# EDINBURGH'S 'PROPOSAL TO MAKE A LOW EMISSION ZONE'

(Consultation document)





## CONTENTS

1 Int	roduction1	
2 Rea	ason for introduction of a Low Emission Zone1	
2.1	1 Objectives of the LEZ1	
3 Dev	veloping the Low Emission Zone1	
3.1	Low Emission Zone, City Mobility Plan and Edinburgh City Centre Transformation.	
3.2	2 Low Emission Zone consultation 2019 <b>2</b>	
3.3	3 Air quality data and the appraisal process2	
3.4	4 Integrated Impact Assessment	
4 The	e Low Emission Zone proposal	
4.1	د Low Emission Zone boundary <b>3</b>	
	Figure 1 – Proposed Low Emission Zone Boundary.3	
	Table 1 – List of streets within the proposed Low Emission Zone boundary.4	
4.2	2 Grace period	
4.3	3 Hours of Operation and Enforcement	
4.4	4 Vehicles Included	
	Table 2: Vehicle types within scope of the LEZ.10	
4.5	5 Exemptions	
	Table 3 – Exempt vehicle types.11	
4.6	6 Penalty charges and surcharges12	
	Table 4 – LEZ penalty rates and surcharges .12	
4.7	7 Displacement and mitigation	
4.8	3 Funding support	

#### **1 INTRODUCTION**

Under the powers granted by the <u>Transport (Scotland) Act 2019</u>, and in accordance with <u>The Low Emission Zones (Emission Standards,</u> <u>Exemptions and Penalty Charges) (Scotland) Regulations 2021</u> and <u>The Low Emission Zones (Scotland) Regulations 2021</u>, the City of Edinburgh Council proposes to introduce a Low Emission Zone (LEZ) in Edinburgh.

#### **2 REASON FOR INTRODUCTION OF A LOW EMISSION ZONE**

Air quality is improving year on year, but there are still locations across the City where legal air quality standards for human health are not being met. Road transport is a significant contributor to poor air quality. Air pollution especially impacts on the more vulnerable members of society - the very young and the elderly or those with existing health conditions such as asthma, respiratory and heart disease. This makes air quality an important health inequalities issue.

Transport generates just over one-sixth of Scotland's total PM<sub>10</sub> and over onethird of the total emissions of nitrogen oxides (NOx). Most of these emissions are caused by road transport.<sup>1</sup>

Fine particulate matter is associated with around 200 attributable deaths in Edinburgh and around 22,500 lost life years across the Scottish population. The health impacts of poor air quality in the UK have been estimated at £15 billion per year.<sup>2</sup>

LEZs help to improve air quality by discouraging the most polluting vehicles from entering a specified area - this helps to improve public health and wellbeing and will help Edinburgh to meet legal obligations on improving air quality.

### 2.1 Objectives of the LEZ

The objectives of the proposed Low Emission Zone in Edinburgh are:

- contribute towards reduction of NO<sub>2</sub> emissions in fulfilment of section 87(1) of the Environment Act (1995)
- contribute towards reduction of greenhouse gas emissions in fulfilment of Part 1 of the Climate Change (Scotland) Act 2009
- minimise the impact from traffic displacement across the city's transport network, related to LEZ scheme
- strategically align with the Council's sustainable transport, active travel and placemaking objectives
- strategically align with <u>national funding provision policies</u>, supporting individual and business adaptation.



<sup>1</sup> Scottish Government, <u>Cleaner air for Scotland</u>, the road to a healthier future

<sup>2</sup> Health Protection Scotland, <u>Air Pollution and Health Briefing Note, Mortality</u> <u>associated with exposure to fine particulate matter (PM2.5 Attributable Mortality) in</u> Scotland

### **3 DEVELOPING THE LOW EMISSION ZONE**

## 3.1 Low Emission Zone, City Mobility Plan and Edinburgh City Centre Transformation

Edinburgh's Low Emission Zone has been developed alongside the City Mobility Plan (CMP), Edinburgh's 10 year local transport strategy and the Edinburgh City Centre Transformation project (ECCT). Together these projects aim to improve health, wellbeing, placemaking and connectivity and have a key focus on prioritising sustainable travel choices to support the city's 2030 net zero carbon target, reducing the need for private car use and creating more pleasant environments for people to live, work and enjoy leisure time.

In summer 2018 joint consultation on the CMP, LEZ, and CCT was undertaken to understand views and opinions on all three projects. The consultation, 'Connecting our City, Transforming our Places' sought views on options for both a city centre and a extended urban LEZ boundary.

## 3.2 Low Emission Zone consultation 2019

In December 2018 the Council's Annual Air Quality Update showed that, despite improvements to air quality in Edinburgh, there were still areas where air quality still exceeded legal limits, particularly in the city centre. This led to the development of proposals for a city centre LEZ boundary to include all vehicle types, and an extended urban area boundary to include commercialtype vehicles only. To obtain views on the proposal public consultation was undertaken between 27 May and 21 July 2019.

## 3.3 Air quality data and the appraisal process

Since the consultation in 2019 extensive work has been done to gather and assess data to understand air quality and how a LEZ can help improve air quality. This assessment and analysis has not been done in isolation – it has been undertaken in partnership with the Scottish Environmental Protection Agency (SEPA), Transport Scotland, the regional transport authority (SEStran) and neighbouring local authorities. In addition, regular collaboration with the other three cities implementing LEZs, Aberdeen, Dundee and Glasgow, will ensure a consistent approach to how LEZs operate in Scotland.

A National Low Emission Framework appraisal, incorporating the objectives set out in section 2.1 and other key principles was considered against three different options for Edinburgh's LEZ:

- Option 1 City Centre LEZ based on the boundary as proposed for the consultation undertaken in 2019 but with minor amendments
- Option 2 City Centre LEZ a revised city centre boundary
- Option 3 City Centre and Extended Urban Area LEZs which included either one of the above City Centre boundaries plus the addition of a boundary covering the wider urban area, roughly within the City Bypass.

#### 3.4 Integrated Impact Assessment

To understand the impacts of the proposed Low Emission Zone on individuals and groups an <u>Integrated Impact Assessment</u> has been carried out. The findings of this work highlight the need to ensure support for groups that are most affected, and that time is given (grace period) to ensure people are well informed and have time to prepare, prior to the introduction of the LEZ.



## **4 THE LOW EMISSION ZONE PROPOSAL**

## 4.1 Low Emission Zone boundary

The proposal for the LEZ is for a compact, city centre boundary. But for a few minor amendments this is the boundary that saw a small majority of respondents favour through the consultation undertaken in 2019. The proposal for a city centre boundary is further supported by the analysis of air quality data which suggests that this will have maximum impact on air quality improvements.

Figure 1 denotes the boundary of the LEZ and streets covered by the scheme are specified in table 1.



## *Table 1 – List of streets within the proposed Low Emission Zone boundary*

Road within LEZ Boundary	Detail
Abbeyhill Crescent	Full length
Alva Street	Full length
Archibald Place	Full length
Atholl Crescent	Full length
Atholl Crescent Lane	Full length
Bakehouse Close	Full length
Bernard Terrace	Full length
Blackfriars Street	Full length
Blair Street	Full length
Boroughloch	Full length
Boroughloch Square	Full length
Borthwick's Close	Full length
Boyd's Entry	Full length
Bread Street	Full length
Bread Street Lane	Full length
Brighton Street	Full length
Bristo Place	Full length
Bristo Port	Full length
Brown's Close	Full length
Brown's Court	Full length
Buccleuch Place	Full length
Buccleuch Place Lane	Full length
Buccleuch Street	Full length
Buccleuch Terrace	Full length
Bull's Close	Full length

Road within LEZ Boundary	Detail
Calton Hill	Full length
Calton Road	Full length
Cambridge Street	Full length
Cambridge Street Lane	Full length
Campbell's Close	Full length
Candlemaker Row	Full length
Canning Street	Full length
Canning Street Lane	Full length
Canongate	Full length
Castle Street	Full length
Castle Terrace	Full length
Castlehill	Full length
Cathedral Lane	Full length
Chalmers Close	Full length
Chalmers Street	Full length
Chambers Street	Full length
Chapel Street	Full length
Charles Street	Full length
Charles Street Lane	Full length
Charlotte Lane	Full length
Charlotte Square	Full length
Charteris Place	Full length
Chester Street Mews	Full length
Chuckie Pend	Full length
Clerk Street	Full length

Road within LEZ Boundary	Detail
Clyde Street North Lane	Full length
Coates Crescent	Full length
Cockburn Street	Full length
Coinyie-House Close	Full length
College Wynd	Full length
Cooper's Close	Full length
Cornwall Street	Full length
Cowan's Close	Full length
Cowgate	Full length
Cowgatehead	Full length
Cranston Street	Full length
Crichton Street	Full length
Crichton's Close	Full length
Davie Street	Full length
Drummond Street	Full length
Dunbar's Close	Full length
Dyer's Close	Full length
East Adam Street	Full length
East Crosscauseway	Full length
East Fountainbridge	Full length
East Market Street	Full length
Elder Street	Full length
Forrest Hill	Full length
Forrest Road	Full length
Forsyth's Close	Full length

Road within LEZ Boundary	Detail
Frederick Street	Full length
Galloway's Entry	Full length
Geddes' Entry	Full length
Gentle's Entry	Full length
George IV Bridge	Full length
George Square	Full length
George Square Lane	Full length
George Street	Full length
Gifford Park	Full length
Gilmour Street	Full length
Gilmour's Entry	Full length
Gladstone Court	Full length
Glen Street	Full length
Glenfinlas Street	Full length
Grassmarket	Full length
Gray's Court	Full length
Grindlay Street	Full length
Grindlay Street Court	Full length
Gullan's Close	Full length
Guthrie Street	Full length
Haddon's Court	Full length
Hamilton's Folly Mews	Full length
Hammermen's Entry	Full length
Hanover Street	Full length
Hardwell Close	Full length

Road within LEZ Boundary	Detail
Hastie's Close	Full length
Heriot Bridge	Full length
High Riggs	Full length
High School Wynd	Full length
High School Yards	Full length
High Street	Full length
Hill Place	Full length
Hill Square	Full length
Hill Street	Full length
Hill Street North Lane	Full length
Hill Street South Lane	Full length
Hope Park Crescent	Full length
Hope Park Terrace	Full length
Hope Street	Full length
Howden Street	Full length
Hunter Square	Full length
Hunter's Close	Full length
Hutton Road	Full length
Hyndford's Close	Full length
Infirmary Street	Full length
Inglis Court	Full length
Jeffrey Street	Full length
Johnston Terrace	Full length
Keir Street	Full length
Kennedy Walk	Full length

Road within LEZ Boundary	Detail
Kincaid's Court	Full length
King's Stables Lane	Full length
King's Stables Road	Full length
Lady Lawson Street	Full length
Lady Wynd	Full length
Lamb's Close	Full length
Lauriston Gardens	Full length
Lauriston Park	Full length
Lauriston Place	Full length
Lauriston Street	Full length
Lawnmarket	Full length
Leith Street	Full length
Little King Street	Full length
Lochend Close	Full length
Lonsdale Terrace	Full length
Lothian Road	From Bread Street-Morrison Street Junction to Shandwick Place-Princes Street Junction
Lutton Place	Full length
Manor Place	Full length
Market Street	Full length
Marshall Street	Full length
Meadow Lane	Full length
Melville Street Lane	Full length
Merchant Street	Full length
Meuse Lane	Full length

Detail
Full length

Road within LEZ Boundary	Detail
Old Tolbooth Wynd	Full length
Oxford Street	Full length
Panmure Place	Full length
Pollock's Close	Full length
Porteous' Pend	Full length
Potterrow	Full length
Princes Street	Full length
Quarry Close	Full length
Queensferry Street	From Randolph Crescent-Randolph Place Junction to Shandwick Place
Queensferry Street Lane	Full length
Ramsay Garden	Full length
Ramsay Lane	Full length
Randolph Lane	Full length
Randolph Place	Full length
Rankeillor Street	Full length
Reekies Court	Full length
Regent Road	From Roundabout outside St Andrew's House to Princes Street-Leith Street Junction
Register Place	Full length
Reid's Close	Full length
Reid's Court	Full length
Richmond Lane	Full length
Richmond Place	Full length
Riego Street	Full length

Road within LEZ Boundary	Detail
Robertson's Close	Full length
Robertson's Court	Full length
Rose Street	Full length
Rose Street North Lane	Full length
Rose Street South Lane	Full length
Roxburgh Place	Full length
Roxburgh Street	Full length
Rutland Court	Full length
Rutland Court Lane	Full length
Rutland Square	Full length
Rutland Street	Full length
Shandwick Place	Full length
Simon Square	Full length
Simpson Loan	Full length
South Bridge	Full length
South Charlotte Street	Full length
South Clerk Street	Full length
South College Street	Full length
South Gray's Close	Full length
South St Andrew Street	Full length
South St David Street	Full length
Spittal Street	Full length
Spittal Street Lane	Full length
St Andrew Square	Full length
St Giles Street	Full length

Road within LEZ Boundary	Detail
St James Place	Full length
St James Square	Full length
St John Street	Full length
St Mary's Street	Full length
St Ninian's Row	Full length
St Patrick Square	Full length
St Patrick Street	Full length
Stafford Street	Full length
Stafford Street Lane	Full length
Stevenlaw's Close	Full length
Sugarhouse Close	Full length
Teviot Place	Full length
The Mound	Full length
Thistle Court	Full length
Thistle Street	Full length
Thistle Street North East Lane	Full length
Thistle Street North West Lane	Full length
Thistle Street South East Lane	Full length
Thistle Street South West Lane	Full length
Tron Square	Full length
Upper Bow	Full length
Vennel	Full length
Victoria Street	Full length
Walker Street	Full length
Warden's Close	Full length

Road within LEZ Boundary	Detail
Waterloo Place	Full length
Waverley Bridge	Full length
Webster's Land	Full length
West Adam Street	Full length
West Approach Road	From Morrison Link Junction to Lothian Road
West Bow	Full length
West College Street	Full length
West Crosscauseway	Full length
West Nicolson Street	Full length
West Port	Full length
West Register Street	Full length
West Register Street Lane	Full length
West Richmond Street	Full length
William Street	Full length
William Street North East Lane	Full length
William Street North West Lane	Full length
William Street South East Lane	Full length
William Street South West Lane	Full length
Windmill Lane	Full length
Windmill Place	Full length
Windmill Street	Full length
Young Street	Full length
Young Street North Lane	Full length
Young Street South Lane	Full length

## 4.2 Grace period

A grace period of two years will begin on the date the LEZ is introduced and will apply to all vehicles. This means that, with a proposed start date of 31st May 2022 the LEZ will not be enforced until 1st June 2024. This will allow time for those with non compliant cars time to adjust, it will also allow time for any transport infrastructure changes or road construction considerations that are required for the LEZ to function efficiently.

## 4.3 Hours of Operation and Enforcement

The LEZ will operate 24 hours a day, 365 a year. The legislation governing the LEZ allows for suspension of the LEZ for the duration of events of local or national significance. Requirement for a suspension for events would be determined on a case by case basis. The LEZ can also be suspended in emergency situations, such as an accident on the wider road network that requires all vehicles to be temporarily diverted through the LEZ area (but only where vehicles follow prescribed diversionary routes).

In conjunction with the regulations and guidance, Automatic Number Plate Recognition (ANPR) cameras will be used as the basis of enforcement, in line with Scotland's other proposed LEZs.

## 4.4 Vehicles Included

Due to the scale of existing air quality issues in the city centre it is proposed that the LEZ apply to all types of vehicles, except motorcycles and mopeds. This means that cars (light passenger vehicles), minibuses, buses and coaches, light goods vehicles and heavy goods vehicles that do not meet minimum emission standards or are not subject to an exemption (see section 4.5) are covered by the LEZ.

#### Table 2: Vehicle types within scope of the LEZ

Vehicle	Vehicle Category	Description			
Light passenger vehicles	M1	Vehicles designed and constructed for the carriage of passengers and comprising no more than eight seats in addition to the driver's seat.			
Minibus	M2	Vehicles designed and constructed for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tonnes.			
Bus and coach	M3	Vehicles designed and constructed for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding 5 tonnes.			
Light Goods Vehicles (LGVs)	N1	Vehicles designed and constructed for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes.			
Heavy Goods Vehicles (HGVs)	N2	Vehicles designed and constructed for the carriage of goods and having a maximum mass exceeding 3.5 tonnes but not exceeding 12 tonnes.			
	N3	Vehicles designed and constructed for the carriage of goods and having a maximum mass exceeding 12 tonnes.			

Vehicles which meet the minimum emission standards can freely enter the LEZ and are defined as 'compliant'. Emission standards are categorised by Euro standards and fuel type and can be broadly summarised as:

- Euro 6: diesel cars and light goods vehicles (generally those registered from September 2015)
- Euro 4: petrol cars and light goods vehicles (generally those registered from January 2006)
- Euro VI: HGVs, buses/coaches (generally those registered from January 2013)

Vehicles can be retrofitted with emission abatement technology to improve emissions. Suitably certified retrofitted or repowered vehicles - where the emission standards are confirmed to a Euro 6/VI standard equivalent - will also be LEZ compliant.

As per the national default position across all Scottish LEZs, the LEZ will not apply to motorcycles and mopeds as their contribution to NO<sub>2</sub> emissions is limited.

As these are minimum standards, it should be noted that zero emission vehicles including electric and hydrogen powered vehicles, would also be considered compliant.

The <u>vehicle checker</u> on the <u>Low Emission Zones Scotland</u> website gives an indication of whether a specific vehicle may be compliant.

## 4.5 Exemptions

Some vehicles (and groups of vehicles) will be exempt from the LEZ. <u>The Low</u> <u>Emission Zones (Emission Standards,</u> <u>Exemptions and Penalty Charges)</u> (Scotland) Regulations 2021 sets out national exemptions which will apply across the LEZs in all four Scottish cities. This is summarised in table 3.



## Table 3 – Exempt vehicle types

Vehicle type or classification	Description
Emergency vehicles	The vehicle is being driven by any person who is:
	undertaking their duty as a constable;
	<ul> <li>providing a response to an emergency at the request of the Scottish Ambulance Service Board;</li> </ul>
	<ul> <li>exercising the functions of the Scottish Ambulance Service Board, the Scottish Fire and Rescue Service, Her Majesty's Coastguard or the National Crime Agency.</li> </ul>
Naval, military or air force vehicles	Vehicles being used for naval, military or air force purposes.
Historic vehicles	• The vehicle was manufactured or registered under the Vehicle Excise and Registration Act 1994 for the first time at least 30 years ago;
	The vehicle is no longer in production; and
	• The vehicle has been historically preserved or maintained in its original state and has not undergone substantial changes in the technical characteristics of its main components.
Vehicles for disabled persons	• The vehicle is being driven by any person who is in receipt of a badge (a blue badge) that has been issued under Section 21(2) of the Chronically Sick and Disabled Persons Act 1970,
	• a passenger in the vehicle has been issued with a badge under that Section of that Act; or
	• a badge for the vehicle has been issued under Section 21(4) of that Act; or
	<ul> <li>a reduction in annual rate of vehicle excise duty applies because the vehicle is being used by a disabled person in receipt of personal independence payment at the standard rate; or</li> </ul>
	• Vehicles registered with a 'disabled' or 'disabled passenger vehicles' tax class e.g. the vehicle is exempt from payment of vehicle excise duty under paragraph 19(1) or 20(1) of schedule 2 of the Vehicle Excise and Registration Act 1994 (exemptions from excise duty for vehicles used by disabled persons).
Showman vehicles	• Vehicles described as either "showman's goods vehicle" or "showman's vehicle" according to Section 62(1) of the Vehicle Excise and Registration Act 1994. Note: these are highly specialised vehicles used for the purposes of travelling showmen, where the vehicle is used during the performance, used for the purpose of providing the performance or used for carrying performance equipment.

The Council may be able to grant time-limited exemptions (for a vehicle or type of vehicle), however to encourage compliance and protect public health exemptions can only be granted in exceptional circumstances. The findings of the Integrated Impact Assessment work, discussions with stakeholders and this consultation process will explore the impact of the Scheme on affected groups, to inform any amendments to the proposed operation of the LEZ.

## 4.6 Penalty charges and surcharges

Any vehicle within the scope of the scheme which does not meet the minimum emission standard will be subject to penalties according to the Regulations and are defined as 'non-compliant'.

Penalty rates, discounts and surcharges are consistent across all of the Scottish LEZs and are set by Scottish Ministers within <u>The Low Emission Zones (Emission Standards, Exemptions and Penalty Charges) (Scotland) Regulations 2021</u> for each vehicle category.

Vehicle category	Initial Penalty Charge	Subsequent Penalty Charges			
	1	2	3	4	5
Light passenger vehicle	£60	£120	£240	£480	
Mininbus	£60	£120	£240	£480	£960
Bus and coach	£60	£120	£240	£480	£960
Light goods vehicles	£60	£120	£240	£480	
Heavy goods vehicle	£60	£120	£240	£480	£960
Special Purpose Vehicles	£60	£120	£240	£480	

#### Table 4 – LEZ penalty rates and surcharges

A 'surcharge' is essentially a graduation of penalties for repeat offenders such that the penalty charge can be escalated within set rules to a level to discourage further contraventions. The initial penalty charge for all non-compliant vehicles across all vehicle categories is set at £60, with a payment period set at 28 days from the date the penalty charge notice was served. The penalty charge rate is reduced by 50% if paid within 14 days and can also increase by 50% if payment has not been made within the 28 day payment period.

## 4.7 Displacement and mitigation

A concern relating to LEZs are the possible displacement impacts leading to air pollution worsening in boundary locations, due to vehicles diverting around the boundary, rather than entering the zone. Experience from London and other European cities indicate that cleaner vehicles tend to use the surrounding LEZs, spreading the benefit. Modelling assessment work undertaken to understand the potential air quality issues of a LEZ shows that air quality outwith the City Centre will not generally worsen as a result of a City Centre LEZ but that there is potential for some short-lived localised impacts.

To account for these potential impacts the Council is developing a Network Management Strategy to ensure that the traffic network functions effectively. This will minimise the impact of traffic displacement arising from the operation of the LEZ. Mitigation measures that may be brought forward as a part of this strategy could include:

- junction reconfiguration and other road changes
- optimisation of traffic signal phases
- improved signage
- reconsideration of loading requirements

A robust monitoring regime will also be put in place to ensure that the road network functions efficiently and that there are no negative impacts from the LEZ.

## 4.8 Funding support

To support the implementation of the LEZ, the Scottish Government has made funding available for households and businesses.

The LEZ Support Fund and Travel Better vouchers are available to households on specific means-tested benefits within a 20km (12 mile) radius of a planned LEZ. If eligible a £2,000 cash grant can be awarded towards the disposal of non-compliant vehicles. Successful households can also apply for a further £1,000 Travel Better vouchers for sustainable travel alternatives. Options include bus passes, train season tickets, new and used bikes, as well as car club membership and credits.

<u>The LEZ Support Fund for Businesses</u> is geared towards micro businesses and sole traders. A £2,500 cash grant towards the safe disposal of non-compliant vehicles is available to businesses with an operating site within 20km of the LEZ boundary.

In addition <u>the LEZ Retrofit Fund</u> will provide micro businesses, who operate within one of Scotland's four proposed low emission zones, with support to retrofit their existing non-compliant vehicles with Clean Vehicle Retrofit Accreditation Scheme (CVRAS) approved solutions. Grants are available to cover up to 80% of the cost.

### **5 HOW YOU CAN GIVE US YOUR VIEWS AND NEXT STEPS**

We want to hear your views on the proposed Low Emission Zone. You can let us know what you think by completing the survey at <u>edinburgh.gov.uk/lez</u>. The survey will be open until midnight on Monday 20th September.

We will analyse all of the submissions to the survey to inform the final plans for the LEZ. This will be presented to the Council's Transport and Environment Committee in the autumn. If approved by Committee there will then be a 28 day period during which objections can be made to the proposed scheme.

The proposals will be submitted to the Scottish Government in early 2022 with a view to implementing the scheme by 31st May 2022, with enforcement commencing from 1st June 2024.

