

**Freedom of Information Act 2000 (FOIA)**  
**Environmental Information Regulations 2004 (EIR)**  
**Decision notice**

**Date:** 18 October 2023

**Public Authority:** Transport for London  
**Address:** 5 Endeavour Square  
London E20 1JN

**Decision**

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1. The Commissioner's decision is that the complainant's requests for information about the expansion of London's Ultra Low Emission Zone are manifestly unreasonable under regulation 12(4)(b) of the EIR. Transport for London isn't obliged to comply with them or take any corrective steps.

**Request and response**

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2. Having originally been introduced in 2019, the Mayor of London proposed expanding London's existing Ultra Low Emission Zone (ULEZ) to cover all London Boroughs. As a result of a challenge by five London councils, on 28 July 2023 the high court ruled that the process carried out on the proposal to expand the ULEZ, including the public consultation, was thorough and the decision was legally sound. The ULEZ was duly expanded on 29 August 2023.
3. Following on from earlier correspondence with TfL, the complainant submitted two multi-part requests for information about the ULEZ to Transport for London (TfL) on 28 June 2023 and 7 July 2023. Given their combined length, the requests are reproduced in the appendix to this notice. The complainant has advised that they crowd-sourced the

questions in the requests directly from the public and collated them so that they could ask the questions in one go, "to streamline the process."

4. TfL's final position in its internal review dated 7 August 2023 was that the complainant's requests were manifestly unreasonable because of the disproportionate burden involved in complying with them. TfL confirmed that regulation 12(4)(b) of the EIR was therefore engaged. In both its original refusal and internal review, TfL advised the complainant how they might narrow the scope of their requests.

### **Reasons for decision**

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5. This reasoning focusses on whether TfL is entitled to refuse the complainant's requests under regulation 12(4)(b) of the EIR.
6. Under regulation 12(4)(b) a public authority may refuse to disclose environmental information if the request for information is manifestly unreasonable. A request may be manifestly unreasonable because of the excessive burden caused by complying with it, or because the request is vexatious.
7. The purpose of the exception is to protect public authorities from a manifestly unjustified, inappropriate or improper use of the EIR.
8. TfL has indicated that complying with the requests in this case would cause an unjustified burden. That is therefore the key thing the Commissioner will consider; whether complying with the requests is likely to cause a burden to TfL that is disproportionate to the requests' value.
9. TfL explained the following to the complainant in its correspondence to them:
  - There's no single source of information within TfL from which to source the requested data and documentation. The information isn't held in a single place from which it could be extracted, reviewed and collated accordingly and it would therefore take a considerable amount of time to fulfil the requests.
  - The two requests comprise more than 150 individual questions. Some of the questions are broken down into several further parts making a total of 178 individual parts that require an answer.
  - Complying with the requests would impose an unjustified burden and significant impact on TfL staff. Complying with the requests would divert staff away from their core functions within the

organisation for unjustified amounts of time. It would impose an undue burden on a small team of subject matter experts.

- There's already a vast amount of published information available for public scrutiny about the ULEZ, either on the TfL website or via published FOI requests.
- TfL indicated that the complainant had been provided with several links to a large amount of published information about the ULEZ expansion.

10. In a submission to the Commissioner, TfL confirmed the following:

- It has published a vast amount of information on the ULEZ expansion, including FOI/EIR responses and a wide range of documentation including reports, consultation materials, studies and guidance. Some of the complainant's questions would likely be answered by this published material had they reviewed any of it. TfL provided the Commissioner with a number of links to this published material, by way of examples.
- The 178 individual questions submitted by the complainant are excessive, disproportionate and an unjustified level of burden on small, specialised teams within TfL.
- By way of an example, TfL says that if it applied a conservative estimate of 10 minutes to address each point submitted in both of the requests, this would equate to nearly 30 hours of staff time and resource. It emphasised that this is based on a very conservative estimate. TfL believes that many of the complainant's questions will take much longer to address. TfL would need to establish for each question if it holds the information, where it's held in the organisation and who holds it. This is before TfL could then begin the process of identifying the information, extracting, collating and verifying it before any could be disclosed. The information requested, whilst focused on the ULEZ scheme, is information that will be held across multiple areas of the organisation. This is because it covers consultation matters, scrappage scheme, policy implementation, charging and enforcement, air quality, justifications for the introduction of the scheme and more, all of which is held across different specialist functions of the organisation.
- This would in turn impose a significant and unjustified burden on staff resource at short notice. It would divert specialist individuals away from their core roles of maintaining a busy transport network. TfL believes that to respond to this volume of questions

is not a justifiable use of staff resources in the current financial climate. Immediately diverting the limited staff resource TfL currently has away from their core roles will impact on vital operational work that these colleagues undertake.

11. In their request for an internal review on 7 August 2023, the complainant presented the following arguments:

- The complainant re-stated their view that most of the questions they've asked will have already been asked for by others previously and prepared for the various court / judicial review hearings, or both, and collated prior to the Mayor of London and TfL "publishing various claims and public statements "of fact" based on them." As such the complainant considered that the answers should therefore be readily available.
- They said that TfL's suggestion that it will take too much time to answer the questions defied logic. This was because the alternative would require them to arrange for each question to be asked individually by (and answered to) a separate person, one at a time. This would take up considerably more effort all-round. The complainant said that they'd been advised that any insistence by TfL of this approach would be an abuse of process.
- The complainant also said that they'd been advised that if the matter did end up in a new court case, TfL would be required to provide the information in response to Civil Procedure Rules Part 18 questions. They advised that failing to provide the information now, "such that [TfL] may be able to avoid litigation," would be in breach pre-action protocol.

12. In their complaint and further correspondence to the Commissioner, the complainant has argued that their requests aren't manifestly unreasonable for the following reasons:

- The complainant had originally submitted "only a dozen or so questions" to TfL, which, according to the complainant, TfL kept saying it didn't understand. On that basis the complainant split the questions out to make them simpler ie into the two requests being discussed here – and now TfL is saying there are too many questions. In the complainant's view, this is clearly a deliberate ploy to avoid answering any questions at all.
- TfL has made assertions about the ULEZ that "on the face of it, are incorrect, dishonest and/or scientifically unsupportable." The complainant has requested information that would support the claims TfL has made [or otherwise].

- Regarding disproportionality, according to media reports, TfL has spent between £1/4bn and £1/2bn on cameras, software, advertising and the scrappage scheme. The cost of complying with the requests is therefore “a tiny, miniscule proportion of the total spend.” Furthermore, the answers to the complainant’s questions should already be available as the Mayor/TfL has relied on them in their various statements and a court case.
  - Considering “the various personal tragedies, loss of business, freedom of transport, family connections, and work/job losses that people are suffering as a result of the expansion..., to claim it is disproportionate to provide the underlying supporting data for the scheme is contemptuous.”
  - A senior lawyer has explained to the complainant that “the ability to object to answering FoI requests cannot possibly be determined by the number of false statements you make.” The lawyer said this would otherwise incentivise public authorities to make as many false statements as they can (for example, to support a new policy). A public authority would know that the more false statements it makes, the more it can rely on the “that’s too many FoI questions” response when it’s asked for the underlying information backing those statements. This would encourage public authorities to ‘game’ the system and, in the complainant’s view, that’s what’s happening in this case.
13. The Commissioner considered the circumstances of the request, the resulting complaint and associated arguments. His initial assessment of the complaint, which he communicated to the complainant, was that TfL was entitled to refuse their requests as manifestly unreasonable. Having given the case further consideration, he remains of that view.
  14. Given the impact of the expanded ULEZ on a very large number of individuals, the complainant’s requests undoubtedly have a value. The Commissioner appreciates that the complainant is asking for information that supports various statements and claims that TfL has made about the ULEZ, which on the face of it is a reasonable thing to do.
  15. However, the complainant has asked TfL well over 100 questions – TfL says 178 once all the individual sub-questions are included – and many are of a technical nature. The Commissioner agrees with TfL that, given the volume of questions and their complexity, it’s likely to take more than 10 minutes to address each question. He considers that 30 hours to comply with the entirety of the two requests is very conservative and that it would be likely to take much longer. The team that would handle the requests is small and therefore directing that team to focus on addressing all the questions would be a significant distraction and

burden. The Commissioner has noted the complainant's view that the information should already be easily accessible to TfL. However, TfL has advised that that isn't the case, and the Commissioner hasn't been presented with compelling evidence to the contrary.

16. The Commissioner has weighed the value of the requests against the burden involved in complying with them and is satisfied that the burden is disproportionate. This is because at the point of TfL's internal review the high court had considered TfL's ULEZ expansion proposal and found that the decision was legally sound and that the process that had underpinned the proposal, including a public consultation, had been thorough. There was and is also a significant volume of relevant information and research material in the public domain.
17. To conclude, the Commissioner is satisfied that that the complainant's requests are manifestly unreasonable. This is because, although the requests do have a value, complying with them would cause a burden to TfL that is disproportionate to that value. He finds that TfL was entitled to apply regulation 12(4)(b) to the requests and has next considered the public interest test associated with this exception.

### **Public interest test**

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18. In their correspondence to TfL and complaint to the Commissioner the complainant has provided public interest arguments in favour of complying with the request. These are summarised as follows:
  - The complainant posted TfL's letter [by which the Commissioner assumes them to mean TfL's initial refusal] on social media and "within 24 hours received literally hundreds of individual responses from members of the public, all asking for copies of your answers to my FoI request on the basis that it is in the public interest to provide them." The complainant sent the first 400 or so of these to TfL. In the complainant's view it followed that its argument that the public interest favoured its application of regulation 12(4)(b) – ie that there was minimal wider public interest – was fundamentally flawed.
  - The matter of the expanded ULEZ reached the front page of every national newspaper, and the policy is the opposing mayoral candidate's priority. The scheme caused thousands of people to march on Trafalgar Square and it was the official reason stated for the Labour Party losing the Uxbridge byelection.
19. In its submission to the Commissioner, TfL says that it genuinely understands the public concern over the expansion of the ULEZ charging

zone. It appreciates the public's need to be satisfied that the underlying data on emissions, air quality and public health, which has been publicly quoted, has been appropriately and fully scrutinised prior to any decisions to expand the zone.

20. However, against disclosure TfL says that to continually absorb the time and resource of specialised subject matter experts to address requests of such volume and detail such as those in this case is a disproportionate use of the public purse.
21. The expansion scheme proposals were opened to public consultation in 2022 and all of the associated material is published on TfL's website. TfL says that some of this published information would go some way to addressing some of the questions and concerns the complainant has.
22. TfL says that members of the public could scrutinise the proposals and accompanying data and express concerns and comments about the matter for further consideration by the Mayor's office. Since this consultation, a significant amount of ULEZ related data has been published and reported on. Further reports will be published in the coming months providing analysis of the initial implementation period of the expansion zone. TfL considers that this is more than enough to provide members of the public with sufficient means to consider and scrutinise both the decision making behind the scheme and how the scheme is being implemented.
23. Recognising that there is an inherent public interest in openness and transparency, TfL says it has gone to great lengths to address this by the significant volume of information that has already been made available. However TfL considers there's a fundamental difference between information that's of interest to the public and what is in the public interest. In TfL's view this is critical in assessing the balance of the public interest test. TfL says that it is aware that providing this information would satisfy the complainant's personal interests and concerns regarding their own vehicle compliance. But, it says, it must also consider the impact of the cost of staff resource and the impact caused by diverting staff from critical roles and ultimately, the best possible value for the public purse. Like all public sector bodies, TfL says, in recent years it has been required to make economies and seek increased efficiency. TfL therefore considers that the unreasonable demand of staff resource and cost in response to the complainant's 178 questions - given the significant volume of information already available to the public - outweighs the immediate public interest in disclosure.
24. Further, TfL considers it to be demonstrably within the public interest to ensure that its specialist and limited personnel is able to focus both on

implementing the scheme and also on addressing the significant number of other requests it has about the ULEZ in a timely manner.

25. TfL has noted that the complainant is clearly an opponent of the scheme. It's TfL's view that by submitting such a significant volume of questions, it's their intention to disrupt TfL's core functions through the sheer weight of work answering each of them would generate. As TfL has stated, it has responded to a large number of requests on this subject, from both those in favour and those against. TfL maintains that the requests in this case lack serious purpose or value. This is because of their extreme length which TfL is concerned appears designed only to cause significant distraction to its resources rather than being a genuine pursuit for information.
26. Given how the complainant assembled the questions that they submitted to TfL, and the number of people who'll be affected by the ULEZ, the Commissioner doesn't agree with TfL that the requests are of interest only to the complainant. Nor is he persuaded, in the circumstances, that the purpose of the requests was solely to disrupt TfL. However, the Commissioner nonetheless agrees with TfL that the public interest favours maintaining the regulation 12(4)(b) exception.
27. The Commissioner has found that the requests do have a value but has also found that, as framed, they're manifestly unreasonable. The public interest in TfL complying with manifestly unreasonable requests about the decision making behind the ULEZ expansion would need to be greater than the public interest in allowing TfL's resources to remain focussed on its core functions.
28. The Commissioner's view is that the public interest in TfL's decision to expand the ULEZ has been met satisfactorily through the high court decision, TfL's public consultation on the matter (which the high court decided was satisfactory), its response to other requests for information about the ULEZ, the other relevant information and research that's already in the public domain and the relevant information that will be published in the future.
29. The Commissioner's decision is therefore that there's greater public interest in TfL being able to rely on regulation 12(4)(b) of the EIR to refuse the requests in this case, and not in TfL complying with the requests. This is so that TfL can focus its staff and resources on its core business, which includes managing the ULEZ and its consequences.

## Right of appeal

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30. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals  
PO Box 9300  
LEICESTER  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

31. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
32. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

## Signed

**Cressida Woodall**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**

## **Appendix**

1. What asthma data have you been using to support your argument that asthma:
  - i. is higher in London (ULEZ and/or NULEZ) than elsewhere
  - ii. is caused by air pollution from cars
  
2. Since ULEZ was introduced, what changes within the ULEZ Zone have there been in:
  - i. levels of asthma
  - ii. the number of deaths attributed to asthma
  - iii. levels of lung cancer
  - iv. the number of deaths attributed to lung cancer
  
3. How has your figure of 4,000 deaths been compiled?
  
4. What data sits behind the Mayor's 2016 statement "With nearly 10,000 people dying early every year in London due to exposure to air pollution, cleaning up London's toxic air is now an issue of life and death"
  
5. How many of these deaths had, as the cause of death:
  - i. Air Pollution
  - ii. Asthma
  - iii. Lung Cancer
  
6. How many deaths in NULEZ in the last 5 years (or for whatever dates you have available) have been/you attributed to Air Pollution, and how has that figure come about?
  
7. How many of these have been attributed to (or, how have they been allocated as between):
  - i. Vehicle emissions (private ownership)
  - ii. Public transport (tube, train and bus)
  - iii. Industry and factory emissions
  - iv. Household emissions
  - v. Aircraft emissions
  - vi. Other
  
8. What methodologies have you used in calculating the figures in Q1 to Q6 above?
  
9. How do these figures compare with those relating to the ULEZ area?
  
10. What evidence do you have that any deaths in London in the last 10 years were due to car (or vehicular) emissions?

## **B. Air Pollution**

1. What are the current levels in:
  - i. London Borough of Barnet?
  - ii. NULEZ generally

iii. ULEZ

2. How much will this be reduced in NULEZ specifically by the Extension?

3. What is the timeframe for this?

4. What proportion of air pollution in NULEZ do you consider to come from:

- i. Vehicle emissions (private ownership)
- ii. Public transport (tube, train and bus)
- iii. Industry and factory emissions
- iv. Household emissions
- i. Aircraft emissions
- ii. Other

5. What proportion of air pollution in ULEZ do you consider to come from:

- v. Vehicle emissions (private ownership)
- vi. Public transport (tube, train and bus)
- vii. Industry and factory emissions
- viii. Household emissions
- ix. Aircraft emissions
- x. Other

6. How do these compare with the Camden Council's figures (sourced from the GLA) published in 2013?

7. What are the current air pollution figures on the London Underground for:

- i. CO2
- ii. NOx
- iii. Particulates

8. How have these figures changed over the last 10 years?

9. What is the rationale – if pollution is the issue being addressed – for charging drivers to pollute “legally”, rather than an introduce overall ban?

### **C. Emissions**

1. What are your current emissions figures for compliant cars in terms of:

- i. CO2
- ii. NOx
- iii. Particulates from tyres

2. With reference to your 2013 published figures (attached), how much have emissions since gone up or down:

- i. in NULEZ
- ii. in ULEZ

3. Which areas in NULEZ now exceed the 40ug limits, and would therefore have a different (yellow/orange/green) colour on the attached map?

4. What impact (numerically) will the Extension's removal of non-compliant petrol cars from circulation have by 2030, considering the Government's and NAEI's findings (prior to the announcement of NULEZ), that "NOX emissions are predicted to decrease by 65% by 2030 relative to 2017 levels but remain dominated by diesel cars and LGVs (79%)."

5. Why have you chosen to focus on nitrous oxide and nitrogen dioxide (together "NOx") over:

- iv. Emission of tyre particulates, or
- v. carbon footprint?

6. What percentage of emissions are from cars rather than truck, lorries and other commercial vehicles?

7. What figures are you using for tyre particulate emissions and how does that impact your emissions data?

8. To what extent have you taken into consideration cars' weight when determining particular emissions? In particular, what figures are you using for typical/average weight of:

- i. non-compliant cars
- ii. new EVs

9. How many more EVs will there be on the road as a result of the Extension?

- i. How much increase in emitted particulates will be due to these new EVs?

10. Can you confirm that:

- i. no compliant car's official emissions figures exceed and non-compliant car's figures?
- ii. (according to official manufacturers' figures) all compliant diesel cars emit less than all non-compliant petrol cars?

11. If not, what is your official justification for allowing modern "compliant" diesel SUVs over older "non-compliant" petrol cars, where the former emit far more pollutants than the latter

12. How do you know the NOx levels of cars that were not manufactured in accordance with Euro standards (eg. imported from Asia where Euro standards do not apply)?

#### **D. Cars in Circulation**

1. How many current working vehicles will be scrapped due to the Extension?

2. How many new cars do you anticipate being bought as a result the Extension?
3. How many cars do you believe will be removed (net) from circulation as a result of the Extension?
4. If you anticipate a net reduction, how do you reconcile that with the number of cars in circulation in London remaining static for 15 years, despite various scrappage schemes?
5. When you say the "last scrappage scheme, which saw the removal of more than 15,000 polluting vehicles from London's roads", how many of those were replace with new cars?
6. How has the initial expansion of ULEZ to the north/south circular effected the number of cars owns or in circulation?

### **E. Climate Change**

1. What carbon reduction figures are you using to illustrate that this is a "climate and nature-positive" policy?
2. What data supports your suggestion that the Extension is climate positive, when all the science says the exact opposite?
3. To what extent have you considered the carbon footprint of new cars in your calculations on the climate change impact of the Extension?
4. What plans have been put in place to deal with additional carbon footprint of the Extension?
5. What figure have you used for the carbon footprint of manufacturing a new vehicle?
6. Does this figure include:
  - i. Manufacturing?
  - ii. Import / distribution?
  - iii. Battery raw materials scrapping?
  - iv. Socio-economic issues and ethics of lithium mining?
7. What figure have you used for the carbon footprint of scrappage?
8. What steps have you taken to deal the carbon footprint of scrappage:
  - i. Reducing the 70% of scrap car metal that gets shipped to Turkey (UK's current policy)?
  - ii. Battery recycling?

## **F. Congestion**

1. What are the current congestion figures for Barnet? (or the area covered by NULEZ)
2. How much will this be reduced by the Extension?
3. What is the timeframe for this?
4. Will this comparison be done on a like-for-like basis (ie. no traffic measures implemented just prior to the policy)
5. Do you believe faster or slower moving traffic creates more pollution?
6. What changes have you made to traffic light sequencing in the 12 months leading up the implementation of NULEZ?

## **G. Revenues and Taxes**

1. How much money do you anticipate earning through the Extension for each of the next 5 years?
2. Is this a tax, and if not, how does it differ to the Congestion Charge that US Diplomats are exempt from paying?
3. How much Congestion Charge do you estimate you have lost through non-payment by foreign diplomats over the last 10 years?
4. What percentage of the GLA budget for each of the next 8 years is anticipated to be reflected by income from ULEZ fines (please specify each yearly amount)?
5. What is the GLA's "Plan B" should there be no such income (ie. full compliance)
6. What is the average cost to the GLA of pursuing a non-paying charge of ULEZ to the point of appointing bailiffs?

## **H. Consultation and Cameras**

1. How many people were consulted regarding NULEZ and the Extension?
2. How were those consultations sent out?
3. What was the wording on the questions?
4. How many responses did you receive?

5. How many people agreed with NULEZ and/or the Extension?
6. How many of these people own non-compliant vehicles?
7. What was the breakdown by borough for each of Q1 to Q6 above?
8. How many cameras have you ordered?
9. When were they ordered?
10. How much did they cost?
11. What was the tender process put in place, and how was this company chosen
12. What are the terms in the procurement contract in relation to what happens if the Extension does not go ahead?

### **I. ULEZ Compliance**

1. Where does the TfL data on compliant / non-compliant cars come from?
2. On what basis would I be "fined" if I do not pay a ULEZ charge?
3. Is this a criminal offense, or a civil matter?
4. Either way, what is the statutory framework sitting behind your/TfL's right to fine me?
5. Likewise, what happens if I do not then pay the fine, and on what legal basis?
6. How do you/TfL obtain my personal details, and that of my car?
7. How does this meet ICO and DPA requirements?
8. If my car passes MOT emissions requirements, why is it illegal to drive it in anywhere London without paying an additional charge?
9. How do you know if/whether/that my car – which is "non-compliant" because it is older than your arbitrary cut-off date – is in fact less polluting than my neighbour's compliant car?
10. If the owner of a "legal grey import" (eg. Japanese) car cannot obtain NOx data or a CoC from the manufacturer (eg. because s/he doesn't speak the language, the data is not available, or the manufacturer has ceased to

exist), are they presumed guilty or is there an exemption whereby they can be presumed innocent until proven guilty?

### **J. Dangers and Annoyances**

1. How many electric car fires have there been in London in the last 5 years
2. How many electric bus fires have there been in the last 5 years
3. Is the number of electric vehicle fires higher or lower (in proportion) for EVs than ICE cars?

### **K. Demographics and TfL Statistics**

1. How many households are likely to be affected by the extension by virtue of having non-compliant cars?
2. What percentage of those are eligible for the scrappage scheme?
3. What are the age demographics of those households with non-compliant cars (and how does this compare with the UK and/or London average)?
4. What are the household income demographics of those households with non-compliant cars (and how does this compare with the UK and/or London average)?
5. How many days per week does a non-compliant NULEZ-based car typically drive?
6. How many miles do they typically drive per week in NULEZ?
7. How many non-compliant cars driven in London are owned by households outside London?
8. How many days per week do those cars typically drive in London?
9. What exemptions are there for paying NULEZ charges, and what is the rationale behind each exemption?
10. Where were the cameras which were used to calculate your headline figure of "9 in ten cars are compliant" (please provide a map)
11. How many were used, and what proportion of the total cameras available is that?
  - i. What was the rationale in choosing those specific locations?
  - ii. If "random", please provide the statistical reasoning of the choice
12. How have you chosen the area covered by NULEZ, considering the Government's own finding that "Analysis of ambient air pollution

concentrations shows that the rate of change in exhaust emissions varies from place to place with no clear pattern"

### **L. Alternative transport**

1. What plans have been put in place for people who are not eligible for the scrappage scheme?
2. If no plans, what do you expect them to do?
3. What specific measures have been put in place for those who are unable to continue using/owning a car?
4. How many bus routes have been removed in the last 8 years in the area covered by NULEZ
5. How many miles (net) of bus routes have been removed have been removed in that time
6. How many miles of new tube network within NULEZ:
  - i. Have been launched in the last 8 years
  - ii. are committed to for the near future (and to open when)
7. In my earlier example, where I own a roadworthy MOT'd car, and drive it 6 days/wk to visit elderly parents, play football and do the weekly shop (each 15mins drive, no public transport options), and I don't qualify for any of your "help", what am I supposed to do?

### **M. Will Of Parliament**

1. In launching the Extension, what consideration was given to the will of Parliament with regard to:
  - i. the Right to Repair Act,
  - ii. the Consumer Rights Act 2015
  - iii. the Ecodesign for Energy-Related Products and Energy Information Regulations 2021 (adopting) the EU Circulatory Economy Action Plan (p2 [link here](#))
2. Is that consideration minuted? (If so, please provide)
3. Why is TfL / The Mayor not following the example of white goods, food, consumer electronics, fashion (etc) in moving away for planned and forced obsolescence?
4. In particular, what is TfL's explanation for a policy that directly conflicts with the will of Parliament?
5. How does TfL reconcile the extension with the following statements by parliament expressing its will to:

- i. "ensure that the regulatory framework is streamlined and made fit for a sustainable future, that the new opportunities from the transition are maximised, while minimising burdens on people and businesses";
- ii. "establish a strong and coherent product policy framework that will make sustainable products, services and business models the norm and transform consumption patterns so that no waste is produced in the first place [with] key product value chains addressed as a matter of priority. Further measures will be put in place to reduce waste and ensure that the EU has a well-functioning internal market for high quality secondary raw materials"
- iii. "entire life cycle of products. For example, it targets how products are designed, promotes circular economy processes, encourages sustainable consumption, and aims to ensure that waste is prevented, with valuable resources kept in the EU economy for as long as possible."
- iv. "These benefits will help us on our way towards the UK's Carbon Budget and Net Zero targets"
- v. "An important aim of the new Regulations is to extend the life of certain categories of products"
- vi. "It is hoped that prolonging the life... and delaying the need to buy expensive replacements will prevent unnecessary waste"
- vii. "New rights ... should enable consumers to repair goods when they break down and so continue using them even when their statutory rights to have them repaired or replaced under the have expired"
- viii. Secretary of State for BEIS: "Our plans to tighten product standards will ensure more of our electrical goods can be fixed rather than thrown on the scrap heap, putting more money back in the pockets of consumers whilst protecting the environment."
- ix. "With this legislation we aim to reduce the energy-use, carbon footprint and wider environmental impacts of energy-related products"

## **N. Air Pollution**

- a. What are the current levels in Barnet? (if you are unable to provide data specifically on Barnet, please provide for the area covered by the extension generally)
- b. How much will this be reduced by your measures?
- c. What is the timeframe for this?
- d. What figures are you using for tyre particulate emissions?
- e. How much increase in particulates have you calculated due to heavier EV cars?

f. Why have you chosen NOx rather than tyre emissions, when the later has a considerably larger impact on air quality, and your measures will increase this further.

2. Climate Change a. What data supports your suggestion that this policy is climate positive, when all the science says the exact opposite?

b. How many cars do you believe will be removed from circulation as a result of the extension?

c. What is the basis for this, considering all previous scrappage schemes have resulted in more cars in circulation?

d. What figure have you used for the carbon footprint of scrappage?

e. What figure have you used for the carbon footprint of manufacturing a replacement vehicle?

f. What carbon reduction figures are you using to illustrate that this is a climate and nature-positive policy?

g. What are those figures based on, and what is the net effect?

h. What steps have you taken to reduce car scrap metal moving to Turkey by ship  
(UK's current policy)

3. Congestion

a. What are the current congestion figures for Barnet? (or the area covered by the extension generally)

b. How much will this be reduced by your measures?

c. What is the timeframe for this?

d. Will these be compared on a like-for-like basis (ie. no traffic measures implemented just prior to the policy)

e. Does you prefer faster or slower moving cars, in the drive to reduce congestion? Please provide sources for all figures quoted (do not simply deflect to the Imperial College report).

I have some further legal questions: .

On what basis would be "fined" if I do not pay a ULEZ charge?

. Is this a criminal offense, or a civil matter? Either way, what is the statutory framework sitting behind your/TfL's right to fine me .

Likewise, what happens if I do not pay the fine, and on what legal basis? .

How do you/TfL obtain my personal details, and that of my car? .

How does this meet ICO and DPA requirements? .

If my car passes MOT emissions requirements, why is it illegal to drive it in London without a charge? .

How do you know if/whether/that my car, which is "non-compliant" because it is older than your arbitrary cut-off date, is in fact less polluting than my neighbour's compliant car?

Finally, my car (attached) of 25 years passed its MOT perfectly, and has had £10k restoration. I drive 6 days/wk to visit my elderly parents, play football and do the weekly shop (each 15mins drive, no public transport options).

This will cost me £3,900pa, as I don't qualify for any of your "help". What am I supposed to do?