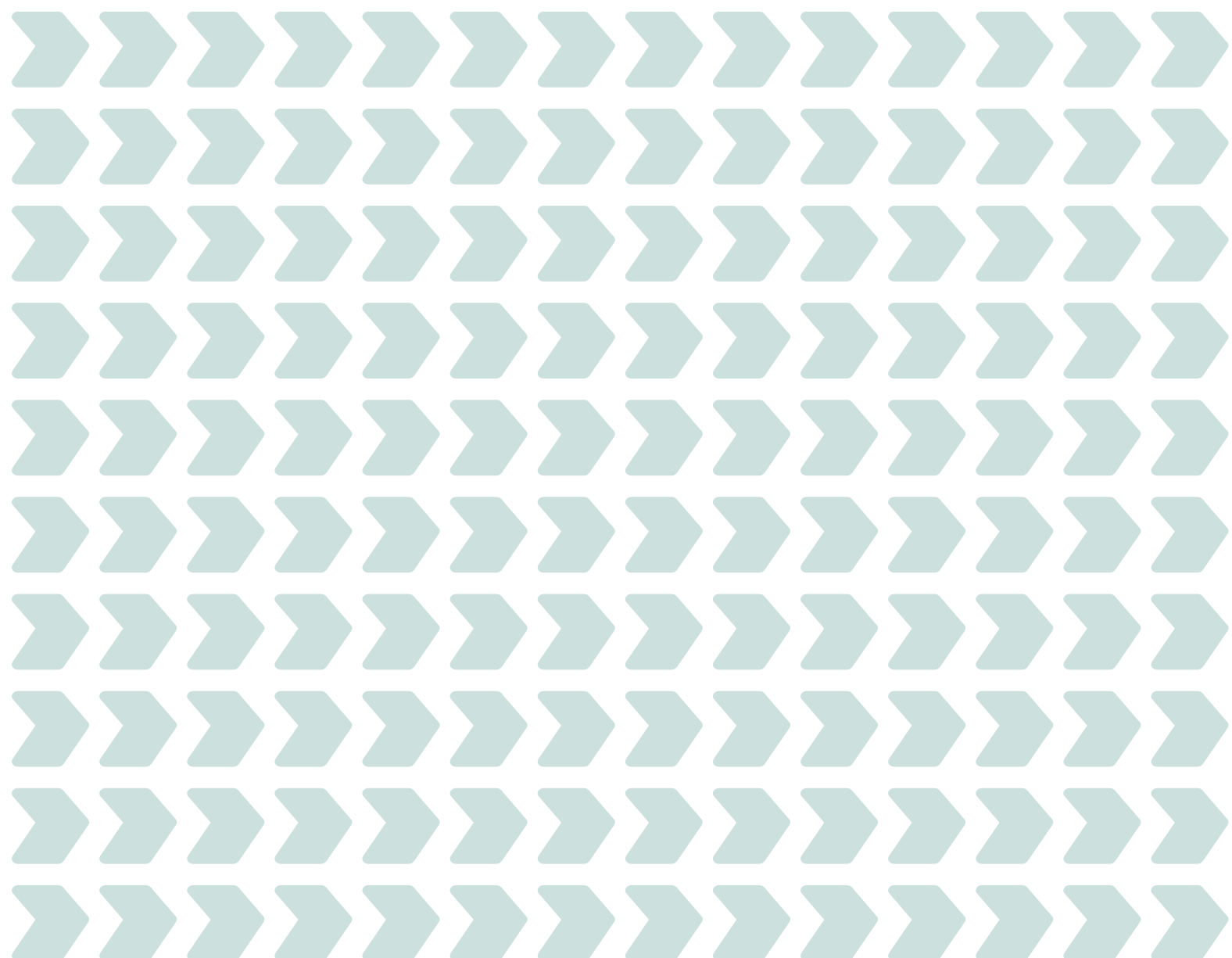




Department
for Transport

Introducing E10 Petrol: consultation

Annex D: Response form



1. Introduction and data protection

The consultation period begins on 4 March 2020 and will run until 23:45 on 3 May 2020. Please ensure that your response reaches us at the following email or postal address **on or before** the closing date.

Please send consultation responses by, ideally by email, to:

LowCarbonFuel.Consultation@dft.gov.uk

Name: Tim Simon
Address: Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR.

If you would like further copies of this consultation document you can contact Tim Simon - details above - who can also help if you need alternative formats (Braille, audio, CD):

When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled. If you have any suggestions of others who may wish to be involved in this process please contact us or forward the document to them.

The responses to this consultation are likely to be discussed with representatives of the sector, as well as within the Department. Therefore the points you raise may be shared. If you are not content for this to happen please let us know. Subject to the outcome of the consultation the amendments to the legislation will be introduced as soon as practicable.

Confidentiality and data protection

The Department for Transport (DfT) is carrying out this consultation to gather views on E10 policy. This consultation and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. If your answers contain any information that allows you to be identified, DfT will, under data protection law, be the Controller for this information.

As part of this consultation we're asking for your name and email address. This is in case we need to ask you follow-up questions about any of your responses. You do not have to give us this personal information. If you do provide it, we will use it only for the purpose of asking follow-up questions.

[DfT's privacy policy](#) has more information about your rights in relation to your personal data, how to complain and how to contact the Data Protection Officer.

Your information will be kept securely and destroyed within 12 months after the consultation has been completed.

2. Responding

1. Your name and email address. We will only use this if we need to contact you to ask about any of your responses and to update you when we publish our response.

Name	Julie Byers
Email	Julie.Byers@acs.org.uk

2. Are you responding: *

<input checked="" type="checkbox"/>	On behalf of an organisation? Go to question 3
<input type="checkbox"/>	As an individual? Begin consultation response (section 2)

3. Organisation details: *

Company/Organisation Name	Association of Convenience Stores
Address	Federation House, 17 Farnborough Street, Farnborough, Hampshire
Postcode	GU14 8AG
Email	Julie.Byers@acs.org.uk
Your Role / Position	Public Affairs Manager
Please tick one box below that best describes your company or organisation.	
<input type="checkbox"/>	Micro business (0-9 employees)
<input type="checkbox"/>	Small business (10-49 employees)
<input type="checkbox"/>	Medium business (50-249 employees)
<input type="checkbox"/>	Large Company (250+ employees)
<input checked="" type="checkbox"/>	Representative Organisation
<input type="checkbox"/>	Trade Union
<input type="checkbox"/>	Interest Group
<input type="checkbox"/>	Local Government
<input type="checkbox"/>	Central Government
<input type="checkbox"/>	Other (please describe):

If you are responding on behalf of an organisation or interest group how many members do you have and how did you obtain the views of your members:

ACS represents 33,500 convenience retailers across the UK, 8,382 of which are fuel retailers. Our membership includes fuel retailers such as Rontec, Motor Fuel Group, MRH, Co-op and thousands of independent retailers.

To develop our response, we consulted with ACS' Fuel Expert Policy Group which is made up of technical managers from fuel retailers. We then asked for views on our written response from the group.

3. Consultation questions

The questions below may not apply to all respondents. Please answer as many as are applicable to you or your business. In each case please set out the reasons for your answer and if applicable, alternative proposals.

Consultation proposals - Introducing E10 and keeping E5 available

Q 1 - Do you agree that the best way to introduce E10 petrol is as a direct replacement for the current 95 E5 premium grade? If not, please provide further information.

Yes

Additional information:

Yes, we support the introduction of E10 petrol as a direct replacement for the current 95 E5 premium grade as long as fuel retailers are allowed to offer the E5 protection grade as a super grade.

The introduction of E10 must also be backed by a government led and funded campaign to raise fuel retailers and consumers awareness about E10. A communications campaign is needed to ensure a smooth transition and for consumers to be aware of the introduction of E10 before they see a fuel pump which warns them that the fuel may not be compatible with their vehicle. This will also reduce pressures on retailers to educate consumers at a time where they may be confused and frustrated by the consumer messaging on the pump.

Q 2 - Do you agree that introducing a minimum ethanol content of 5.5% in the 95 grade is the best way to ensure E10 is introduced across the UK? If not, what alternative would you propose?

Yes

Additional information:

Fuel suppliers should be required to blend higher so E10 petrol meets the minimum ethanol content of an E10 fuel and is not just labelled as such. If fuel suppliers are not being required to blend a higher ethanol content it also questions the need for a requirement for an E5 protection grade as fuel labelled as E10 could still be compatible for the consumers' vehicles.

However, we do have concerns about transitional issues or unintended consequences that the introduction of a minimum ethanol content of 5.5% could bring, particularly with regard to the security of supply. As such, we believe that the government should monitor the introduction of E10 closely as well as fuel suppliers' ability to blend to the minimum ethanol content. This should involve close consultation with fuel suppliers and allow flexibility for disruptions in supply at short notice. More information is specified in response to the question about derogations.

Q 3 - Do you agree that the minimum ethanol content requirements should apply to filling stations that sell more than one million litres of fuel per year and that this would only allow certain specialist retailers to continue to sell 95 E5? If not, please provide further information and alternative suggestions.

Yes

Additional information:

We welcome an exemption in these circumstances.

Q 4 - Do you agree that there should be an exemption for filling stations supplied from fuel terminals that are in turn supplied by ship? Is this definition suitable? Should other terminals be included or should a different or no exemption be applied?

Yes

Additional information:

Terminals which are still not yet meeting the E5 threshold should not be required to offer E10 petrol. As such any terminals which are still on E0 should be allowed to continue to offer this.

Q 5 - Do you agree that introducing E10 in 2021 and providing industry and motorists with at least six months' notice and a two months' implementation period is sufficient to prepare for the change in fuel grades? If not, what alternative timelines would you suggest and why?

Yes

Additional information:

We agree with the timeframes suggested as long as the six months' notice is provided post lockdown. The timeframes should also have some flexibility to take into consideration future impacts of COVID-19 on fuel retailers as there will be some on site work required to be able to comply with the introduction of E10.

Q 6 - Do you agree that the protection grade should apply to the 97+ octane super petrol grade at filling stations that supply at least one million litres of fuel in the last calendar year and supply at least two grades of petrol? If not, please explain why and provide any alternative suggestions.

Yes	
<p>Additional information:</p> <p>We welcome that the Department for Transport has revised their proposal for the E5 protection grade to reflect our feedback in the previous consultation.</p> <p>To maintain the E5 protection grade in the most efficient way possible it should be allowed to be offered as a 97+ octane super petrol grade. We also welcome that the protection grade only applies to fuel retailers which supply at least two grades of petrol.</p> <p>Our understanding is that the protection grade only applies to fuel retailers currently offering two grades of petrol rather than having the ability to offer two grades of petrol. If this is the case, it will be minimally disruptive for fuel retailers to introduce, as they will replace their current super blend with the E5 petrol super blend rather than being required to install new tanks and pumps.</p>	
<p>Q 7 - Do you agree that the protection grade should apply for the maximum period of five years after the introduction of E10 before being reviewed for any further extension? If not, please explain why and provide any alternative suggestions.</p>	
Yes	
<p>Additional information:</p> <p>We agree with the proposed timeframes for the length of the protection grade. This is as long as the mandated introduction of E10 is introduced in this timescale to avoid the E5 protection grade lapsing again.</p>	
<p>Q 8 - Do you agree that short term derogations are required to ensure fuel supply resilience can be maintained. If you do not agree, please set out the reasons why?</p>	
Yes	

Additional information:

There must be flexibility in the regulations to ensure continued fuel supply if the fuel blend does not meet the E10 criteria. We welcome the consultation's proposals that there could be some flexibility that in circumstances where there is disruption that the fuel blend could still be labelled as E10 to minimise operational burdens on fuel retailers to update the labelling.

However, we do have concerns that derogations may not provide enough flexibility for instances where there are supply issues at short notice. The government should consider how it will respond to these instances to ensure continued supply.

Q 9 - What are likely scenarios in which a derogation may be required?**Response:**

N/A

Q 10 - Are the duration, process and reporting elements of the derogations appropriate, and if not, what changes would you like to see and why?

Yes

Additional information:

As stated in response to Question 2, there may be unintended consequences from the introduction of E10, one of which could be that fuel suppliers may struggle to meet and exceed the 5.5% minimum limit all year round. While we welcome that there are three derogations allowed, we would welcome further flexibility in the regulations to allow the government to work with fuel suppliers experiencing ethanol blending and supply issues in exceptional circumstances (where that supplier has also exceeded their three derogations in one year).

Q 11 - Is the classification of a fuel supplier appropriate for the application of derogations and if not, what would you suggest?

Yes

Additional information:

We agree with the fuel supplier definition to include "before marketed for sale a relevant filling station".

Q 12 - Do you agree with the proposed wording for the E10 labelling? If not, why not and what alternative would you suggest?

	No
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Additional information:

We do not agree with the proposed wording "Suitable for most petrol vehicles: check before use". The wording should provide information to consumers on where they can check if their vehicle is compatible and refer to the government's campaign on the introduction to E10. The wording currently is too vague and could lead to consumers asking fuel retailers if their vehicle is compatible, particularly if a government campaign has not raised consumer awareness.

While fuel retailers are likely to receiving training materials about the transition to E10, it is not practical for them to assure a consumer at the time they are about to fuel up if their vehicle is compatible. As mentioned previously, to ensure a smooth transition (and to ensure that consumers do check if their vehicle is compatible before use), the government should run a campaign to raise consumer awareness about E10 so they have the opportunity to check the compatibility of the vehicle before they visit a forecourt.

Q 13 - Do you have further comments or suggestions for communicating the E10 compatibility message?

Additional information:

The first time a consumer may see this messaging is at a forecourt when they go to fuel up for the first time after the E10 transition, so while the message and point of sale materials are useful, the customer may be frustrated if they can only get E10 and not E5 at pump. Therefore, it is important that ahead of the launch and transition to E10, that the government fund a consumer communications campaign.

The government should also consider the role of the DVLA to support communications to vehicles users which will be affected. Ahead of the introduction of E10, the government could use the DVLA vehicle database to write to vehicles users whose vehicles will not be compliant with E10.

Call for Evidence - Implications of an E10 introduction for other policy mechanisms

Q 14 - Would an increase in RTFO targets, alongside or subsequent to an introduction of E10, deliver additional GHG savings from the scheme?

Yes	No
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Reasoning/ supporting evidence: N/A	
Q 15 - Would you be supportive of such a change? You may wish to consider the level of any increase and the timing of it within your answers. Please provide any evidence you may have to support your response.	
	No
Additional information: The government should be mindful about the impact that the introduction of E10 petrol will have and should further consult before any changes are made to RTFO targets. We also have concerns that if the targets are increased, increased costs that are incurred would be passed onto road users. There should be an assessment into the impact that revising the RTFO would have on road users.	
Q 16 - Do you expect any other risks or potential impacts of such a change other than the ones listed in this call for evidence?	
Yes	No
Additional information: N/A	
Q 17 - Please provide any evidence you have on the potential impacts of continuing the GHG saving obligation beyond 2020. We are interested in evidence relating to costs and GHG savings as well as wider impacts on the industry. If the targets were to continue, do you have any views on: a. Which measures should be rewarded with GHG credits? For example, should UERs continue to be included? b. The level of the obligation, i.e. should it remain at 6%? c. Any other changes to the system you would like to propose.	
Summary response: N/A?	

Point a -

Point b -

Point c -

Q 18 – Please use this space to add any additional comments, including questions raised in the Impact Assessment.

Additional comments:

Q2. Is it reasonable to assume that requiring fuel retailers to label all 95 octane petrol fuel as 'E10' would remove any commercial disadvantage associated with being the first supplier to shift to E10?

For the majority, there will be not commercial disadvantage using this approach. However, initially there may be commercial disadvantages for fuel retailers which are not required to offer E5 as a protection grade as they do not have an alternative fuel grade for the consumer to use if they are hesitant to dispense E10 and instead the consumer may visit another fuel retailer.

Q4. Is it reasonable to assume that requiring all fuel retailers to supply a 95 octane petrol as a minimum E5.5 would remove any commercial disadvantage associated with being the first supplier to shift to E10?

Yes.

Q13: Do you have any data on the number of fuel retailers or fuel suppliers who would be classified as either a small business (10 to 49 employees) or micro business (1 to 9 employees)?

We do not have any data on the number of fuel retailers that are considered small or micro businesses.

Q14: How do you think micro and small businesses could be affected by the regulations covered by this impact assessment?

Fuel retailers which are micro and small businesses will be affected in a similar way to larger fuel retailers.

Q15: Do you have any data on the number of fuel retail sites which have less than 3 fuel tanks (i.e. are only able to serve diesel and one grade of petrol)?

We do not hold this data. We would also urge caution trying to directly correlate the number of tanks with how many grades are offered. It will ultimately depend on the set up of the forecourt on a case by case basis.

Q16: What is the minimum and typical number of petrol pumps you would expect to find at a petrol station with 3 fuel tanks (i.e. able to serve both E5 and E10 alongside diesel)?

We do not hold this data. We would also urge caution trying to directly correlate the number of tanks with how many grades are offered. It will ultimately depend on the set up of the forecourt on a case by case basis.

Moreover, not all tanks will be registered under the forecourt's Petroleum Storage Certificate.

