

21<sup>st</sup> January 2019

Dear Member,

## **Introduction of Ultra- Low Emission Zone in London**

From 8<sup>th</sup> April 2019, Transport for London, (TfL), will introduce the Ultra-Low Emission Zone (ULEZ) which will apply to older petrol and diesel vehicles driving in the London Congestion Charge Zone. The charge is £12.50 a day and penalties will apply for non-payment.

[Not every vehicle will be charged and the area that the ULEZ will cover changes from October 2021 – see below]

Key points for members to be familiar with are:

- The ULEZ will operate 24 hours a day, every day of the year including weekends and public holidays;
- the daily ULEZ charge runs from 0.01-midnight. This means older vehicles entering the Congestion Charge Zone before midnight and continuing after midnight will have to pay the ULEZ charge twice;
- drivers of older vehicles which do not meet the emission standards will have to pay the ULEZ charge *and* the congestion charge if they drive in the congestion zone area on weekdays between 07:00 and 18:00; and
- To avoid the ULEZ charge, vehicles need to meet the different emission standards based on their vehicle type, and the type of emission. [Read more about the emission standards.](#)

Homecare providers will need to factor in any additional costs arising from the ULEZ into their financial planning, staff rostering and contract negotiations, particularly where staff are working unsocial hours, when alternative means of transport are not readily available or staff safety is a concern.

Providers should also consider whether they should reimburse workers who pay the ULEZ charge because of travel connected with their work.

There are for two specific reasons why employers are advised to reimburse the ULEZ charge:

- Failing to reimburse the charge may increase the risk of underpayment of the National Minimum Wage. Although the National Minimum Wage Regulations do not require mileage and associated charges to be paid, out-of-pocket expenses which are not reimbursed by the employer can be deducted from the workers' total pay when calculating the average pay received over the 'pay reference period'. Non-compliance with the National Minimum Wage Regulations can lead to investigation by HM Revenue and customs, fines, back-payment of wages and public 'naming and shaming' by Government;
- Failing to reimburse this fee may also affect staff retention, as workers will reasonably expect incidental expenses to be met by the employer.

Employers are therefore encouraged to adopt a fair and equitable policy and procedure for the reimbursement of the ULEZ charge, when it applies. This may include:

- Identifying and recording whether individual workers' vehicles will attract the ULEZ charge;
- Requiring workers to notify the employer when their vehicle changes;
- Specifying the evidence the employer requires, if any, to reimburse the fee, when incurred by the worker;
- Communicating the employer's policy and procedure to **existing** members of the workforce, giving a reasonable period (e.g. 10 days) for workers to raise any concerns with you; before the policy and procedure takes effect;
- Consider amending your standard statement of main terms and conditions, staff handbooks (or equivalents) for **new** employees.

### **Which vehicles will be charged?**

Members will need to find out which vehicles being used by staff will attract the ULEZ charge. The charge applies to vehicles with higher emission levels which are generally older vehicles.

- **Petrol cars:** Those registered with the DVLA before 2005 will have to pay the ULEZ charge. Some cars which have been available since 2001 may not have to pay the charge.
- **Diesel cars:** Those registered with the DVLA before September 2015 will have to pay the charge.
- **Mopeds/Motorbikes:** Nearly all motorcycles produced after 2007 will not have to pay the charge.

[Use the Tfl vehicle checker:](#)

You can check the date a vehicle was first registered with [Gov.uk's vehicle enquiry service](#).

### **Discounts**

There are some discounts and exemptions from the ULEZ charge. ([Read about discounts and exemptions](#))

### **Charge and payment**

The ULEZ charge is £12.50 a day for cars, mopeds and motorcycles. It can be paid in the same way as for the congestion charge, i.e. online, over the phone or, if regularly travelling into the area, using Autopay. You will be able to pay the ULEZ, and the congestion charges (if they apply) online, at the same time.

### **Fines**

The penalty for not paying the ULEZ charge is £160, which is reduced to £80 if paid within two weeks.

### **Extension of ULEZ boundary**

From 25 October 2021, the ULEZ boundary will be extended to create a larger zone bounded by the North and South Circular Roads. Driving any petrol or diesel vehicle within this enlarged area could mean daily charges will apply depending on the age of the vehicle. [See the map of the larger zone](#).

### **More Low Emission Zones**

Other cities could follow London and introduce a low emission zone. The Government has outlined plans to allow local authorities to bring in clean air zones. The Scottish Government has also drafted plans for low emission zones.

Kind regards,

UKHCA Policy and Campaigns Team