutory obligation to consult under the Air quality Action plan. Has this been done and when. what was the outcome? If not, why not and under what authority was this decision taken.</li> <li>3. Financial implications within the report does not include cost of implementation, administration etc and above all, the income that would be generated. How much income does the Council believe this would generate. Why was this omitted from same the report. How will this be spent</li> <li>4. How exactly would this income be managed and a mere 'on air quality' does not suffice. At this stage the Council</li> </ol>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones.</p> <p>The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries,</li> </ul>

must have a plan or programme. where are these published. how would expenditure be prioritised?

5. The report does not identify discrimination against owners of diesel vehicles. I put to you that not only are you discriminating against diesel car owners but against those who reside in controlled parking zones. There are many new diesel technology that are cleaner than some old petrol vehicles. so how can it be claimed that this is linked to air quality which the Council is determined to address as a matter of urgency. I therefore surmise that you are discriminating against diesel vehicle owners who reside in a CPZ.

6. The report refers to a fee of £25 for electric vehicles. There is no where in the report or within the published decision that refers to any specific permit holder with an electric vehicle. However, I have been advised that this only applies to residents but not business permits. However, the report refers to electric vehicles and not a specific permit, unlike the Diesel levy that the report clearly spells out which specific permit it applies to. Please explain why the Council is now distinguishing between various permit holders for electric vehicles. who made this decision and why. where was this published. under what power or authority is the Council making such distinction when it was not identified within the report and cabinet decision. This is a clear discrimination against businesses and how can this be linked with your objective of improving air quality, surely a resident with an electric car has the same impact as a business with an electric car.

7. I have also learnt that the levy does not apply to all permits such as teachers permit. why is that. Teachers are commuters and they should not have a permit any way but why are they exempt?

8. The Council claims that the levy is being administered as a matter of urgency. But this is not a reasonable explanation in response to not providing diesel car owners sufficient time to change their vehicles. Many will only realise the levy when they apply for their permits either new or renewal. How can anyone consider this to be fair and unreasonable.

9. I have been advised that one person will be making a final decision. How can this be. With such a high profile and discriminatory measure, why is the decision being made behind closed doors. where is the opportunity to debate and challenge the method of adoption and discrepancies.

10. The Council claims openness and transparency. Can you please explain what steps have been taken to demonstrate this statement

I look forward to a comprehensive explanation to the points I have raised. I do hope that I am not fogged off with a generic standard response.

I do appreciate that this representation is a few days late and wish for its consideration regardless. Reason for lateness is that I only just learned of the consultation

leisure centres and at Merton Link

- Via all ward councillors
- Via all known resident and business associations
- Via local radio station
- Via social media including several press releases

The consultation to introduce the diesel levy is separate to the Air Quality Action Plan, the levy is introduced as one of the measures that has been put forward as part of this plan; there is a duty to consult on the overall action plan which will be available for consultation in March. The AQAP would not be a mechanism to override the statutory obligation or as a method of overturning the levy.

Also refer to points 1, 3, 5, 12 & 13 of officer's comments

The Council will be introducing a reduction of £40 to Trade and Business permits with electric vehicles

The Council will be applying the levy to Teachers permits

The levy applies to applications from resident and businesses whose addresses are within Controlled Parking Zones

The decision to introduce this levy has been through Cabinet, Scrutiny and was 'called in' and at every stage it has

		been open to discussion and debate.
147	<p>I've just been told by my neighbour about this proposed levy as I have a Diesel car. This was news to me so I am disappointed the council did not write to me about this proposal. You did when you proposed changes to the CPZ a few years ago but strangely not for this issue. Please add my name to any list of those not in favour of the levy,</p> <p>My car is legal, passes all emission standards set by the Government and I do very few miles each year. How will taxing the residents of Merton with a parking permit levy change the air quality?. Will you be monitoring this? Have you studied who drives down Wimbledon Broadway i.e. permit holders vrs others, i doubt it. How will you manage non-Merton Diesel traffic?</p> <p>I'm sure you have heard these points and more before but if Diesel is that bad the Government should be managing this issue. This proposed levy is discriminatory. I think the council should be trying to improve traffic flow around the borough to reduce the amount of standing vehicles to minimize the impact of non-permit holding diesel traffic</p>	Refer to points 4,6 & 10 of officer's comments
148	<p>It is grossly unfair to attack diesel car owners who have bought their cars in response to recommendations from Government when they said diesel cars were less polluting than petrol cars. In any case most of the pollution comes from buses and lorries not cars. The same 'experts' who are saying diesel cars are causing the pollution are the same 'experts' who recommended the Government to push diesel vehicles. Why should we believe them now? You are just jumping on the a very unfair bandwagon in order to make money.</p>	Refer to point 2 of officer's comments
149	<p><u>The introduction of a diesel levy for all types of resident and business parking permits</u></p> <p>I refer to the "consultation" on the above matter which closed on the 3rd February 2017. Following my contact with the Council officials I was advised that my views would be considered if submitted by the 15th February 2017. The views expressed are not exhaustive given the time available to me.</p> <p>Addressing the issue of poor air quality is probably one of the most important factors within the modern age so it with great regret that I cannot support this proposal. I have outlined the reasons below.</p> <p>1) The has been no meaningful consultation regarding the introduction of this scheme. I only found out about this report after the close of the consultation. If you are going to raise parking permits by £90 to £150 it is only reasonable to contact those who face this charge and ask their opinion directly. If you were raising the council tax by this sort of amount a referendum would be needed. The issue of appropriate consultation has apparently been raised by the Overview and Scrutiny Committee who took the view that " there is need for officers to give further consideration to how the diesel levy is going to be communicated; members expressed their concern about residents not being given sufficient notice (of at least a year) so they have a chance to change their behaviour before the levy is imposed". These views do not appear to have been taken into account. No time has been allowed for alternative arrangements to be made.</p> <p>2) The consultants note that " The scheme would benefit from additional public engagement prior to implementation to ensure that permit holders understand the justification for changes in the</p>	<p>Given the size and extent of the consultation area, it would have been unfeasible to do a newsletter drop to all properties within all CPZ zones.</p> <p>The statutory consultation was communicated from January 2017 by using the following methods :</p> <ul style="list-style-type: none"> <li>• On the council's website</li> <li>• Advertised in the Local Guardian and the London Gazette newspapers</li> <li>• Via leaflets and posters at libraries, leisure centres and at Merton Link</li> <li>• Via all ward councillors</li> <li>• Via all known resident and business associations</li> </ul>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 184</p>	<p>permit costs and are fully aware of the available opportunities for reducing emissions and minimising the personal impact of the levy" (Technical Report paragraph 3.3.3 ). This has not been carried out which in my view makes the whole scheme bereft of any legitimacy.</p> <p>3) This is a retrospective tax. People made their choices on information available at the time and are now being penalised even though they may have acted on the best available knowledge. It would be much more reasonable to introduce a scaled charge for new applicants.</p> <p>4) The scheme is crude. It is quite easy to determine emissions banding and charge accordingly. There should be a link between the amount charged, the age of the vehicle and the pollution produced.</p> <p>5) The scheme focuses wholly on those within CPZ. This is manifestly unfair. Many of those in CPZ live where they live because they are in easy reach of sustainable transport systems which they use regularly. They are therefore being penalised for doing the right thing. Those who live father from public transport are more likely to drive and therefore emit pollution more regularly. To miss these people out of the scheme is divisive and nonsensical. I find this approach most disconcerting as there is effectively no alternative in terms of infrastructure i.e. electric vehicle charging points and therefore no alternative apart from a petrol vehicle. Who is to say that a similar emissions scandal will not affect petrol cars in the future?</p> <p>6) The research is report is incomplete stating " It is very difficult to define at what level a levy will directly influence a motorists behaviour as this decision is based upon a number of personal factors including, but not limited to; age of the vehicle, time of renewal, personal preference, family makeup and fuel economy." The suggested pricing structure is therefore arbitrary and not related to emissions at all.</p> <p>Given these points I invite the Council to reconsider the scheme taking forward the alternative option outlined in paragraph 3.2 i.e. " Adoption of a more thorough and complete emissions system taking into consideration petrol vehicles". Furthermore it is suggested that this is taken forward with full and detailed consultation with those affected. Note that I will be continuing my discussions regarding the consultation process for this report with your officers. Also, whilst I am happy for my comments to go into the public domain I require my name and address redacted.</p>	<ul style="list-style-type: none"> <li>• Via local radio station</li> <li>• Via social media including several press releases</li> </ul> <p>Also refer to points 1,2,3,4,&amp; 5 of officer's comments</p>
<p>150</p>	<p><u>Revision to parking fees for diesel vehicles</u></p> <p>I object to the proposed parking levy on all diesel vehicles. I am not the owner of a diesel car but I have a neighbour, who is very conscientious about air pollution, and changed his petrol car for a diesel model a few years ago on the government assurance that it was less polluting. Not only will he be penalised for following this government recommendation but he will find it more difficult to sell his car and replace it with a petrol or electric model and a parking levy will not help.</p> <p>Instead of being penalised he should now be offered compensation for having followed this false advice.</p> <p>Electric cars are now being recommended as being environmentally friendly, How long will it take the government to</p>	<p>Refer to point 2 of officer's comments</p> <p>Electric vehicles are charged through the normal electrical infrastructure which does not impact upon local street pollution, the main concern with regards air quality. We are aware that this pollution is off set but it does reduce local toxic pollutants caused by traffic.</p>

realise that the pollution level of a car depends not on its engine but upon the power supply used to charge its batteries. Is an electric car that is charged from a gas or oil fired power station environmentally friendly? How can you ensure that electric cars can only be recharged from wind farms or solar panels?	
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**Officer's response- point of reference to common themes raised within representations:**

**1. Timing of the charge and the consultation.**

The issue of poor air quality in London is now considered a priority; it has been described as a public health crisis by both the Mayor of London and in the Houses of Parliament as a Public Health Emergency. The government has also been successfully legally challenged by ClientEarth for failing to adhere to our air quality targets. As a result of this challenge all tiers of government are being challenged as to what steps they are taking to assist in improving air quality.

This has all given greater importance to air quality over the past year. Air quality is a health concern for our residents, visitors and particularly vulnerable groups, such as children and those suffering respiratory illnesses.

It is not simply a matter for central government to address, but all local and regional authorities to play their part, even if this includes difficult and controversial decisions. It is not an option to simply wait to introduce measures if the council is aware it is failing in its duties.

**2. The previous promotion of diesel by Government.**

It is true that in order to help reduce carbon emissions (CO<sub>2</sub>) successive central governments, and to a certain extent, local government did incentivise the use of diesel cars. It is now clear that this has had a significant impact on local toxic air pollution levels and even though it was previously incentivised, we cannot ignore the current health situation or the present move away from these types of vehicles.

Merton's current residential parking schemes are not linked to carbon emissions and did not incentivise diesel. However, in a situation which has been described as a public health crisis the council must use the mechanisms available to help tackle this problem. More recent scientific evidence has shown the significant contribution that diesel vehicles make to poor air quality. This is in addition to the well publicised difference between manufacturers reported and 'real life' emissions

### 3. **The reason for including all diesel vehicles.**

In the face of concerns over poor air quality the council decided to explore the residents parking permits system as a way of trying to influence a move away from more polluting vehicles. This is something well established in other boroughs.

Merton's original report proposed an emission based system which looked at all types of vehicles. However, throughout this process it was very clear that diesel cars were highlighted as those that were significantly more polluting.

It was decided that initially any new emissions charging system would focus specifically on the most polluting vehicles. It was also decided that this policy and its effectiveness would be carefully reviewed over the next two years. This review would also consider expanding the emissions charges to including other types of vehicle.

Whilst there is significant investment in the infrastructure required to incentivise electric vehicles there is a need to be pragmatic and phase this process in over a period of time.

As part of the review the removal of certain diesel vehicles which under certain Euro classifications purported to be less polluting was carefully considered. However, following the emission cheating scandal and in the light of the recent Department of Transport report, this clearly shows that even modern diesel vehicles produce on average 6 times the tested emissions when driven under real world scenarios, therefore there was a lack of confidence that these vehicles were cleaner.

There is a current move to introduce 'real world testing' of vehicles, when this is established the Council will consider reviewing the vehicle types subject to the charge.

### 4. **The 2 year review of the Levy**

As with any new charging mechanisms a local Authority is only able to make assumptions about their impact and how this will translate to the real world. To assess the impact of the new emissions levy the Council will look carefully at a number of areas including, but not limited to;

- the change in vehicles types associated with the CPZ's;
- impact on parking outside the CPZ's;
- any changes to off-road parking; and
- the reduction in emissions at the tailpipe.

Merton also intends to look at a wider more holistic emissions charging system that will potentially capture all types of vehicles including petrol, hybrids and electric.

## 5. The reason we are only applying this to parking permits in the CPZ's

The local authority has very few powers or regulatory controls it can use to try to change driver behaviour. The use of an emissions based parking system is the most significant. As legislation changes and the introduction of initiatives such as Clean Air Zones are promoted, the Council will consider using these to help in tackling other vehicles as they pass through the borough.

## 6. The level of charge including permit costs

Many boroughs operate a well-established emissions based resident parking system. In addition to these established charges, some local authorities have added an additional charge specifically aimed at diesel vehicles in recognition of their impact on poor air quality. Therefore, what would seem to be a high charge is not in relative terms when considering the overall cost of the permit.

London Borough of Merton has frozen the prices of all parking permits including resident, business, and trade parking permits and reduced visitor permits since 2010.

The levy fees for diesel vehicles will be phased over three years; this is equivalent of £1.73 per week for the first year, £2.21 per week for the second year and £2.88 per week for the third year. The first resident permit charge is £65, the 2nd resident permit charge is £110 and all subsequent resident permits are £140. The diesel levy will apply on top of the basic cost dependent on designation and if the resident permit is an initial application or renewal, see below

Permit	Initial application cost for one year	Renewal cost for one year	Initial application cost for 6 months	Renewal cost for 6 months
First residents permit	£90.00	£65.00	£57.50	£32.50
Second residents permit	£135.00	£110.00	£80.00	£55.00
Third residents permit	£165.00	£140.00	£95.00	£70.00

**7. Will this drive a change in behaviour?**

This is a nascent policy across London and therefore it is hard to evidence change in behaviour, hence Council's intention of a full review over the next 2 years. There is confidence that a levy will drive a change in behaviour and a reduction in diesel vehicles.

As well as adopting the principle of the 'polluter pays' the Council hopes that this new charge will incentivise borough residents to consider moving away from polluting vehicles, something that will be assessed within the review period.

The level of charge was debated very carefully as this should not be so low that it is simply absorbed into everyday motoring, but not too high that it is seen as 'punitive'. Consequently, the Council considers that the present level is appropriate to attempt to change behaviour.

Irrespective, any resources generated from the levy will be used for transport schemes and improvements in air quality.

**8. The principle of the polluter pays**

The 'polluters pay' principle is the commonly accepted practice that those who produce pollution should bear the costs of managing it to prevent damage to human health or the environment. This has underpinned policies and regulation for many years and should be applied to vehicles.

**9. Policy change and previous election promise.**

The Council is responding to the recent and emerging evidence regarding the impact of diesel vehicles on London and Merton roads.

**10. Tackling other vehicles in the borough e.g. buses, taxis and commercial vehicles & other initiatives**

The Council accepts that pollution in the borough is not solely due to residents in CPZ's and is aware that there is traffic passing through the borough and other residents contribute to this. There are a variety of initiatives aimed at tackling air pollution caused by freight traffic, buses and taxis, however very little legislation is in place specifically for the private car.

Given that diesel cars disproportionately contribute to poor air quality there is a need to address this issue through whatever mechanisms available. As other initiatives develop that will enable through traffic and other vehicles outside the CPZ's the Council will consider carefully how these can be employed to help reduce poor air quality.

It is, however, important to note that the Council has a number of programmes to tackle congestion and pollution. These include promoting healthier streets by improving cycling and walking provisions; improve public transport, car clubs, electric vehicle charging points, travel plans, parking management, works coordination, new developments etc.



The Mayor of London's ambition is to make London a zero carbon city by 2050. As a local authority Merton will be following Mayor of London's lead in improving air quality and consider initiatives such as the Toxicity charge which targets older and higher polluting diesel and petrol vehicles.

Merton will continue to work in partnership with TfL to implement other initiatives as

- Phasing out purchasing diesel buses by 2018
- Introduction of hybrids and electric buses
- Retrofit scheme outside central London by 2020

As of 2018 all new black taxis must be zero emission capable and given that these vehicles cannot be older than 8 years, the phasing of existing air polluters is inevitable.

#### **11. What action is being taken to manage the Council fleet?**

Merton's current fleet consists of 185 vehicles, of which the majority are currently diesel powered. The Council is in the process of reviewing the current use of vehicles across the Authority, and as part of that process is looking at the most appropriate fuel for each vehicle and task, with a view to moving away from diesel towards low emission and ultra low emission vehicles. To date a pool car has already been replaced with an electric vehicle and this programme will be expanded over the next 2 to 4 years. There are some vehicles where currently there is no viable alternative to the diesel engine. These are gradually being replaced with the latest low emissions engines (currently Euro 6). The Council will continue to monitor the development of new technologies and will look to adopt these where they prove suitable.

#### **12. Air Quality Action Plan**

There are thousands of deaths a year in London caused by poor air quality. The Council must take responsibility for the health of its residents including vulnerable groups such as those with existing breathing difficulties, the young and the elderly on which poor air quality will impact the most .

The Council has declared the whole borough as an Air Quality Management Area and, as such, has a legal duty to take action to tackle poor air quality. By not addressing this issue the Council could be viewed as failing to discharge its statutory obligations.

The Council is reviewing all of the measures that it can take as a local authority to address this problem, one of which is to incentivise those with parking permits away from the more polluting vehicles, in the same way as other authorities have. The Council will continue to review how it can influence all vehicles in the borough e.g. through non-residential parking, Clear Air Zones or lobbying GLA / TfL for cleaner public transport.

The Council is currently developing a new Air Quality Action Plan which will cover many of the measures, including anti idling legislation that the Council can take locally through planning and transport to deliver better air quality. It is hoped that this will be available for general consultation in March 2017.

**13. What will revenue be used for**

By law, any revenue generated from parking must be spent on transport related schemes. These include but are not limited to, traffic management and control schemes, road and infrastructure schemes and Concessionary Fares.

The Council is currently drafting a new Air Quality Action Plan which will contain the measures that a local authority can take to address poor air quality, this includes:

- improved monitoring arrangements
- borough fleet actions
- localised solutions
- delivery and freight servicing
- emissions control through the planning agenda
- cleaner transport and awareness campaigns.

**14. Consultation**

An informal consultation has not been carried out as the Council believes that the harm from poor air quality requires urgent attention and it is a statutory obligation for the Council to act. The statutory consultation has been carried out and given the level of representations received, it can be considered that the Council has succeeded in engaging with its residents.

To create a sustainable change in behaviour, the Council will be applying the levy incrementally over a 3 year period which it believes will allow sufficient time for residents to act. That is to say that the full charge of £150 levy will not be applied upon the first year of its introduction.

## Appendix B

### PETITION FROM COUNCILLOR HOLDEN – 165 SIGNATURES

#### Extract from SW19 website

Many residents' shock that Merton Labour will shortly be slapping a new tax on some diesel vehicle owners is entirely understandable. The council has done its very best not to publicise these plans until the eleventh hour.

Indeed the Labour administration even ignored the advice of its own consultants in deciding not to consult with residents on the potential impact of this levy BEFORE deciding to implement it. They are only consulting now because they are legally obliged to in order to amend all the traffic management orders.

By voting through an increase to the cost of parking permits for the owners of diesel vehicles in CPZs, Labour councillors have broken yet another of their 2014 election promises. Far from freezing the cost of permits until 2018, Merton's new levy will be considerably higher than other London boroughs leading to concerns this is predominantly a revenue-raising measure. Conservatives challenged this decision at a 'call in' meeting held last month. Of course we appreciate the need to reduce air pollution in the borough and support the principle that the polluter should pay. However, Merton Labour's proposal to hike up costs for diesel vehicles is a blunt instrument designed mainly to plug their own budget gap. There is little evidence it will actually help improve Merton's air quality and no guarantee that the extra money raised will be used for environmental or anti-pollution measures.

What it will do is unfairly penalise diesel vehicle owners - particularly in the west of the borough where the majority of CPZs are located - regardless of how much they actually drive their cars. Perversely it will hit hardest those on lower incomes who can't necessarily afford to upgrade their cars and also risks encouraging residents to concrete over front gardens to create more off street parking. By rushing this in very little notice, Labour councillors are once again treating captive residents as a cash cow to cover up their own financial mismanagement. That's why we have set up a petition to urge the administration to re-think its policy. I encourage all concerned residents to sign up at [www.surveymonkey.co.uk/r/mertondieseltax](http://www.surveymonkey.co.uk/r/mertondieseltax)

#### Survey Monkey Petition Prayer

We, as residents of Merton, petition the Council:

To abandon plans to introduce a Diesel Levy in April 2017, which is a punitive and unfair tax that entraps innocent residents in CPZ's who have no access to off-street parking and never envisaged such a change to the terms of the parking permits.

We think the Council should concentrate their efforts on other more effective methods to reduce air pollution in the Borough, and, to honour their 2014 pledge to not increase the cost of parking in Merton."

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## **Committee: Sustainable Communities Overview & Scrutiny Panel**

**Date: 15 March 2017**

Wards: All

### **Subject: Merton Adult Learning Commissioning Progress Report**

Lead officer: Anthony Hopkins – Head of Library, Heritage and Adult Education Service

Lead member: Councillor Nick Draper – Cabinet Member for Community and Culture

Contact officer: Anthony Hopkins

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#### **Recommendations:**

- A. That the Sustainable Communities Overview & Scrutiny Panel note progress made with the establishment of the new commissioning model for adult learning and discuss progress made over this and the last academic year.
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. The London Borough of Merton is committed to providing high quality and sustainable adult learning in order to improve the social, economic, health and wellbeing of our residents. This report outlines the work that has been undertaken following the Cabinet decision of 16 February 2016 to move forward with a commissioning approach to delivering adult learning in the borough and the strategic aims that were agreed on 19 September 2016.
- 1.2. The report also provides the Scrutiny Panel with a review of the performance of the last year of the service as a direct provider and term one performance with the new commissioning model. It also provides a summary of the last Ofsted inspection and work being undertaken in order to improve outcomes.

## **2 DETAILS**

### **Adult Learning Strategy**

- 2.1. The London Borough of Merton is committed to providing high quality and sustainable adult learning in order to improve the social, economic, health and wellbeing of our residents. We will deliver this through a strategic investment approach: commissioning provision to the best providers in the field and by developing sophisticated evidence based approaches to what we deliver.
- 2.2. We aim to reduce inequalities across the borough by focussing a significant proportion of our investment on those most socially and / or economically disadvantaged whilst providing a broad range of learning opportunities to develop all of our resident's skills.
- 2.3. Underpinning this strategy is the commitment to adult learning in Merton as set out in Cabinet's commissioning principles, along with the requirements of our funders and regulators such as the Skills Funding Agency (SFA) and Ofsted, and the understanding of current and future needs of residents.

2.4. Adult learning in Merton will:

- Embed an evidence based approach to strategic commissioning to ensure the fullest return on investment to meet our social, economic and health objectives.
- Continue to provide popular courses whilst expanding provision and providing courses for families.
- Increase the proportion of learners attending accredited and / or vocational courses.
- Increase the quality and number of courses in employability, maths and English and ensure that a thread of employability and life skills is weaved into all courses where appropriate.
- Provide targeted courses for adults to improve literacy and / or numeracy skills to enable learners to participate more fully socially and / or economically.
- Improve the range of courses for learners with learning difficulties and / or disabilities to enable them to live as independently as possible.
- Tailor the learning journey for all learners from beginning to end so that they progress onto new opportunities.
- Develop a new apprenticeship programme that increases the number of adults into employment.

2.5. Underpinning our strategic aims are the following key principles for adult learning:

- Provide a broad range of accredited and non-credited courses to meet market demand and based on evidence and intelligence of future needs.
- An increased focus on Customer Relationship Management (CRM) to understand, target and track the delivery of our services to different parts of the population to ensure the widest reach of adult education.
- Ensure all courses (apart from some apprenticeship opportunities) are delivered in the borough.
- Be delivered in an inclusive and welcoming environment in high quality venues that are easy for people to access.
- Ensure the safeguarding of all our learners.
- Embed appropriate assessment and selection processes to ensure that participants meet course criteria and progress appropriately following course completion.
- Learn from, and contribute to, best practice around the country in the field of adult learning and actively seek to embrace new approaches.

- Improve the quality of teaching provision and develop enhanced systems to manage quality and improve feedback from our learners.
- Learner outcomes will be tracked to monitor the effectiveness of courses against our strategic objectives with ILP's (independent learning plans) and / or RARPA (recognising and recording progress and achievement) embedded amongst all learners.
- Clear pathways will be established, recorded and monitored to enable progression of learners onto new courses, employment opportunities and / or improved health and wellbeing as appropriate.
- Market our services to the community through a variety of different methods and ensure a strong thread of localism is embedded into our course offer.

### **Lot 1 – Main Services**

- 2.6. Lot 1 accounts for approximately 80% of the adult learning provision in Merton and focusses on accredited and functional skills development with a particular focus on core skills such as English and Maths. This lot also includes the vast proportion of community learning and vocational courses.
- 2.7. The provision is delivered by South Thames College with the vast proportion of their courses delivered at their Merton Campus. 350 courses are planned to be delivered and term one performance is summarised under section 3.
- 2.8. The Merton Campus has excellent facilities and has enabled the provision to develop a new course offer including more vocational options, such as hairdressing, barbering, counselling, community interpreting and more literacy and numeracy options. This continues to be reviewed and South Thames College have recently undertaken a marketing campaign to increase enrolment numbers.

### **Lots 2 and 5 – Employability and Family Learning**

- 2.9. Both of these lots have been awarded to Groundwork London who are delivering a range of courses in community venues predominantly in the east of the borough. Courses planned include employability courses with partner organisations, drugs awareness, keeping up with the kids, paediatric first aid and getting ready for nursery.
- 2.10. Numbers have not quite achieved targets set so far and Groundwork London has plans in place in order to significantly increase numbers in the next few months.

### **Lot 3 – Learners with Learning Difficulties and / or Disabilities (LLDD)**

- 2.11. The provider who was due to manage the provision withdrew in July 2016. As a result the provision is being delivered in house at community venues such as Pollards Hill Library and at the Merton Vision Guardian Centre. These arrangements remain under review. Significant work was undertaken to ensure that there was no disruption to the provision with a better variety of courses developed and courses starting as usual.

- 2.12. Ofsted highlighted concerns about this provision in their last inspection and in particular around learner progression and the level of engagement in classes. Significant work has been undertaken in order to improve the provision including developing a new curriculum; improving partnership work with key agencies; more appropriate placement of learners on courses; better objective setting and progression tracking for learners.
- 2.13. On top of the published provision a short term contract is in place with the Baked Bean Company to deliver new and additional LLDD courses in this academic year.

#### **Lot 4 - Apprenticeships**

- 2.14. The Merton Adult Learning team is working with the London Borough of Wandsworth to develop a new apprenticeship offer for Merton residents and employers. It is currently engaging with key stakeholders to develop opportunities and to ensure that the provision complements the current offer.

### **3 PERFORMANCE**

- 3.1. Robust contract and performance recording mechanisms have been established with performance measures embedded into quality management processes and contracts.
- 3.2. The new key performance indicators (KPI's) and a summary of performance for this academic year and the previous year is summarised below. Where figures are not available it is either because the figures are not recorded until the end of the academic year or they were not recorded prior to the commissioning model being established. Year to date (YTD) figures are for term one (September to December).

#### **1. Number of unique learners per annum (i.e. regardless of number of courses / modules)**

	<b>General Provision (STC)</b>	<b>Employ (GWL)</b>	<b>Family Learning (GWL)</b>	<b>LLDD</b>	<b>TOTAL</b>
<b>2016/17 (YTD)</b>	777	5	31	84	<b>887</b>
<b>2015/16 (YTD)</b>	1162	0	75	156	<b>1368</b>
<b>2015/16 (Full Year)</b>	1711	0	151	157	<b>1983</b>

#### **2. Number of new learners per annum (not registered as learner in previous year)**

	<b>General Provision (STC)</b>	<b>Employ (GWL)</b>	<b>Family Learning (GWL)</b>	<b>LLDD</b>	<b>TOTAL</b>
<b>2016/17 (YTD)</b>	450	5	23	9	<b>487</b>
<b>2015/16 (YTD)</b>	541	0	55	43	<b>624</b>
<b>2015/16 (Full Year)</b>	1032	0	117	44	<b>1172</b>



### 3. Number of completers (% retention rate per annum)

	General Provision (STC)	Employ (GWL)	Family Learning (GWL)	LLDD	TOTAL
2016/17 (YTD)					Results at year end
2015/16 (YTD)					Results at year end
2015/16 (Full Year)	97.58%	0	100%	99.57%	97.84%

### 4. % overall success rate of accredited courses per annum

	General Provision (STC)	Employ (GWL)	Family Learning (GWL)	LLDD	TOTAL
2016/17 (YTD)					Results at year end
2015/16 (YTD)					Results at year end
2015/16 (Full Year)	82.63%	Not applicable	Not applicable	Not applicable	82.63%

### 5. % of end of course evaluations where teaching and learning is rated as good or above

	General Provision (STC)	Employ (GWL)	Family Learning (GWL)	LLDD	TOTAL
2016/17 (YTD)	99%	Pending	Pending	98%	99%
2015/16 (YTD)	Not available	Not applicable	Not available	Not available	Not available
2015/16 (Full Year)	Not available	Not applicable	Not available	Not available	98%

### 6. % of learners from deprived wards

	General Provision (STC)	Employ (GWL)	Family Learning (GWL)	LLDD	TOTAL
2016/17 (YTD)	21.88%	100.00%	83.87%	29.76%	25.48%
2015/16 (YTD)	23.67%	Not applicable	69.33%	33.33%	26.61%
2015/16 (Full Year)	24.25%	Not applicable	66.89%	33.76%	27.58%

### 7. Value for money: average cost per learner

	General Provision (STC)	Employ (GWL)	Family Learning (GWL)	LLDD	TOTAL
2016/17 (YTD)					Results at year end

<b>2015/16 (YTD)</b>					<b>Results at year end</b>
<b>2015/16 (Full Year)</b>	Not available	Not available	Not available	Not available	<b>£381.46</b>

3.3. The KPI's show that generally YTD performance is slightly below the previous year but is expected to improve. A considerable amount of work was undertaken by the Commissioning Team and the providers to establish the new systems and many of the teething issues have now been resolved. For all parts of the provision an increased offer in terms two and three is in place and should ensure that performance either meets or exceeds the last academic year.

3.4. **Evidence Base**

3.5. Traditionally adult learning provision has been based on the feedback and knowledge of our tutors and curriculum heads to develop next year's curriculum on a cyclical basis. Whilst this input will still remain crucial, we will take a longer term strategic approach to course planning to identify future trends and underpin this by making better use of community information and data.

3.6. The evidence that we will use to inform our strategic thinking includes:

- (i) Community profile information including socio-economic data.
- (ii) Information on the current provision including attendance numbers, achievement and future demand.
- (iii) Government direction and the steer of our funders and inspectors.

3.7. **Ofsted**

3.8. Merton Adult Education was subject to an Ofsted inspection in November 2015. Each area of assessment including the overall assessment was rated as "requires improvement" although some areas of good practice were noted.

3.9. The report highlighted as a strength the Council's approach to commissioning and the consultation processes in particular. Many of the issues identified by the inspectors have been picked up and are reflected in the strategic aims and service planning. This includes the need for improved progression for LLDD students and the need to rebalance the accredited and non-accredited provision.

3.10. Other areas for development include better setting of learning targets/outcomes, better evaluation of learning and teaching and higher levels of achievement. New quality monitoring processes are in place with an increased number of teaching observations and learning walks.

3.11. A monitoring visit by an Ofsted officer in December 2016 noted progress made with the provision since their last visit and key areas for development before the next inspection are:

- Continue to work with staff and subcontracted partners to ensure that the progress and achievement of learners on non-accredited courses is consistently recorded to a high standard.

- Continue to develop the curriculum so that it builds the employability skills that learners need.
- Develop a more proactive approach to preventing extremism, radicalisation and promoting British values to learners.

### 3.12. **Self Assessment Report (SAR)**

3.13. The annual SAR for the service was published in January 2017 and provides a summary of performance for the last academic year. Termly SAR's are also completed and the first term summary for the new commissioning model covers the following items:

- Effective collaborative working between the providers and the Council has resulted in a strong provision in the first term at South Thames College, but a slow start with Groundwork London.
- Significant work has been undertaken to improve the LLDD provision, including improving attendance and progress tracking, embedding employability and literacy and numeracy and providing additional CPD and support for staff.
- The Council has provided strong leadership in contract management to ensure that the courses fit the needs of Merton and its strategy to improve the skills and wellbeing of its adult learners.
- Data is used effectively to monitor the provision, along with contract meetings, quality visits and a shared observation framework.
- There are an insufficient number of courses held away from the main South Thames College campus in community venues, which would attract hard to reach learners. Outreach actions are in place and progress is expected in term two. All Groundwork London and LLDD courses are in venues in the east of the borough.
- Accommodation at South Thames College is of a very high quality and community venues used are fit for purpose and have been used effectively.
- Learners enjoy their lessons and attend regularly. Evaluations shows that learners rate highly the level of teaching on their courses and would recommend Merton adult learning to family and friends. Feedback on LLDD courses has been positive.
- Providers are successfully attracting more learners from BAME groups at 55% (STC) and 84% (GWL) than in previous years, when the figure was 53%, against the overall resident population figure for Merton of 35%.

## 4 CONSULTATION UNDERTAKEN OR PROPOSED

### 4.1. Advisory Panel

4.2. An Advisory Panel has been established to ensure that there is input from key stake holders and an independent assessment of the effectiveness of the service is undertaken with new opportunities identified. The Advisory Panel comprises of the Cabinet member and senior Council officers, representatives from the business and voluntary sectors and adult learning providers.

### 4.3. Learner Feedback

4.4. An annual Learner Survey is conducted between February and April to seek input from learners on all aspects of the courses they attend. Results of this academic year's survey are expected in the summer.

4.5. Feedback is collected for all courses and learners are requested to complete an end of course evaluation. Of end of course evaluations completed so far the feedback shows that satisfaction levels are high:

	<b>Yes</b>	<b>No</b>	<b>No answer</b>
I felt safe when I carried out activities for this course	<b>97%</b>	<b>0%</b>	<b>3%</b>
I feel more confident	<b>95%</b>	<b>2%</b>	<b>3%</b>
My health and/or wellbeing has improved	<b>82%</b>	<b>9%</b>	<b>9%</b>
I feel I have more social interaction with people	<b>84%</b>	<b>8%</b>	<b>8%</b>
I have improved my skills for work or volunteering	<b>75%</b>	<b>12%</b>	<b>13%</b>
I would recommend Merton adult learning to a friend / family	<b>92%</b>	<b>2%</b>	<b>6%</b>

4.6. Examples of learner comments recorded from term one are:

- *“I have really enjoyed my first term and surprised myself with what I have achieved.”*
- *“I look forward to my course every week. I am always learning and gaining inspiration.”*
- *“I really liked this course because it helped me to improve my skills and be more confident to relate with others. At the beginning I set some goals with my tutor and achieved all of them.”*
- *“Great course to help my career and to understand what my skills are to help match that with potential career opportunities.”*
- *“This course has taught me personal growth and development.”*

4.7. Feedback is also sought through learning walks and teaching observations. Only 5 complaints have been received regarding the new provision and mainly focused on issues with the enrolment process and initial marketing

with South Thames College. These matters have been addressed with the provider and improvements have been put in place.

## **5 TIMETABLE**

- 5.1. The Adult Learning Service Plan 2017/18 outlines all key projects to be delivered and was presented to the Sustainable Communities Overview & Scrutiny Panel on 12 January 2017.

## **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. Merton's adult learning service relies on funding from the Skills Funding Agency (SFA), which is awarded on an annual basis. As a result of government cuts to the Skills Funding Agency (SFA) adult education budgets in Merton have reduced over the last 5 years and future reductions are likely. By 2019 the SFA will be abolished with funding allocated and dispersed by London's LEAP (Local Enterprise Partnership). Local Area Reviews (LAR's) have been completed for adult and community education have provided recommendations on how funding should be dispersed for London.
- 6.2. The adult education budget (which is made up of non-apprenticeship adult skills, community learning and discretionary learner support funding) is allocated as a block grant for the 2016 to 2017 academic year. The adult education budget is issued in two parts:
  - (i) Adult education block grant - £1,345,317
  - (ii) Adult apprenticeships - £28,486
- 6.3. In the last year as a full in house provider (2015/16) the service reported an overspend of £249,191. In 2016/17 the old model is forecasting to overspend by £549,106. The overspend costs are split over two financial years to reflect that adult learning budgets are assigned by the SFA to academic years. With the new contracts and working arrangements in place future spend is expected to be cost neutral and updates will continue to be provided through financial monitoring reports.
- 6.4. The Council's management fee (i.e. commissioning costs) is set at 20% and will be reduced to 15% for the following year's allocation. The 20% figure for the first year is based on any residual expenditure linked to the transfer to the new commissioned model.
- 6.5. The adult education provision at Whatley Avenue closed at the end of July and work is underway to refurbish the site ready for use as a temporary secondary school site. All of the provision previously delivered at the Whatley Avenue site has been transferred to other venues in Merton and as detailed elsewhere in this report.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. The main statutory basis for the adult education service is section 15B of the Education Act 1996. This section empowers local authorities to secure the

provision for their area of full-time or part-time education suitable to the requirements of persons who have attained the age of 19, including provision for persons from other areas. It includes power to secure the provision of training, including vocational, social, physical and recreational training, and of organised leisure time occupation which is provided in connection with the provision of education or training. The authority may do anything which appears to them to be necessary or expedient for the purposes of or in connection with the exercise of their functions under this section. In exercising their functions, the authority must in particular have regard to the needs of persons with learning difficulties or disabilities.

- 7.2. The authority does not therefore have a statutory duty to maintain an adult education service but must in considering whether to provide a service and what service to provide take account in particular of the needs of people with learning difficulties or disabilities.
- 7.3. Statutory guidance is in place for participation of young people in education, employment or training to ensure secure, sufficient and suitable education and training provision for those aged up to age 25 with a learning difficulty assessment (LDA) or Education, Health and Care (ECH) plan in their area. This guidance is applicable to a small number of adult education learners.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. The strategic aims of the adult learning service include improving community cohesion and in particular to support those in highest need to improve their life chances. Courses are increasingly focussed on improving employability and the health and wellbeing of our residents.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None identified.

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. No specific issues identified in this report. A risk register is maintained for projects detailed in the Merton Adult Learning Service Plan.

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

None included.

## **Committee: Sustainable Communities Scrutiny Panel**

**Date: 15th March 2017**

Wards: All

### **Subject: Update on proposals for the expansion of the Environmental Health, Trading Standards & Licensing Shared Service (Pre-Decision Scrutiny)**

Lead officer: Chris Lee, Director for Environment & Regeneration

Lead member: Councillor Nick Draper, Cabinet Member for Community & Culture (and Existing Chair of Joint Regulatory Services Committee) & Councillor Ross Garrod, Cabinet Member for Street Cleanliness and Parking

Contact officer: John Hill, Assistant Director, Public Protection; Paul Foster, Head of the Regulatory Services Partnership

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#### **Recommendation:**

- A. Members to discuss and comment on the proposal for an expanded shared regulatory service including Merton, Richmond upon Thames and Wandsworth councils.

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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. This report provides an update on current negotiations between the Regulatory Services Partnership (Merton & Richmond) and the London Borough of Wandsworth to expand the shared regulatory service to include Wandsworth as a new partner.

## **2 DETAILS**

- 2.1. Since 2014, the shared regulatory service (Regulatory Services Partnership – RSP) has delivered shared regulatory services<sup>1</sup> on behalf of Merton and Richmond councils. It has been successful to-date, particularly in terms of meeting its agreed objectives, delivering all savings targets to-date, increasing the skill base of and enhancing career opportunities for its staff and achieving greater service resilience particularly at times of major events / incidents.

- 2.2. On 1<sup>st</sup> October 2016, Wandsworth and Richmond councils established a shared staffing arrangement and at the same time, approached Merton with a view to joining the shared regulatory service.

Since that time, Wandsworth officers have been attending, solely in an observatory capacity, regular meetings of the RSP Joint Regulatory Committee and Management Board. In addition, the Wandsworth Cabinet Member for Community Services, Councillor Jonathan Cook, has also

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<sup>1</sup> Environmental Health (Food Safety; Pollution Control including air quality and Noise, Health & Safety at Work), Trading Standards & Licensing

attended, again in an observatory capacity, meetings of the Joint Regulatory Committee. A Programme Board of officers comprising the RSP and Wandsworth has also been set up to oversee this work.

- 2.3. An interim project manager has been appointed and jointly funded by the three boroughs to develop a business case for Wandsworth joining the RSP. An Outline Business Case has already been produced and submitted to Members in Merton, Richmond and Wandsworth for their consideration. Should Members agree to Wandsworth joining the partnership it is likely that the tri-borough service would go live in April 2018.
- 2.4. The business case recommends that it would be advantageous to all three boroughs if Wandsworth joined the Partnership. The principal benefits are seen as:
- Greater ability to delivery efficiency cost savings through removing duplications and economies of scale;
  - Increased capacity for income growth by developing specialist and added value services, as well as delivering the essential statutory functions of regulatory services;
  - Redesigned services with increased capacity to better meet changing customer needs, ensuring a more secure, resilient and sustainable service;
  - Increased ability for staff to work across different organisations that span from inner to outer London, learn from others, enhancing career opportunities with access to a wider range of specialist professional expertise;
  - Provides opportunity to create a shared regulatory service that is able to grow and deliver services on behalf of other organisations
- 2.5. The business case recommends that the new service should be:
- ‘Commercially-led with a functional regulatory services’ option which maximises net savings and return on investment whilst offering a resilient structure with the flexibility to respond to emergencies;
  - That the service is hosted by one authority (Merton) and all relevant service staff are transferred so as to be under one management structure, so that a formal re-organisation can take place;
  - A single body (joint committee) is formed to provide governance and that all regulatory powers are delegated to that body. It should be noted that legal responsibility for licensing would still have to stay with each council as this cannot be delegated.
- 2.6. From the initial work carried out in the business case, it is apparent that:



- The different services delivering regulatory services across the three councils have, in general more in common in terms of working practices, focus, and aspirations than they have differences.
- Although the councils have organised their staff in different ways, it appears that, with some local variations, the priorities of the services are very similar. They are all enforcing the same regulations and attempting to achieve the same outcome e.g. a safer environment.
- It is anticipated that service levels and demographics will be different in each borough although these differences can be accommodated in the shared service within a service level agreement (SLA). Any additional services that are required in the future, in addition to the baseline position, will be accommodated through a 'top-up' to the borough SLAs through the Inter Authority Agreement (IAA).

2.7. In order to deliver the savings required of the shared service, there is a need to adopt flexible and mobile working patterns. This way of working has to be supported by the implementation of appropriate shared information and communications technology (ICT) platforms and hand held technology. Without this in place, the potential financial and non-financial benefits will not be fully realised. In the first instance this does not necessarily require investment in mobile technology but this will support efficiency gains in the longer-term. More fundamental to the delivery of the shared service will be:

- A common ICT platform across the expanded shared service; and
- ICT systems accessible from different locations to enable the establishment of touchdown and contact points.

2.8. There is the potential for one-off ICT costs to develop a shared ICT platform which if agreed would be shared between the three boroughs. There is currently an opportunity to bring together the different strands of work currently being undertaken separately by all three councils to upgrade or replace their existing systems.

2.9. The accommodation model that naturally follows from the recommended service delivery model and flexible way of working is that of a 'Hub and spoke' arrangement. The majority of back office and support staff would be located within centralised offices, probably at Merton Civic Centre in Morden with local presence of some frontline staff operating in touch down spaces in each of the Boroughs.

- In regulatory services, frontline staff are predominately field based and need to be close to their customer base and minimise travel time.
- Senior stakeholders, including Councillors have expressed their desire to see some local presence of frontline staff within their boroughs
- The opportunity cost of office space at Morden is considerably lower than in Wandsworth or Twickenham.

### **3 IMPLEMENTATION**

- 3.1. If the proposal is approved, the Programme Board, already established, should take responsibility for the delivery of the transition and implementation of the shared service. This work will commence at the point that agreement is given by all three Councils and will provide support to carry out the following tasks:
- Develop a detailed implementation plan and provide programme management support;
  - Establish all of the governance arrangements;
  - Develop the Inter Authority Agreement;
  - Handle TUPE issues and transfer of staff to the 'host authority';
  - Set up all financial arrangements including base cost, recharges and arrangements for sharing of cost savings
- 3.2. The high level implementation plan in the Outline Business Case articulates the roadmap for developing and delivering the Target Operating Model for the shared regulatory service and realising the benefits of change. It is structured around nine distinct work streams:
1. HR and Training;
  2. Finance;
  3. ICT;
  4. Data Gathering, Management and Sharing;
  5. Assets and Property;
  6. Organisational Design / Service Delivery;
  7. Policies, Processes and Procedures;
  8. Legal and Governance; and
  9. Communication, Marketing and Stakeholder Engagement;
- 3.3. Establishing a collaborative service model across three organisations will always be challenging, from technical, cultural and change management perspectives. The proposed plan therefore incorporates a phased approach to implementation that is assumed to be delivered over 9 - 12 months.
- 3.4. The first significant milestone in the implementation will be the development of detailed and costed new organisation structure chart and roles and responsibilities. Once this is drafted, this will enable formal staff consultations to commence.
- 3.5. A phased approach to the implementation will be undertaken commencing with the transition of officers in management positions to their new roles. This initial phase of restructuring will enable a more effective transition process leading up to the transfer date of all other staff. The appointed Head of the Shared Service and management team will be in a position to drive the implementation process through the nine work streams that will run simultaneously throughout the implementation process and will deliver key

business changes that are fundamental to the successful delivery of the expanded shared regulatory service.

#### **4 GOVERNANCE**

4.1. The business case provides an evaluation of a number of service governance options and recommends that a Joint Shared Regulatory Services Committee of elected Councillors be established.

4.2. The Committee would have delegated responsibility for strategic decisions and policy direction across the three boroughs. Key responsibilities would include:

- preparing and agreeing a detailed work programme in accordance with an Approved Business Plan;
- overseeing the implementation of the agreed work programme;
- overall responsibility for monitoring delivery against the Approved Business Plan;
- identifying the need for specific projects or tasks to be undertaken;
- identifying business development opportunities.

4.3. To ensure that the risk is shared proportionally between the three Authorities and that the Host Authority is not unduly advantaged or disadvantaged in the delivery model:

- The expanded shared service will be accountable to the joint committee on which each of the three participating councils will be represented.
- A management board, comprising of senior officers from each of the participating councils oversee operational management of the expanded shared service and support the joint committee in strategic decision making.
- Decisions of the joint committee will be subject to scrutiny by each of the three participating councils.
- It is recommended joint and forward planning (including financial planning) be introduced to inform and manage the work plans and budgets of the shared service. This will allow better resource management of limited resources and members will know when key priorities will be discussed and delivered. It will also enable the joint committee to agree a joint efficiency target with the participating councils rather than trying to react to individual council targets.
- Regulatory services will be delivered by the host employing authority on behalf of the three participating authorities under the terms of an Inter Authority (Collaboration) Agreement between them.
- Licensing decisions and decisions to proceed with legal action will remain the responsibility of the relevant sovereign participating Council as required by statute.

4.4. A Scheme of Delegation should be drawn up and the appropriate changes made to the Councils' Constitutions.

## **5 INTER AUTHORITY COLLABORATION AGREEMENT**

5.1. If the Councils decide to proceed with the proposal it will be necessary for the Councils to conclude a formal agreement, sometimes referred to as an Inter Authority Collaboration Agreement. This agreement will specify how the three boroughs will work together and will define the appropriate service levels for their respective boroughs.

5.2. The key terms of such an agreement are likely to include:

- the extent of the matters to be delegated to the Joint Committee, and any delegations to officers in the shared service;
- the constitutional set up of the Joint Committee and its terms of reference;
- which Council is to be the Host Authority, detail the services to be provided by the Host Authority and what indemnities the Host would seek from the other authorities in respect of carrying out its role;
- The governance and performance management arrangements including how the councils' scrutiny and audit functions interact with these arrangements;
- the terms of reference and membership of the Officer Management Board;
- The duration of the agreement and the termination and exit provisions;
- the structure of the shared service, staffing proposals and pensions
- the financial management arrangements including joint and forward financial planning and how these integrate with the councils' budget planning processes;
- how costs are to be shared amongst the authorities (the cost allocation methodology);
- The scope and specification of the services delivered and flexibility to absorb any variations between the three councils in meeting local priorities and requirements;
- provision to address matters such as disputes, variations, data protection and freedom of information;
- Arrangements for how other boroughs are able to join the shared service

## **6 ALTERNATIVE OPTIONS**

6.1. Wandsworth decides not to join the RSP and continue to deliver Regulatory Services to its residents and businesses.

6.2. Wandsworth decides to commission the service from a different organisation.

6.3. Wandsworth decides not to join the RSP and collaborates with Richmond to create an alternative shared service.

## **7 CONSULTATION UNDERTAKEN OR PROPOSED**

- 7.1. A range of senior stakeholders were engaged with and provided valuable input during the investigative and design phases of the programme.
- 7.2. Staff and Unions will be fully consulted on any proposed changes to roles, responsibilities, reporting lines or any aspect of their terms and conditions.
- 7.3. Officers and Members will be consulted on any proposed changes to the Collaboration Agreement.

## **8 TIMETABLE**

- 8.1. The development, agreement and formal approval of the Business Case is targeted for completion by 12<sup>th</sup> July 2017. Members should refer to the detailed timetable set out as part of Appendix 2 of this report.
- 8.2. Should Wandsworth decide to join the RSP, the implementation of the agreed arrangements (including formal consultation with staff and Unions) will be carried out during 2017/18.

## **9 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 9.1. All three councils are facing significant reductions in central Government funding over the next few years. It is therefore essential that the Councils review all possible areas to see where expenditure reductions can be met.
- 9.2. An initial high level financial modelling indicates that the creation of an expanded shared service can be expected to deliver in total up to £980 thousand net annual savings by year 3. Depending on the cost allocation model agreed, this will result in efficiency savings of up to £290 thousand per year for both Merton and Richmond upon Thames. Further detailed work is required to develop, agree and cost the new organisational structure as well as validating the assumptions made.
- 9.3. In order to deliver these efficiencies, there will need to be an initial investment in the service to cover the costs of new ICT and mobile working systems, legal services, programme and transition management and potential redundancies.
- 9.4. The business case provides an evaluation of a number of cost allocation methodologies that could be applied to a shared service. It recommends that a budgeted rate mechanism be implemented based on a hybrid service line allocation that reflects the distribution of use of these services by each shared service partner.
- 9.5. If a borough wanted to include a level of service over and above the agreed base level that could be dealt with by a top up from that Borough and built into the relevant service level agreements. The same principles would apply if a borough wanted to reduce the level of service provision.
- 9.6. It is proposed that the shared service functions would be delivered from a mix of customer-facing "satellite" offices located in each council area and from a centrally located office, probably at Merton Civic Centre. The 'satellite' locations will be established at Wandsworth and Richmond to provide customer-facing services on a local basis and also to provide work spaces for employees of the shared service to work from. Additional office

accommodation will be required at Merton Civic Centre for the central team of officers who will manage and administrate the shared service.

- 9.7. Changes in working practices enabled by ICT investment will reduce the overall requirement for office accommodation for the service over time.

## **10 LEGAL AND STATUTORY IMPLICATIONS**

- 10.1. If Wandsworth do decide the join the RSP:
- The proposed arrangements will need to be approved by all three councils and the appropriate committee papers are currently being drafted;
  - Wandsworth will need to delegate its regulatory services powers to Merton and the joint committee;
  - Wandsworth will need to nominate members to join the joint committee;
  - A new Collaboration Agreement will need to be drafted and signed by all three Boroughs;
- 10.2. Affected staff will be subject of TUPE to Merton as the Host Authority

## **11 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 11.1. There are important human resource and employment relation implications associated with the implementation of the expanded shared regulatory service. This will require a clear communication and engagement strategy with staff and trade unions from across the three local authorities.
- 11.2. The proposals are based on an exercise that will involve the initial transfer of Wandsworth employees to the host employer (Merton Council) under the provisions of a TUPE like transfer. This will provide the opportunity for a new service to be built around the skills and expertise of a combined workforce. The contractual terms and conditions of staff will be protected at the point of transfer under the provisions of TUPE.
- 11.3. The ongoing benefits of the new shared service will then be realised through the remodelling of the service as a result of a management of change exercise. The proposed new service model will provide the platform for a more resilient service going forward whilst being better able to accommodate the reduction in staffing levels that will be needed by the individual authorities in the absence of this collaborative project.
- 11.4. The consultation requirements as part of the initial transfer are set out in the TUPE Regulations and will need to be undertaken by both the transferor authority and the transferee 'host' authority. The consultation process in relation to the remodelling exercise will be based on good practice 'management of change' principles and will adhere to prescribed legal requirements. Staff will be consulted on the changes proposed and opportunities provided to apply for positions within the new structure, as part of the restructuring process and to retain necessary skills and experience.

**12 CRIME AND DISORDER IMPLICATIONS**

12.1. None for the purposes of this report

**13 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

13.1. None for the purposes of this report

**14 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix1 – Equality Analysis
- Appendix 2 – Approval Timetable
- Outline Business Case – EXEMPT (distributed to Panel members by email)

**15 BACKGROUND PAPERS**

15.1. None for the purposes of this report

# Appendix 1

## Equality Analysis

**E&R 14 – Further expansion of the service**

What are the proposals being assessed?	E&R 14 – Further expansion of the service
Which Department/ Division has the responsibility for this?	Environment & Regeneration – Public Protection Division

<b>Stage 1: Overview</b>	
Name and job title of lead officer	Paul Foster, Head of the Regulatory Services Partnership
What are the aims, objectives and desired outcomes of your proposal? (Also explain proposals e.g. reduction/removal of service, deletion of posts, changing criteria etc)	To expand the current shared regulatory service to reduce costs, increase resilience and share expertise.
How does this contribute to the council's corporate priorities?	Improved efficiency and income maximisation, the promotion of partnership working.
Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc.	Staff, service users, stakeholders and existing and future partners.
Is the responsibility shared with another department, authority or organisation? If so, who are the partners and who has overall responsibility?	The Regulatory Services Partnership currently shares its service with the London Borough of Richmond and we are currently in negotiations with the LB Wandsworth who are interested in joining the partnership.



## Stage 2: Collecting evidence/ data

### What evidence have you considered as part of this assessment?

Provide details of the information you have reviewed to determine the impact your proposal would have on the protected characteristics (equality groups).

We have co-funded an interim project manager to assess the business case of LB Wandsworth joining the partnership.

## Stage 3: Assessing impact and analysis

From the evidence you have considered, what areas of concern have you identified regarding the potential negative and positive impact on one or more protected characteristics (equality groups)?

Protected characteristic (equality group)	Tick which applies		Tick which applies		Reason Briefly explain what positive or negative impact has been identified
	Positive impact		Potential negative impact		
	Yes	No	Yes	No	
Age		✓		✓	
Disability		✓		✓	
Gender Reassignment		✓		✓	
Marriage and Civil Partnership		✓		✓	
Pregnancy and Maternity		✓		✓	
Race		✓		✓	

Religion/ belief		✓		✓	
Sex (Gender)		✓		✓	
Sexual orientation		✓		✓	
Socio-economic status		✓		✓	

**Equality Analysis Improvement Action Plan template – Making adjustments for negative impact**

This action plan should be completed after the analysis and should outline action(s) to be taken to mitigate the potential negative impact identified (expanding on information provided in Section 7 above).

Negative impact/ gap in information identified in the Equality Analysis	Action required to mitigate	HOW WILL YOU KNOW THIS IS ACHIEVED? E.G. PERFORMANCE MEASURE/ TARGET)	By when	Existing or additional resources?	Lead Officer	Action added to divisional/ team plan?
Not applicable						
Not applicable						
Not applicable						

**Note that the full impact of the decision may only be known after the proposals have been implemented; therefore it is important the effective monitoring is in place to assess the impact.**

**Stage 4: Conclusion of the Equality Analysis**

Which of the following statements best describe the outcome of the EA (Tick one box only)

Please refer to the guidance for carrying out Equality Impact Assessments is available on the intranet for further information about these outcomes and what they mean for your proposal

OUTCOME 1

OUTCOME 2

OUTCOME 3

OUTCOME 4

**Stage 5: Sign off by Director/ Head of Service**

<b>Assessment completed by</b>	Paul Foster, Head of the Regulatory Services Partnership	<b>Signature:</b> <i>Paul Foster</i>	<b>Date:</b> 26/01/2017
<b>Improvement action plan signed off by Director/ Head of Service</b>	John Hill, Assistant Director, Public Protection Division	<b>Signature:</b>	<b>Date:</b>

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## Performance Monitoring Report – Sustainable Communities – January 2017

Dept.	PI Code & Description	Polarity	January 2017					YTD Result	Annual YTD Target	YTD Status
			Value	Target	Status	Short Trend	Long Trend			
Housing Needs & Enabling	CRP 061 / SP 036 No. of households in temporary accommodation	Low	193	225				184.8	225	
	CRP 062 / SP 035 No. of homelessness preventions	High	387	375				387	375	
	SP 037 Highest No. of families in Bed and Breakfast accommodation during the year	Low	2	10				5	10	
	SP 038 Highest No. of adults in Bed and Breakfast accommodation	Low	3	10				2.9	10	
Libraries	CRP 059 / SP 008 No. of people accessing the library by borrowing an item or using a peoples network terminal at least once in the previous 12 months	High	72,128	56,000				72,128	56,000	
	CRP 060 / SP 009 No. of visitors accessing the library service on line	High	191,100	165,880				191,100	165,880	
	SP 279 % Self-service usage for stock transactions	High	96%	96%				96%	96%	
	SP 280 No. of active volunteers in libraries (Rolling 12 Month)	High	312	210				312	210	
	SP 282 Partnership numbers	High	62	30				62	30	
	SP 287 Maintain Library Income	High	£309,672	£258,000				£309,672	£258,000	

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## Environment & Regeneration January 2017 dashboard

### Public Protection performance report

PI Code & Description	Jan 2017					YTD Result	Annual YTD Target	YTD Status
	Value	Target	Status	Short Trend	Long Trend			
<b>Parking</b>								
CRP 044 Parking services estimated revenue (Monthly)	1,703,887	1,594,813				12,836,711	13,951,830	
SP 127 % Parking permits issued within 5 working days (Monthly)	95%	90%				94.4%	90%	
SP 258 Sickness- No of days per FTE from snapshot report (parking) (Monthly)	1.96	0.75				16.22	7.5	
SP 397 % Cases won at PATAS (Monthly)	56.92%	54%				58.87%	54%	
SP 398 % Cases lost at PATAS (Monthly)	33.85%	21%				23.25%	21%	
SP 399 % Cases where council does not contest at PATAS (Monthly)	9.23%	25%				17.92%	25%	
SP 417 % Public Spaces CCTV cameras working (Monthly)	98.95%	95%				97.96%	95%	
<b>Regulatory Services</b>								
SP 041 % Service requests replied to in 5 working days (Regulatory Services) (Monthly)	97.1%	95%				95.33%	95%	
SP 042 Income generation by Regulatory Services (Monthly)	£18,970	£15,000				£337,064	£333,380	
SP 111 No. of underage sales test purchases (Quarterly)	Quarterly measure					88	71	
SP 255 % licensing apps. determined within 21 days (Quarterly)	Quarterly measure					98.33%	96%	
SP 316 % Inspection category A,B & C food premises (annual)	Annual measure					NMTP	97	
SP 418 Annual average amount of Nitrogen Dioxide per m3 (Annual)	Annual measure					NMTP	40	
SP 419 Days Nitrogen Dioxide levels exceed 200 micrograms per m3 (Quarterly)	Quarterly measure					19	54	
SP 420 Annual average amount of Particulates per m3 (Annual)	Annual measure					NMTP	40	

PI Code & Description	Jan 2017					YTD Result	Annual YTD Target	YTD Status
	Value	Target	Status	Short Trend	Long Trend			
SP 421 Days particulate levels exceed 50 micrograms per m3 (Quarterly)	Quarterly measure					5	26	
SP 422 % Food premises rated 2* or below (Quarterly)	Quarterly measure					9.87%	15%	

## Streetscene and waste performance

PI Code & Description	Jan 2017					YTD Result	Annual YTD Target	YTD Status
	Value	Target	Status	Short Trend	Long Trend			
<b>Waste Services</b>								
SP 047 / SP 068 No. of refuse collections including recycling and kitchen waste missed per 100,000 (Monthly)	51.90	50.00				50.00	50.00	
SP 064 % Residents satisfied with refuse collection (annual)	Annual measure					NMTP	72%	
SP 065 % Household waste recycled and composted (Monthly)	33.75%	38%				36.02%	38%	
SP 066 Residual waste kg per household (Monthly)	51.78	48				479.72	480	
SP 067 % Municipal solid waste sent to landfill (waste management & commercial waste) (Monthly)	64%	59%				58%	59%	
SP 071 Days lost from sickness per FTE from snapshot report (waste mgmt) (Monthly)	2.2	1.16				20.32	11.6	
SP 262 % Residents satisfied with recycling facilities (annual)	Annual measure					NMTP	73%	
SP 354 Total waste arising per households (KGs) (Monthly)	78.16	75				749.85	750	
<b>Street Cleaning</b>								
CRP 048 % of sites surveyed on local street inspections for litter that are below standard (Monthly)	9.29%	8%				9.49%	8%	
CRP 049 / SP 059 No. of fly tips reported in streets and parks (Monthly)	264	300				2,596	3,000	
SP 058 % Sites surveyed on street inspections for litter (using NI195 system) that are below standard (KBT) (Quarterly)	Quarterly measure					8.94%	9%	
SP 061 Days lost through sickness per FTE from snapshot report (street cleaning) (Monthly)	0.76	1.16				8.24	11.6	

PI Code & Description	Jan 2017					YTD Result	Annual YTD Target	YTD Status
	Value	Target	Status	Short Trend	Long Trend			
SP 062 % Sites surveyed below standard for graffiti (Quarterly)	Quarterly measure					4.69%	5.5%	
SP 063 % Sites surveyed below standard for flyposting (Quarterly)	Quarterly measure					1.46%	1%	
SP 139 % Sites surveyed below standard for weeds (Quarterly)	Quarterly measure					9.8%	13%	
SP 140 % Sites surveyed below standard for Detritus (Quarterly)	Not measured for Months					12.28%	14%	
SP 269 % Residents satisfied with street cleanliness (annual)	Annual measure					NMTP	56%	
SP 407 % FPN's issued that have been paid (Monthly)	68%	68%				68.2%	68%	
<b>Commercial Waste</b>								
SP 046 Total Income from commercial waste (Monthly)	£288,093	£10,000				£1,608,476	£930,500	
SP 377 % customer satisfaction with commercial waste service (annual)	Annual measure						89%	
<b>Transport</b>								
SP 135 % MOT vehicle pass rate (transport passenger fleet) (Quarterly)	Quarterly measure					96.7%	95%	
SP 136 Average % time passenger vehicles in use (transport passenger fleet) (Annual)	Annual measure					NMTP	85%	
SP 137 % User satisfaction survey (transport passenger fleet) (annual)	Annual measure					NMTP	97%	
SP 271 In-house journey that meet timescales (transport passenger fleet) (Annual)	Annual measure					NMTP	85%	
SP 355 Spot checks on contractors (Transport Commissioning) (Monthly)	0	4				35	34	
SP 393 Average sickness days per FTE from snapshot report ( transport fleet) (Monthly)	1.59	0.95				11.59	9.5	

## Sustainable Communities performance report

PI Code & Description	Jan 2017					YTD Result	Annual YTD Target	YTD Status
	Value	Target	Status	Short Trend	Long Trend			
<b>Development and Building Control</b>								
CRP 045 / SP 118 Income (Development and Building Control) (Monthly)	201,185	220,000				1,758,988	1,666,120	
CRP 051 / SP 114 % Major applications processed within 13 weeks (Monthly)	0%	55%				67.74%	55%	
CRP 052 / SP 115 % of minor planning applications determined within 8 weeks (Monthly)	80.95%	60%				67.3%	60%	
CRP 053 / SP 116 % of 'other' planning applications determined within 8 weeks (Development Control) (Monthly)	91.07%	82%				87.51%	82%	
SP 040 % Market share retained by LA (Building Control) (Monthly)	52.35%	60%				47%	60%	
SP 113 No. of enforcement cases closed (Monthly)	DNR	25	DNR			423	225	
SP 117 % appeals lost (Development & Building Control) (Quarterly)	Quarterly measure					35.48%	35%	
SP 380 No. of backlog enforcement cases (Monthly)	DNR	900	DNR			531	900	
SP 408 % of residents satisfied with planning services (annual)	Annual measure					NMTP	29%	
SP 414 Volume of planning applications (Monthly)	370	366				3,806	3,660	
<b>Leisure Development</b>								
SP 015 Income generated - Merton Active Plus activity (Monthly)	£1,024	£3,000				£50,844	£50,000	
SP 251 Income from Watersports Centre (Monthly)	£1,330	£3,450				£335,462	£358,820	
SP 314 External capital & Revenue funding £ (Quarterly)	Quarterly measure					£175,855	£75,000	
SP 325 % Residents rating Leisure & Sports facilities Good to Excellent (annual)	Annual measure					NMTP	45%	
SP 349 14 to 25 year old fitness centre participation at leisure centres (Monthly)	DNR	9,992	DNR			78,830	76,523	
SP 405 No. of Leisure Centre users (monthly)	DNR	81,449	DNR			630,112	599,842	

PI Code & Description	Jan 2017					YTD Result	Annual YTD Target	YTD Status
	Value	Target	Status	Short Trend	Long Trend			
SP 406 No. of Polka Theatre users (Quarterly)	Quarterly measure					73,650	86,916	
<b>Future Merton</b>								
SP 020 New Homes (annual)	Annual measure					NMTP	411	
SP 265 Reduce total no. killed or seriously injured in road traffic accidents (annual)	Annual measure					NMTP	45	
SP 382 New jobs created - number of apprenticeships (Annual)	Annual measure					NMTP	100	
SP 383 No. of new businesses created through the Economic Development Strategy (EDS) (Annual)	Annual measure					NMTP	300	
SP 395 No. of new jobs created through the Economic Development Strategy (EDS) (annual)	Annual measure					NMTP	600	
SP 396 % Modal increase in cycling from 2% baseline in the borough (annual)	Annual measure					NMTP	0.2%	
<b>Property Management</b>								
SP 024 % Vacancy rate of property owned by the council (Quarterly)	Quarterly measure					0.33%	3.5%	
SP 025 % Debt owed to LBM by tenants inc businesses (Quarterly)	Quarterly measure					7.57%	8%	
SP 386 Property asset valuations (annual)	Annual measure					NMTP	150	
<b>Parks</b>								
SP 026 Residents % satisfaction with parks & green spaces (annual)	Annual measure					NMTP	73%	
SP 027 Young peoples % satisfaction with parks & green spaces (annual)	Annual measure					NMTP	72	
SP 028 Total LBM cemeteries income (Monthly)	£38,895	£59,000				£440,336	£454,010	
SP 029 Total outdoor events income (Monthly)	£0	£0				£330,523	£369,440	
SP 032 No. of Green Flags (annual)	Annual measure					5	5	
SP 318 No. of outdoor events in parks (Monthly)	0	0				157	126	

PI Code & Description	Jan 2017					YTD Result	Annual YTD Target	YTD Status
	Value	Target	Status	Short Trend	Long Trend			
SP 385 Volunteer input in parks management (number of groups) (Annual)	Annual measure					NMTP	40	?
<b>Traffic and Highways</b>								
SP 260 % Streetworks inspections completed (Quarterly)	Quarterly measure					35.89%	38%	⛔
SP 327 % Emergency callouts attended within 2 hours (traffic & highways) (Monthly)	100%	100%	✓	▬	▬	100%	100%	✓
SP 328 % Streetworks permitting determined (Monthly)	99.98%	98%	✓	↑	↑	99.22%	98%	✓
SP 329 Percentage of Condition Surveys completed on time (traffic and highways) (annual)	Annual measure					NMTP	95%	?
SP 350 Percentage of jobs completed where no Fixed Penalty Notice issued (Monthly)	96.08%	93%	✓	↓	↓	96.5%	93%	✓
SP 389 Carriageway condition - unclassified roads defectiveness condition indicator (annual)	Annual measure					NMTP	19%	?
SP 390 Footway condition - defectiveness condition indicator (annual)	Annual measure					NMTP	19%	?
SP 391 Average number of days taken to repair an out of light street light (Quarterly)	Quarterly measure					2.28	3	✓

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**Committee:** Sustainable Communities Overview and Scrutiny Panel

**Date:** 15 March 2017

Agenda item:

Wards: All

**Subject:** Planning the Panel's 2017/18 work programme

Lead officer: Julia Regan, Head of Democracy Services

Lead member: Councillor Abby Jones, Chair of the Sustainable Communities Overview and Scrutiny Panel

Contact officer: Annette Wiles; annette.wiles@merton.gov.uk; 020 8545 4035

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## Recommendations:

- A. That the Panel reviews its 2016/17 work programme (set out in the appendix), identifying what worked well, what worked less well and what the Panel would like to do differently next year;
  - B. That the Panel suggests items for inclusion in the 2017/18 work programme – both agenda items and potential task group review topics;
  - C. That the Panel advises on agenda items for its meeting on 8 June 2017.
- 

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To enable the Panel to plan its work programme for the forthcoming municipal year and, in particular, to agree agenda items for the first meeting of the municipal year.

## 2. DETAILS

### Identifying issues for the 2017/18 work programme

- 2.1 At the beginning of each municipal year, each Overview and Scrutiny body determines the issues it wishes to build into its work programme for the forthcoming year. The Overview and Scrutiny bodies have specific roles relating to budget and business plan scrutiny and performance monitoring, and these should automatically be built into the work programme.
- 2.2 In addition to this, Overview and Scrutiny bodies may choose to build a work programme which involves scrutinising a range of issues through a combination of pre-decision scrutiny items, policy development reviews carried out by task groups, performance monitoring, on-going monitoring items and follow up to previous scrutiny work.
- 2.3 The remit of the Sustainable Communities Overview and Scrutiny Panel is as follows:
  - housing, including housing need, affordable housing and private sector housing;
  - environmental sustainability, including energy, waste management, parks and open spaces and the built environment;

- culture, including tourism, museums, arts, sports and leisure;
  - enterprise and skills, including regeneration, employment, adult education and libraries; and
  - transport
- 2.4 The scrutiny officers are currently gathering suggestions for issues to scrutinise, either as Panel agenda items or task group reviews. Suggestions are being sought from members of the public, councillors and partner organisations including the police, NHS and Merton Voluntary Service Council. The council's departmental management teams have been consulted in order to identify forthcoming issues on which the Panel could contribute to the policymaking process.
- 2.5 The Panel is therefore invited to suggest items for inclusion in the 2017/18 work programme – both agenda items and potential task group review topics.
- 2.6 All the suggestions received will be discussed at the Panel's topic workshop on 18 May 2017. As in previous years, participants will be asked to prioritise the suggestions using criteria so that the issues chosen relate to:
- the Council's strategic priorities;
  - services that are underperforming;
  - issues of public interest or concern; and
  - issues where scrutiny could make a difference

#### Planning the first meeting of the 2017/18 municipal year

- 2.7 A note of the workshop discussion and draft work programme will be reported to the first meeting of the Panel in the new municipal year. The Panel will be requested to discuss this draft and agree any changes that it wishes to make.
- 2.8 The Panel is asked to advise on any other items that it would be helpful to include on the agenda for its 8 June 2017 meeting.

### **3. ALTERNATIVE OPTIONS**

- 3.1 The Panel can select topics for scrutiny review and for other scrutiny work as it sees fit, taking into account views and suggestions from officers, partner organisations and the public.

### **4. CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1 To assist Members to identify and prioritise a work programme for 2017/18, the Scrutiny Team will undertake a consultation programme with Panel Members, co-opted members, members of the public, LB Merton Officers, public sector partners and Voluntary and Community Sector organisations to determine other issues/items for Members consideration for inclusion in the Panels 2017/18 work programme.

### **5. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 5.1 There are none specific to this report. Scrutiny work involves consideration of the financial, resource and property issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific financial, resource and property implications.



## **6. LEGAL AND STATUTORY IMPLICATIONS**

- 6.1 Scrutiny work involves consideration of the legal and statutory issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific legal and statutory implications.

## **7. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 7.1 It is a fundamental aim of the scrutiny process to ensure that there is full and equal access to the democratic process through public involvement and engaging with local partners in scrutiny reviews. Furthermore, the outcomes of reviews are intended to benefit all sections of the local community.

- 7.2 Scrutiny work involves consideration of the human rights, equalities and community cohesion issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific human rights, equalities and community cohesion implications.

## **8. CRIME AND DISORDER IMPLICATIONS**

- 8.1 Scrutiny work involves consideration of the crime and disorder issues relating to the topic being scrutinised.

## **9. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 9.1 There are none specific to this report. Scrutiny work involves consideration of the risk management and health and safety issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific risk management and health and safety implications.

## **10. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- 10.1 2017/18 work programme

## **11. BACKGROUND PAPERS**

- 11.1 None

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## Sustainable Communities Work Programme 2016/17

This table sets out the Sustainable Communities Panel Work Programme for 2016/17; the items listed were agreed by the Panel at its meeting on 9 June 2016. This Work Programme will be considered at every meeting of the Panel to enable it to respond to issues of concern and incorporate reviews or to comment upon pre-decision items ahead of their consideration by Cabinet/Council.

The work programme table shows items on a meeting-by-meeting basis, identifying the issue under review, the nature of the scrutiny (pre-decision, policy development, issue specific, performance monitoring, partnership related) and the intended outcomes.

**Chair:** Cllr Abby Jones

**Vice-chair:** Cllr Daniel Holden

### **Scrutiny Support**

For further information on the work programme of the Sustainable Communities Scrutiny Panel please contact: -  
Annette Wiles, Scrutiny Officer  
Tel: 020 8545 4035; Email: [annette.wiles@merton.gov.uk](mailto:annette.wiles@merton.gov.uk)

For more information about overview and scrutiny at LB Merton, please visit [www.merton.gov.uk/scrutiny](http://www.merton.gov.uk/scrutiny)

**Meeting date:** 9 June 2016 (*Deadline for papers: 12pm, 1 June 2016*)

<b>Scrutiny category</b>	<b>Item/issue</b>	<b>How</b>	<b>Lead member and/or lead officer</b>	<b>Intended outcomes</b>
<b>Scrutiny review</b>	Morden Leisure Centre	Verbal update	Christine Parsloe, Leisure and Culture Development Manager	To provide the Panel with an update on work undertaken and planned in relation to the Morden Leisure Centre development.
<b>Performance monitoring</b>	Performance Reporting	Basket of indicators plus verbal report	Chris Lee, Director Environment and Regeneration	To highlight to the Panel any items for concern where under performance is evident and to make any recommendations or request information as necessary
<b>Setting the work programme</b>	Agreeing the 2016/17 work programme	Written report	Annette Wiles, Scrutiny officer	To enable the Panel to agree the draft 2016/17 work programme
<b>Performance monitoring</b>	Circle Housing: agreeing questions for meeting on merger	Discussion	Cllr Abby Jones (Chair)	To ensure that the Panel has agreed what questions it wants Circle Housing to answer on its merger with Affinity Sutton during its

				attendance at the next meeting. This is to make sure the meeting makes best use of the time available.
<b>Pre-decision scrutiny</b>	South London Waste Partnership Phase C (LOTS 1 and 2)	Written report	Chris Lee, Director Environment and Regeneration	To provide the Panel with the opportunity to scrutinise awarding LOTS 1 and 2 as part of the South London Waste Partnership prior to going to Cabinet for decision

**Meeting date: 7 September 2016 (*Deadline for papers: 12pm, 30 August 2016*)**

<b>Scrutiny Category</b>	<b>Item/issue</b>	<b>How</b>	<b>Lead member and/or lead officer</b>	<b>Intended outcomes</b>
<b>Setting the work programme</b>	Priorities for 2016/17 – Cabinet Member for Regeneration, Environment and Housing	Verbal report	Cllr Martin Whelton	To provide an overview of portfolio priorities to establish where the Panel might focus its work programme and add value to the work of the Council
<b>Performance review</b>	Questions to Circle Housing on its merger with Affinity Sutton	Question and answer session	Cllr Abby Jones (Chair) and representatives from Circle Housing	Circle Housing is in the process of merging with another housing company (Affinity Sutton). This session will be used to focus on the merger and what effect this will have on

				Circle's residents and the quality of its customer service.
<b>Pre-decision scrutiny</b>	Diesel premium report	Written report	Chris Lee, Director of Environment and Regeneration and John Hill, Head of Public Protection	To give the Panel the opportunity to scrutinise proposals to reduce diesel emissions prior to these going to Cabinet for its decision
<b>Pre-decision scrutiny</b>	Highways maintenance contract	Written report	Chris Lee, Director of Environment and Regeneration and James McGinlay, Head of Sustainable Communities	To provide members with an opportunity to comment on the highways maintenance contract renewal and to make any recommendations to Cabinet for consideration
<b>Performance monitoring</b>	Performance reporting	Basket of indicators plus verbal report	Chris Lee, Director of Environment and Regeneration (and a representative from Community and Housing)	To highlight to the Panel any items for concern where under performance is evident and to make any recommendations or request information as necessary
<b>Scrutiny review</b>	Update on the commercialisation task group	Verbal report	Cllr Russell Makin, task group chair	To give the Panel the opportunity to consider the findings and agree the recommendations of the task group before these are taken to Cabinet for its approval

<b>Scrutiny review</b>	Scoping the task group for 2016/17 (air quality)	Written report	Annette Wile, Scrutiny Officer (supported by Stella Atinkan, Scrutiny Officer)	The Panel to consider an initial scoping for the 2016/17 task group on air quality
<b>Performance monitoring</b>	Circle Housing: agreeing questions for meeting on repairs and regeneration	Discussion (Possibly to happen outside of the meeting depending on the time available.)	Cllr Abby Jones (Chair)	To ensure that the Panel has agreed what questions it wants Circle Housing to answer on repairs and regeneration during its attendance at the next meeting. This is to make sure the meeting makes best use of the time available
<b>Setting the work programme</b>	Work programme 2016/17	Written report	Annette Wiles, Scrutiny Officer	To amend/agree the Panel's work programme and accommodate any pre-decision or other items that the Panel may wish to consider

**Meeting date:** 1 November 2016 (**Deadline for papers:** 12pm, 24 October 2016)

<b>Scrutiny Category</b>	<b>Item/issue</b>	<b>How</b>	<b>Lead member and/or lead officer</b>	<b>Intended outcomes</b>
<b>Performance review</b>	Questions to Circle Housing on repairs and regeneration	Question and answer session	Cllr Abby Jones (chair) and representatives from Circle Housing	This session will be used to focus on Circle's record on repairs and regeneration against the commitment set out in the agreement with the Council

<b>Setting the work programme</b>	Priorities for 2016/17 – Cabinet Members for Community and Culture and Cleanliness and Parking	Verbal report	Cllrs Nick Draper and Ross Garrod	To provide an overview of portfolio priorities to establish where the Panel might focus its work programme and add value to the work of the Council
<b>Pre-decision scrutiny</b>	Budget/Business Plan Scrutiny (Round 1)	Written report	Chris Lee, Director of Environment and Regeneration, Simon Williams, Director Community and Housing and Caroline Holland, Director of Corporate Services	To comment on the Council's budget proposals at phase 1
<b>Pre-decision scrutiny</b>	Planning shared service	Written report	Chris Lee, Director of Environment and Regeneration and James McGinlay, Head of Sustainable Communities	To comment on the development of a new shared service to provide planning services
<b>Performance monitoring</b>	Performance reporting	Basket of indicators plus verbal report	Chris Lee, Director of Environment and Regeneration (and a representative from Community and Housing)	To highlight to the Panel any items for concern where under performance is evident and to make any recommendations or request information as necessary



<b>Scrutiny review</b>	Draft final report of the commercialisation task group including recommendations	Written report	Cllr Russell Makin, task group chair	To give the Panel the opportunity to consider the findings and agree the recommendations of the task group before these are taken to Cabinet for its approval
<b>Setting the work programme</b>	Work Programme 2016/17	Written report	Annette Wiles, Scrutiny Officer	To amend/agree the Panel's work programme and accommodate any pre-decision or other items that the Panel may wish to consider

**Meeting date: 12 January 2017 (Deadline for papers: 12pm, 4 January 2017)**

<b>Scrutiny Category</b>	<b>Item/issue</b>	<b>How</b>	<b>Lead member and/or /lead officer</b>	<b>Intended outcomes</b>
<b>Pre decision scrutiny</b>	Budget and business plan scrutiny (round 2)	Report	Chris Lee, Director of Environment and Regeneration and James McGinlay, Head of Sustainable Communities	To comment on the budget and business plan proposals at phase 2 and make any recommendations to the Commission to consider and coordinate a response to Cabinet
<b>Performance monitoring</b>	Performance reporting	Basket of indicators plus verbal report	Chris Lee, Director of Environment and Regeneration (and a representative from Community and Housing)	To highlight to the Panel any items for concern where under performance is evident and to make any recommendations or request information as

				necessary
<b>Pre-decision scrutiny</b>	Resurgence, the collapse of the Circle group structure and ending of a local board	Written report	Simon Williams, Director of Community and Housing, and Steve Webb, Business Support and Relationship Manager, Housing Need	To allow the Panel to consider this decision and provide its comment before it is reviewed by Cabinet on 16 January 2017
<b>Scrutiny review</b>	Monitoring of the implementation of the recommendations of the housing supply task group	Written report	Steve Langley, Head of Housing Needs and Strategy, and James McGinlay, Head of Sustainable Communities	For the Panel to monitor the implementation of the recommendations it made and were accepted by Cabinet
<b>Scrutiny review</b>	Car club proposal update	Written report	Chris Chowns, Transport Planner and Projects Officer	For the Panel to monitor progress with car club provision in the borough
<b>Setting the work programme</b>	Work programme 2016/17	Written report	Annette Wiles, Scrutiny Officer	To amend/agree the Panel's work programme and accommodate any pre-decision or other items that the Panel may wish to consider

Meeting date: 22 February 2017 (**Deadline for papers: 12pm, 14 February 2017**)

Scrutiny Category	Item/issue	How	Lead member and/or lead officer	Intended outcomes
Performance monitoring	Performance reporting	Basket of indicators plus verbal report	Chris Lee, Director of Environment and Regeneration (and a representative from Community and Housing)	To highlight to the Panel any items for concern where under performance is evident and to make any recommendations or request information as necessary
Performance monitoring	ANPR and parking update report (including pavement parking and RINGO)	Written report	Chris Lee, Director of Environment and Regeneration and John Hill, Head of Public Protection	To providing the Panel with the opportunity to monitor the performance of the Council's arrangements for parking in the borough and the new ANPR system
Performance monitoring	Library and Heritage Service Annual Report	Presentation	Anthony Hopkins, Head of Library and Heritage Services	To provide the annual report on libraries service and to inform members of proposed future development of the libraries service
Performance monitoring	Town Centre regeneration update (including updates on developments ie: cycling provision)	Presentation	James McGinlay, Head of Sustainable Communities and Paul McGarry, Head of futureMerton	To provide a progress update on the delivery of the Council's town centre regeneration programme

<b>Scrutiny review</b>	Monitoring the work of the air quality task group	Written report	Cllr Imran Uddin, chair of the task group and Stella Akintan, scrutiny officer	To update the Panel on the task group's progress and to enable it to comment on the work of the task group going forward
<b>Scrutiny review</b>	Executive response and action plan – commercialisation task group	Written report	Task group chair	To provide the Panel with a response to the report and recommendations of the commercialisation task group following Cabinet consideration
<b>Setting the work programme</b>	Work programme 2016/17	Written report	Annette Wiles, Scrutiny Officer	To amend/agree the Panel's work programme and accommodate any pre-decision or other items that the Panel may wish to consider.

**Meeting date:** 15 March 2017 (**Deadline for papers:** 12pm, 7 March 2017)

<b>Scrutiny Category</b>	<b>Item/issue</b>	<b>How</b>	<b>Lead member and/lead officer</b>	<b>Intended outcomes</b>
<b>Call-in</b>	Diesel levy – statutory consultation	Written report	Chris Lee	For the Panel to subject the Cabinet Member's Traffic Management Order decision to further scrutiny.
<b>Performance monitoring</b>	Performance reporting	Basket of indicators plus verbal report	Chris Lee, Director of Environment and Regeneration (and a	To highlight to the Panel any items for concern where under

			representative from Community and Housing)	performance is evident and to make any recommendations or request information as necessary
<b>Pre-decision scrutiny</b>	Environmental health, trading standards and licensing shared services expansion	Written report	Chris Lee, Director of Environment and Regeneration and John Hill, Head of Public Protection	This is a well established and successful shared service. This will provide the opportunity for the Panel to scrutinise the service as it expands to include and additional authority
<b>Performance monitoring</b>	Merton Adult Education	Written report	Anthony Hopkins, Head of Library and Heritage Services	To give the Panel and opportunity to start to assess the performance of Merton's Adult Education now it is being delivered through an outsourced service
<b>Performance review</b>	Update report on the externalisation of the South London Waste Partnership Phase C	Verbal report	Chris Lee, Director of Environment and Regeneration and Cormac Stokes, Head of Street Scene and Waste	To provide the Panel within an update on the externalisation of services as a result of the South London Waste Partnership Phase C contract
<b>Scrutiny review</b>	Topic suggestions 2017/18	Written report	Annette Wiles, Scrutiny Officer	To seek topic suggestions from the Panel to inform discussions about the Panel's 2017/18 work programme

**A meeting of the Public Transport Liaison Committee** will be held on 10 May 2017 to address some of the issues raised by LB Merton's residents regarding public transport. Items are likely to include: Crossrail2, Drivenow floating car club, Mitcham Town Centre and on-street electric vehicle charging points.

### **Forward plan items relating to remit of the Panel**

#### **Local Authority Property Company**

Proposal to set up a wholly owned Property company to develop housing and commercial property using council owned and private sites.

**Decision due:** TBC by Cabinet

#### **Morden Leisure Centre**

To give authority to proceed with the Morden Leisure Centre project

**Decision due:** 20 March 2017 by Cabinet

To award the construction contract for the refurbishment and partial re-build of Merton Hall for Elim Church to enable a clear site for the new Harris Wimbledon Academy school.

**Decision due:** 5 June 2017 by Cabinet

#### **Admission of LB Wandsworth into the shared Regulatory Services Partnership**

Outline business case for LB Wandsworth joining the existing shared regulatory service between Merton

**Decision due:** 3 Jul 2017 by Cabinet