

Edinburgh Low Emission Zone – Objections Report

March 2022

Introduction

On 27 January 2022, the Transport and Environment Committee agreed to proceed with the Statutory Notice Period for the City of Edinburgh Council's ('the Council') Low Emission Zone (LEZ) Scheme Proposal. The Low Emission Zones (Scotland) Regulations 2021 ('the 2021 Regulations') require the publication of the Scheme Proposal to be undertaken after completing the statutory consultation process but before submitting the proposal to the Scottish Ministers for approval. The Statutory Notice Period must run for at least 28 days and be publicised widely in accordance with Regulation 3 of the 2021 Regulations, to enable formal objections to be made.

The Council's Statutory Notice Period ran for 29 days from 1 February 2022 to 1 March 2022 and was publicised in accordance with the 2021 Regulations.

As required under Regulation 4 (4) of the 2021 Regulations, a report must be prepared and published detailing:

1. The number of objections received;
2. A summary of the general nature of the objections received; and
3. The local authority's response to the objections received.

This report fulfils the requirements of Regulation 4 (4) the 2021 Regulations.

1. Number of Objections Received

During the 29-day notice period the Council received 26 objections and 1 note of support.

Objections were raised by the Edinburgh Association of Community Councils, West End Community Council, New Town Broughton Community Council, a joint submission from Corstorphine and Murrayfield Community Council, Preston Street Primary School Parent Council and Living Streets. In addition, 3 businesses and 17 individuals also submitted objections.

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A petition was received from an individual, but this did not meet the Council's criteria to be recorded formally as a petition. The petition did not provide full names of signatories or confirm that signatories were over 16 and lived in Edinburgh. As a result, the petition was recorded as 1 objection from an individual.

2 & 3. Summary of Objections Received and the Council's Responses

Following the Statutory Notice Period, the Council has reviewed and assessed all the objections received. The Council has observed that the nature of the objections can be summarised under a number of key themes.

These themes are summarised in this section of the report, together with the Council's response to the matters raised by the objections:

- Boundary
- National and Local Time-Limited Exemptions
- Impact on Individuals & Businesses
- Evidence Base and Modelling Uncertainty
- Consultation, Engagement and Legal Process
- Need for a Low Emission Zone
- LEZ funding and Impact on Council Budget
- Vehicle Types and Emission Standards
- Carbon Emissions
- Other Measures to Improve Air Quality
- Alignment with Taxi and Private Hire Car (PHC) licensing standards

Several the objections made reference to more than one of these themes, others were more specific and related to a practical issue or implication which was personal to the individual objector.

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Boundary

The most common theme of objection related to the Scheme boundary; predominately in relation to its size and potential future traffic displacement impacts, as well as a concern that it may have a detrimental impact on individuals and children's health and wellbeing due to the potential increase in polluting traffic diverting around the boundary. See also Impacts on Individuals & Businesses and Evidence Base sections.

Objectors who raised an issue with the boundary indicated preferences for a boundary at various spatial scales, including an Extended Urban Area, and larger or smaller City Centre boundaries, compared to the Scheme boundary. Some concerns were raised about the cumulative impact of transport and planning related development in the city and its impact on the City Centre.

The National Modelling Framework (NMF), which was devised to provide consistency in evidence across Edinburgh and the other cities implementing LEZ (Aberdeen, Dundee and Glasgow), showed that although there could be localised impacts in the West End area, these were short lived. Further appraisal work concluded that these concerns did not outweigh the benefit of the scheme overall. Air quality modelling and assessments of pollutant concentrations by schools (including Preston Street Primary School) and nurseries provided evidence that adverse impacts were not anticipated in these areas.

The Options Appraisal work undertaken in accordance with the National Low Emission Framework considered several boundary options, presented to the Council's Transport and Environment Committee ('the Committee') in June 2021. In this Appraisal, an Extended Urban Area boundary and a smaller City Centre boundary were examined. Both of these options were excluded due to evidenced air quality impacts around the Central Air Quality Management Area and there is evidence that indicates air quality benefits of a City Centre LEZ would extend beyond the immediate boundary. In appraising options proportionality in Scheme design and Scheme benefits was a key principle, in cognisance of socio-economic impacts and all Scheme objectives

Minor alterations to the proposed city centre boundary were also explored following agreement by the Committee in October 2021 to explore the Scheme's contribution to reducing greenhouse gases. Boundary changes in the West End and south-east were found to lead to significant increases in the length of diversion route for non-compliant traffic and did not resolve displacement impacts. Extending the boundary in the north east to include Calton Hill would have negligible carbon impact, according to the National Modelling Framework (NMF). The evidence presented indicated that no changes to the boundary could be justified.

It should also be noted that there are two objectives of the LEZ Scheme which relate directly to the implications of the LEZ boundary. These are:

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- Minimise the impact from traffic displacement across the city's transport network, related to the LEZ Scheme; and
- Strategically align with the Council's sustainable transport, active travel and placemaking objectives.

In respect of these objectives and previously raised concerns about traffic displacement, Committee has also agreed to the development of a Network Management Strategy (NMS). Officers will continue to consider all feasible and proportionate options for the NMS and will recommend suitable changes, on an evidence-driven basis. Officers will also engage with key stakeholders, including Community Councils, in the development and delivery of the NMS. The NMS would be delivered under the appropriate environmental impact legislation as per the Strategic Environmental Assessment. Strategically aligning the LEZ with the Council's sustainable transport and placemaking plans will also ensure that traffic management and improving the environment within the City Centre is at the core of the LEZ.

A LEZ annual progress report is required by the Regulations on the operation and effectiveness of the Scheme. This will link to a robust monitoring regime that will inform the NMS and may cover public transport journey times, traffic surveys and public opinion surveys as well as the Council's well-established air quality monitoring network.

Other wider elements of the LEZ Scheme implementation will also assist with addressing concerns that have been raised about the boundary, as detailed below.

During the grace period the developing communication and signage strategy will be implemented. Statutory entry/exit signs are required at the LEZ boundary and early warning signs may be placed on key routes leading to the LEZ, at the discretion of the Council. A communications and engagement campaign will focus on promotion of support funds available for adapting to the LEZ and promoting the benefits of cleaner air and use of sustainable travel.

In conjunction with the 2021 Regulations and associated guidance, Automatic Number Plate Recognition cameras and Mobile Enforcement Vehicles will be utilised as the basis of enforcement on the boundary. The Council's Local Enforcement Strategy, previously considered by Committee, aims to meet financial best value principles, minimise unnecessary costs where possible and be flexible, so that equipment can be adapted to meet the evolving needs of the Scheme or for different purposes as needs change over time. In the first instance synergies with the Public Space CCTV network upgrade, which is part of Smart Cities Scotland, is being explored.

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Detailed commentary of concerns raised regarding the boundary:

Three Community Councils objected to the LEZ on the basis that the boundary was considered to be too small and should be larger. Corstorphine Community Council, Murrayfield Community Council and the Edinburgh Association of Community Council's (EACC) indicated that the Extended Urban Area boundary was preferred, while New Town and Broughton Community Council indicated that a larger City Centre boundary was preferred, to include Calton Hill.

West End

The West End Community Council, Living Streets Edinburgh and other individual objectors raised concerns relating to displacement impacts of the Scheme boundary proposal in the West End. The area has long-standing and historic traffic patterns and serves key routes within the city centre, despite its residential character and forms part of the Central Air Quality Management Area. An individual also raised a concern about diverting traffic onto Moray Feu setted streets which is part of the World Heritage Site.

Detailed analysis of façade modelling showed that new exceedances are expected at the façade at Palmerston Place. However, the future scenario (after LEZ fully embedded) does not indicate any exceedances in this area, or at most facades across the entirety of the boundary. This is likely to be due to less non-compliant traffic needing to use the diverted route, as well as vehicle standards generally improving. The analysis also found similar results for sensitive receptors such as schools and nurseries.

The West End Community Council raised additional concerns about cumulative traffic impact from changes in the traffic network in the West End (e.g. Trams and CCWEL) that they feel have not been recognised and addressed.

North East

The New Town and Broughton Community Council as well as other objectors raised concerns about displacement impacts around Calton Hill, and that the boundary should be redrawn in this area.

South East

Preston Street Primary School Parents Council and other objectors raised concerns about the potential displacement impacts outside Preston Street Primary School, and that the mitigation measures proposed are not sufficient to protect the health and wellbeing of children.

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One objector stated that the boundaries are poorly sited and will have a detrimental impact on the health, wellbeing and the rights of children due to the increased polluting traffic diverted.

Mitigation Measures:

Officers will continue to consider all feasible and proportionate options via the LEZ Network Management Strategy (NMS). The NMS is designed to mitigate potential displacement impacts and will continue to recommend suitable changes, on an evidence-driven basis.

Central to the NMS is to monitor and evaluate displacement impacts strategically around the entire boundary following an evidence-led approach, before specific solutions can be identified.

Consultation and engagement highlighted additional areas at/near to the boundary for which enhanced monitoring and evaluation could be utilised to inform the process of identifying potential solutions, as outlined below. Convincing evidence and wider stakeholder support for such solutions is required

Mitigation measures across all areas, including the West End, north-east and south-east, alongside previously identified measures will be further developed, following an evidence-led approach and with stakeholder support.

West End Mitigation

The West End (generally but not exclusively streets between the A8 at Haymarket Terrace and A90 at Queensferry Road) has been cited as an area of concern. The area has long-standing and historic traffic patterns and serves key routes within the city centre, despite its residential character. Potential displacement impacts of LEZ in this location should be considered strategically and in relation to wider complexities of citywide network management.

Officers recommend exploring potential solutions in the West End, considering that further traffic modelling assessments and stakeholder support would be required before design and implementation and that there are other significant projects planned in this area, such as the under City Centre West-East Link (CCWEL) active travel scheme under construction.

LEZ will collaborate with CCWEL to collect further traffic modelling evidence to inform any future potential impacts the Scheme will have on the road network. Evidence from future traffic modelling and surveys could be used to determine a separate project, using instruments such as Experimental Traffic Regulation Orders (ETROs).

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An interim solution for Tollcross Junction is being costed in the first instance, to provide a logical and effective diversion route for non-compliant traffic. Measures being costed include, re-alignment of kerbs/resizing of island, repositioning of bollard and signal heads and carriageway patch. It is recognised that a major overhaul of Tollcross Junction is required in the long term.

Changes to Morrison Street are being costed to provide a logical and effective diversion route for non-compliant traffic. Measures being costed include redesign of junction at Morrison Link/Morrison Road, redesign of junction at Torphichen Street/Morrison Street/Gardner's Crescent and road markings on Morrison Street to permit two-way traffic. Any changes would consider other requirements such as for loading and taxi rank access.

LEZ will continue engagement with Tollcross Primary School and other stakeholders in the area around planned Active Travel measures, in relation to LEZ delivery timelines.

North-East Mitigation

The NMS will take on board key concerns about displacement impacts around Calton Hill and Holyrood Park.

A signposted diversion route will be made around the whole Scheme boundary. In the north-east this will follow London Road and Abbeyhill/Abbeymount to mitigate potential displacement impacts through residential areas on Calton Hill.

South-East Mitigation

At Preston Street Primary School mitigations will be explored to address concerns relating to safety, improving amenity for school children and parents following lessons learned by Travelling Safely measures already in place.

Preliminary analysis has outlined various potential measures including but not limited to; permanent widening of pavements around the school, prioritisation of traffic signalling around school pick up/drop off times to pedestrians, additional traffic calming measures and others.

Such measures will be delivered as part of the Road Safety programme, in collaboration with the LEZ.

Conclusion:

In conclusion, the Council officers have carefully considered the objections received with respect to the boundary and have concluded that no changes can be justified given the rationale, analyses and evidence that have been used to develop the LEZ Scheme.

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National and Local Time-Limited Exemptions

Some objectors made comments about the national exemptions; however, these are prescribed in the 2021 Regulations and the Council has no powers to amend them.

Objections received around 'local time-limited exemptions' tended to relate to individuals' personal circumstances, for example in relation to accessing the LEZ for night-shift work, or the impact on those with hidden disabilities.

Granting local exemptions, in addition to the national exemptions, risks undermining the overall benefits of the Scheme. The Council's proposed approach to local exemptions is expected to ensure that local exemptions would only be issued or permitted on a case-by-case basis and only in exceptional circumstances. It is unlikely that these criteria would apply to situations of a personal nature.

The Scottish Government provides [LEZ Support Funds](#) to help mitigate adverse financial impacts of Scotland's LEZs. The availability of these funds will help off-set the impact of the scheme for persons falling into this category. On balance, this is considered to provide a reasonable safeguard.

One objection relating to a hidden disability requested that consideration of a local exemption was necessary as they did not possess a blue badge. The Council's LEZ webpage on exemptions has now been updated to link to the Council's blue badge webpage, to encourage eligible individuals to explore whether they could apply for this national LEZ exemption. All applications for blue badges will be considered according to national policy and may be applied for on the [Council's dedicated webpage](#).

Taking account of the objections received and previous consultation feedback, it is recommended that Council officers establish a LEZ Local Exemption Advisory Panel (LEZ-LEAP). This panel will meet quarterly as part of the Council's LEZ Delivery Group, and will consider requests for local time-limited exemptions.

Overall, taking account of recommendations to establish a LEZ-LEAP, and national exemptions and support funds in place, the Council does not consider that objections relating to the proposed local exemption approach can be upheld on this basis.

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Impact on Individuals & Businesses

Some of the objections received related to the impact on individuals and businesses and tended to raise issues which were financial in nature and related to the cost of complying. One objection raised a concern about the accuracy of the Integrated Impact Assessment (IIA) as it was suggested that it understates the negative air quality and health impact of the traffic diverted along the boundaries, particularly on children.

The IIA helped inform the final design of Edinburgh's LEZ by presenting potential impacts arising from its introduction. It considered a range of consequential impacts and assessed them on equality, human rights (including the rights of children and young people), the environment and climate change. The IIA utilised the NHS Lothian Integrated Impact Assessment guidance as an effective mechanism for meeting requirements of the NLEF and the Equality Act 2010 (Specific Duties) (Scotland) 2014.

The IIA concluded that the LEZ has the potential to cause a range of positive and negative impacts, from improving health of society to potentially reducing access to the city centre for those who rely on private vehicle transport. The most significant impact of the LEZ will be the improvement in air quality and the resulting health benefits to residents, visitors and workers. The LEZ also has a potential positive health impact through encouraging the use of active travel and public transport for certain trips and changing existing travel behaviours.

Given the focus of the IIA to look at how protected groups are potentially differentially affected, there are instances where the LEZ could disproportionately affect some groups in society. For example, those who have a diminished ability to upgrade to a compliant vehicle due to low income, including people on benefits, single parents, or disabled people. The assessment concluded that, despite the health benefits, protected members of society can be negatively impacted by the LEZ but that these impacts can be removed or mitigated through considerate decision making at national and local level.

Nationally, the LEZ Support Fund, retrofitting schemes and exemptions outlined in the 2021 Regulations all look to reduce negative impacts of LEZs. In addition, the locally applied 2-year grace period will help mitigate the impacts, allowing additional time for residents and businesses to adapt or comply with LEZ requirements.

Working in partnership with Scottish Government and Transport Scotland, the Council has developed a Scheme where any potential negative impacts of the LEZ are considered to be minimised.

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Overall, taking account of objections relating to impact on individuals and businesses and support funds available, the Council does not consider that objections relating to impact on individuals and businesses can be upheld.

Evidence Base and Modelling Uncertainty

Some objectors made comments on modelling uncertainty, one commented about the removal of monitoring equipment and a comment was also made on the accuracy of the IIA.

The Council has worked in close partnership with the Scottish Environment Protection Agency (SEPA), Transport Scotland and the Scottish Government to assist in the success of the National Modelling Framework (NMF), to provide the quantitative evidence for assessing criteria for LEZ development, as a standard across the whole of Scotland.

The four-cities NMF models have relied on accurate, high quality, local fleet composition data and up-to-date emission factors, to build a robust evidence base. The NMF approach ensured that data was collected over a sufficiently large area to inform the model build and collect detailed vehicle categorisation information. The NMF model outputs have been produced at a resolution that offers evidence derived from accurate and insightful information, which also included future prediction modelling to evaluate the impact of natural and planned improvements to the fleet.

The outputs and predictions made within any model are subject to uncertainty, however methods and testing can be applied to limit this, including a verification process where monitoring data is used to check the model performance.

SEPA worked with University of Glasgow and University of Bergamo on methods to help address model uncertainty. This utilised a statistical technique to describe the behaviour of the model and resulted in implementing methods to establish the risks posed to predictions from uncertainty with a number of factors e.g. future emissions, meteorological conditions. This formed the basis of the NMF approach, which has been peer-reviewed and consistently applied across the four cities implementing LEZs in Scotland. With the local Edinburgh model, the verification process found the model performed well.

In conclusion, the uncertainties have provided minimal risk to the accuracy of the results and the best available evidence has been available through the NMF process to support decision-making. Therefore, the objection cannot be upheld

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The concerns raised over the IIA relate to comments on health and wellbeing of children from Preston Street Primary School. This school is located on the boundary, and concerns raised suggested a stronger focus should have been placed on the rights of children in the assessment. As mentioned above, the IIA takes into account all impacted groups and in light of the modelling research carried out, the Council does not consider that the LEZ will have adverse impacts on children.

Further engagement has been carried out with Preston Street Primary School Parent Council and colleagues in Road Safety regarding traffic calming measures outside the school that should also provide benefit and reassurance to parents.

The Council has undertaken significant traffic surveys and a review of the air quality monitoring network which has predominately involved additional monitoring, to help develop the NMF modelling work and provide baseline information for assessment of any future impacts. In conjunction with partners, including SEPA and Transport Scotland, these surveys and monitoring regimes will continue, part in response to the requirement to report on the effectiveness of the LEZ, but also in response to the Council's statutory duties to review and assess air quality on an annual basis (the Local Air Quality Management regime).

Overall the Council does not consider that objections in respect to the evidence base and modelling, can be upheld.

Consultation, Engagement and Legal Process

Some of the objections raised matters related to the consultation and engagement process for the development of the Scheme. These can be broken down by referring to the consultation period, transparency of results, previous comments made by organisations that were perceived not have been addressed, disenchantment with level of engagement in affected communities, and a request for a referendum on the Scheme.

There was a comment made in relation to the online advertising of the Statutory Notice Period as well as the posting of the notices on the street. Despite concerns, the advertised period was one day above the minimum required by statute and the Council did not receive any late submissions. All objections or comments received were reviewed and assessed.

The 2021 Regulations and associated guidance were clear about the consultation process and engagement and the Council ensured the process was followed correctly, including the siting of notices (See Appendix A). A Consultation Statement as required by the 2021 Regulations was published as part of the Statutory Notice Period.

Overall, taking account of objections relating to the consultation, engagement and the legal process, the Council does not consider that objections in respect to vehicle types and emission standards can be upheld.

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Need for a LEZ

Some objectors raised concerns that, overall, a LEZ is not needed.

The commitment to deliver LEZs across the four cities was established in Scottish Government's Programme for Government 2017/18. Transport Scotland's 'LEZ Post-COVID Uncertainty' Briefing Note also reinforces the continued need for LEZs, even considering the impact of the pandemic.

Evidence confirming the need for a LEZ in Edinburgh has been set out in previous committee reports and as part of the Statutory Notice process. A 'Statement of Reasons – Why Edinburgh Needs a Low Emission Zone' was published as part of the Statutory Notice period, the main elements of which can be summarised as follows:

- Air Quality – Improving Health and Wellbeing. The Council has a statutory duty to review and assess air quality and ensure measures are implemented in areas where Air Quality Objectives are not being met. The city centre has the greatest magnitude of traffic related pollution problems and breaches of statutory objectives and the LEZ will accelerate vehicle compliance with the national emission standards to improve air quality and public health;
- The Council declared a Climate Emergency in 2019 setting a vision for Edinburgh to be net carbon zero by 2030. Meeting this target and adapting to the impacts of climate change will require system-wide and transformational change across all sectors of the city. The LEZ will play an important role in accelerating behaviour change towards more sustainable forms of transport and cleaner vehicle technologies; and
- Sustainable Transport – Creating an Accessible, Efficient and Active Transport network. A LEZ is a key deliverable of the CMP and will help to incentivise the use of more sustainable, low emission travel modes. The Council's target to reduce car kms by 30% by 2030 requires a whole toolkit of measures, of which a LEZ will play an important role.

Nationally, Transport Scotland in partnership with the local authorities have been running the 'Get Ready' for LEZs campaign. Previous committee reporting confirmed that an analysis of the Edinburgh fleet composition showed that there were significant improvements already being made in the commercial-type fleet, hence it is considered that LEZs are providing a strong incentive for lower emission vehicles, as soon as practicable.

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Air Quality improvements are being realised across the City, which is having a positive benefit in reducing pollution concentrations. However there remains pollution hot-spots in the City and in particular in the City Centre Air Quality Management Area. See also Other Measures to Improve Air Quality sections.

Developing a LEZ in a consistent manner with the other three largest cities in Scotland means the risk of displacement of national fleets is lower. As Scotland's capital, Edinburgh needs to be one of the leaders in delivering this important intervention.

Overall, taking account of objections relating to the need to address poor air quality, climate change and sustainable transport, the Council does not consider that objections in respect to need for a LEZ can be upheld.

LEZ funding and Impact on Council Budget

One objector considered that the funding associated with the LEZ Scheme would be much better spent on other measures to improve transport and/or air quality. Also, there was acknowledgement that costs are likely to be incurred by the Council to fully implement the boundary and operate the Scheme.

The Transport (Scotland) Act 2019 set out provisions for ministers to make grants to a local authority to meet, or help towards meeting, its costs in determining whether to make a low emission zone scheme, making a scheme and operating a scheme. The Council has been in receipt of grant for several years to help development of the Scheme and continues discussions with the Scottish Government about future financing.

It should also be noted that any monies received from penalty charges in respect of a LEZ scheme may be applied by the Council for the purposes of facilitating the achievement of the Scheme's objectives, once any operational costs are covered.

In February 2020, Committee noted that the Council and its regional partners received funds from Transport Scotland through the LEZ Public Transport Provision Fund (PTP) to promote modal shift and support the LEZ Scheme's objectives. In total, approximately £3.7m of PTP funds were claimed across SEStran region by the Council and regional local authorities to encourage modal shift and more sustainable transport.

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In addition, the Scottish Government has provided a total of £1.5m in LEZ Support Funds to adapt to LEZs and generally promote modal shift and sustainable transport for over 450 microbusinesses/low-income households located within 20 kilometres of the Scheme. Funds have also been allocated for taxi retrofit.

In general, it is recognised that although there may be some impact to the Council's budget, the need for a LEZ is also well understood. Account should also be taken of the funding and works already in place to encourage sustainable transport.

Overall, taking account of objections relating to funding support, the Council does not consider that objections in respect to finance impact to the Council can be upheld.

Vehicle Types and Emission Standards

One objector considered that only diesel vehicles should be included in the scope and that it was not necessary to include other types of vehicle within the Scheme.

Nationally consistent emission standards for Scottish LEZs have been set for virtually all petrol and diesel vehicle classifications (e.g. buses, taxis, vans, HGVs, cars) within the Low Emission Zones (Emission Standards, Exemptions and Enforcement) (Scotland) Regulations 2021. It is not in the Council's remit to consider deviating from these standards and regulations.

For Edinburgh, the modelling and appraisal work showed that with the scale of the air quality exceedances in the City Centre, the decisions to include all the different vehicle types within the Scheme (except motorcycles and mopeds as per the 2021 Regulations) was the most appropriate course of action. This would also ensure that the wider objectives of the Scheme could also be better achieved. It was recognised that with all vehicles included there would also be some benefit in communicating the Scheme in a clear and concise manner.

Overall, taking account of objections relating to modelling evidence and the statutory requirements, the Council does not consider that objections in respect to vehicle types and emission standards can be upheld.

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Carbon Emissions

Objections were raised in terms of the limited ability for the LEZ to reduce carbon (CO₂), however it should be noted that the objectives of the scheme include the statutory requirement to ensure there are reductions in greenhouse gas emissions, as per Transport (Scotland) Act 2019.

Other discretionary objectives agreed by the Council include those to ensure alignment with city, regional and national policies that encourage more sustainable transport. This approach recognises that there are limits to reducing tail-pipe CO₂ emissions via current LEZ structures, as shown by the NMF process and as reported to Committee in January 2022. However, the modelling also indicated that the Scheme would contribute to CO₂ reductions when considering the wider LEZ objectives such as encouraging mode shift to more sustainable, active travel modes.

Overall, taking account of objections relating to modelling evidence, the Council does not consider that objections in respect to carbon emissions can be upheld.

Other Measures to Improve Air Quality

Some objectors considered that funding would be better spent on other air quality improvement measures. An objector raised concern around compliance of the Council's fleet.

The Local Air Quality Management framework set out in the Environment Act (1995) obliges local authorities to implement an Air Quality Action Plan (AQAP) where breaches of Air Quality Objectives are likely. The Council is currently revising the existing Plan and It is intended that, if approved, the LEZ will constitute a significant action in the forthcoming revision.

The Air Quality Action Plan will also include wider measures to improve air quality. Progress on these existing (and new) measures must be reported to UK and Scottish Government on an annual basis.

The Council will undertake a statutory consultation process on the revised Plan following its presentation to Committee in summer 2022.

The Council's fleet is undergoing a fleet replacement programme which will take LEZ requirements into account.

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Overall, taking account of objections relating to modelling evidence and AQAP measures to improve air quality, the Council does not consider that objections in respect to other measures to improve air quality can be upheld.

Alignment with Taxi and Private Hire Car (PHC) licensing standards

One objector commented on the alignment of the LEZ Scheme with the PHC licensing standards. This may have originated from information on the Council's website that required updating, with respect to the new timescales applied to the age and emission policy for taxi and PHC licenses.

The LEZ Scheme and licensing standards are separate regimes, although throughout the development of both projects, there has been discussion and co-ordination.

Currently all taxi and PHCs should be of LEZ compliant standard prior to the enforcement of the LEZ commencing (June 2024).

In response to the comments, information on the Council's website has now been updated. Close co-ordination will continue between the two regimes, however as there are separate legal provisions, this would not constitute relevant grounds for a formal objection to the LEZ Scheme.

Overall, taking account of objections relating to alignment with taxi/PHC licensing, the Council does not consider that objections in respect to taxi and PHCs can be upheld.

Conclusions

Having considered all the objections submitted, the Council does not consider or recommend that any changes to the Scheme can be justified on the grounds raised in the objections.

However, measures to mitigate potential impacts of traffic displacement (Network Management Strategy) along with ensuring awareness of the funding support for upgrading vehicles and switching to more sustainable modes of travel have been reiterated. A mechanism for assessing requests for local exemptions has also been set out.

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Summary of Objections - Reference Table

The following table sets out a summary of each of the objections, whether they were from an individual, business or organisation, and the general themes that were raised as part of each objection:

Objection Categorised as Individual, Business or Organisation	Summary of Objection	Theme(s)
1 (Individual)	<p>Concern that residents are given little or no thought.</p> <p>Concern over Council continuing to grant planning applications which will produce car traffic which will lead to more restrictions on residents of the city centre.</p> <p>Concern about Scotrail running older trains into Waverley Station.</p> <p>Suggestion that all residents want is the city cleaned up and to stop having fireworks.</p>	Wider issue of traffic management due to city development
2 (Business)	<p>Most polluted roads outwith the proposed LEZ.</p> <p>Concerned over cost of compliant vehicles, and overall financial implications for business.</p> <p>Call for overall scheme to be scrapped, disagrees with focus on green policies.</p> <p>Concern over transparency of consultation results, believes there is no support for scheme.</p>	Impact on business/ Overall Scheme/ Evidence Base/ Consultation
3 (Business)	<p>Objecting on belief that Private Hire Car (PHC) licensing conditions are not aligned with LEZ scheme. Detrimental to PHC drivers.</p>	Alignment with PHC licensing

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	Believes that communication between departments has not been efficient.	
4 (Individual)	Resident understands the benefits of LEZ but objects on a personal level due to cost of purchasing a compliant vehicle, because public transport isn't a personal option.	Financial Impact on individual
5 (Individual)	<p>Objecting on grounds that child has a hidden disability but requires access to a vehicle. Current car is not compliant, and objector believes there is no entitlement for a blue badge which would allow for a national exemption. Asks for a local exemption.</p> <p>Also objects as LEZ boundary covers multiple streets in objectors permit parking zone making less parking places accessible as vehicle is non-compliant.</p> <p>Asks for permit zones to be remapped so permit holders can access many spaces outwith LEZ.</p>	Exemptions/ Boundary-Alignment with Resident Parking Permit Zones
6 (Individual)	Concern over commuting into proposed Zone at unsociable hours as no public transport available. Current vehicle is non-compliant, requests shift workers be given an exemption.	Exemptions
7 (Individual)	Concern over commuting into proposed Zone at unsociable hours as no public transport available. Current vehicle is non-compliant, requests shift workers be given an exemption.	Exemptions
8 (Individual)	<p>Believes LEZ is a good thing in broader term but personally needs private vehicle for commuting and it doesn't meet standards. There will be lots of public transport operators affected by this, believes they should be classed as essential workers and obtain a local exemption. Cannot use public transport due to unsociable hours.</p> <p>Asks for alternative parking facilities for public transport workers that operate at Edinburgh Waverley Train Station.</p>	Exemptions
9 (Individual)	Does not agree with this zone at all. There are other ways and means to reduce emission in the city other than effectively preventing the poor from entering the city centre.	Financial Impact

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10 (Business)	<p>Objection on grounds that the car park is within the boundary, encouraging motorists to park outwith the boundary, meaning there will be congestion on surrounding streets.</p> <p>There is also a concern that being within the boundary will deter car drivers from visiting and have a financial impact on the businesses within the business centre. Business feels there could be opportunity for car club at this location but car park in boundary would be problematic.</p> <p>Concern that greening of fleets will be slower than council modelling implies due to reduction in buying the new vehicles. The expected reduction in NOx emissions attributed to vehicle fleets will be slower than anticipated. If slower to change harmful emissions will persist for longer.</p>	Boundary-Size and Traffic Management/ Financial Impact on business/ Evidence Base
11 (Individual)	Objects to overall scheme as believe it's not needed, and it's not an appropriate time due to major roadworks/construction in the city centre.	Overall Scheme/ Wider issue of traffic management due to city centre development
12 (Individual)	<p>Objection due to ongoing works throughout the city's streets which disturb traffic flow.</p> <p>Concerns over Council fleet emissions.</p>	Wider issue of traffic management due to city development/ Council's transport emissions
13 (Individual)	<p>Objecting as residents living in the city centre are already penalised through parking permit emission conditions. Personal vehicle registered in March 2015 only has 98g CO2 emissions.</p> <p>Purchased car due to low CO2 emissions, believes should not be solely based on NOx emissions.</p> <p>Requests that support is given to encourage residents to reduce emissions, but they should be given exemption.</p>	Exemptions/ Carbon Emissions
14 (Individual)	<p>In general concerns were raised from the objector about the effects of the LEZ and vehicle details, crown vehicles and failure to comply with legislation.</p> <p>Objector believes such a decision should be taken via a referendum. There were general concerns that the Scheme was not needed because of declining</p>	Overall Scheme/ Boundary-Traffic Management/ Evidence Base/ Operational Cost/ Consultation/ Exemptions/ Carbon Emissions/ Vehicle Types

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	<p>pollution in any case (with no interventions), plus, it will not improve traffic flows, increase congestion and funding would be better spent elsewhere. The objector was also concerned about no other measures being taken to increase (improve) traffic flows and reduce congestions.</p> <p>Concern was raised about the uncertainty in the modelling process involved in development the Scheme, including the range of variables and accuracy of the modelling data (both traffic and air quality).</p> <p>In terms of the specifics of the scheme, concern was raised about increases in pollution at locations on the boundary due to displaced traffic. It was also suggested that vehicle types to be included should be diesel-powered vehicles only (especially diesel only cars and commercial vehicles including buses and coaches).</p> <p>The financial impacts of the scheme were also a concern insofar that those less financially able will need allowances to visit the city centre. Concern was raised about the cost implications to the Council of the Network Management Strategy works, as well as the gap in funding in terms of the ongoing revenue costs. There was a suggestion that funding would be better spent on repairing the current infrastructure or alternative pollution reducing measures which will have a greater impact, or for example better filtration on cremations.</p> <p>The objector also raised concern about the LEZ failing to address reductions in CO2 emissions and that through the structural installations that would be required to implement the scheme and the works required for the network management strategy, additional pollution would be caused and this had not been assessed.</p> <p>There was some concern that the proposed legislation incorrectly details which vehicles should be excluded i.e. crown vehicles and that the Council incorrectly applied timescales for the statutory notice period.</p>	
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<p>15 (Organisation - Edinburgh Association of Community Councils)</p>	<p>Support for a LEZ.</p> <p>Opposition to a LEZ with the currently proposed boundaries - a city wide boundary is favoured.</p> <p>Concerns raised about the accuracy of modelling and assumptions made.</p> <p>Opposition to the premature removal of monitoring equipment.</p> <p>Concern that the LEZ only benefits the city centre. The streets in the suburban communities have had the highest level of emissions with the consequent detrimental effect on public health. Perversely it is the residents in these communities which will see no benefit from the proposed Edinburgh LEZ.</p> <p>Request for the Council to return the issue of an Edinburgh LEZ to the Scottish Government to facilitate a LEZ that meets residents needs and expectations.</p>	<p>Boundary Size/ Evidence Base/ Consultation</p>
<p>16 (Organisation - Corstorphine and Murrayfield Community Council)</p>	<p>Support for a LEZ.</p> <p>Opposition to a LEZ with the currently proposed boundaries - a city wide boundary is favoured.</p> <p>Concerns raised about the accuracy of modelling and assumptions made.</p> <p>The streets in the suburban communities have had the highest level of emissions with the consequent detrimental effect on public health.</p> <p>Request for the Council to return the issue of an Edinburgh LEZ to the Scottish Government to facilitate a LEZ that meets residents needs and expectations.</p>	<p>Boundary Size/ Evidence Base/ Consultation</p>
<p>17 (Organisation - Preston Street Primary Parent Council)</p>	<p>Concerns that the scheme boundary will encourage the most heavily polluting vehicles to divert around two sides of Preston Street Primary School. This will negatively impact the health of children and staff at the school.</p> <p>Concerns that the scheme fails to protect children at Preston Street Primary School from the life-threatening effects of air pollution and increases the risk</p>	<p>Boundary Size/ Preston Street Primary School</p>

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	<p>of death or injury due to the heavily traffic-dominated landscape around the school.</p> <p>The scheme will reduce the capacity to introduce schemes that reduce traffic and improve playground provision and pedestrian space.</p> <p>Call for scheme to be reconsidered to be more ambitious by including key roads approaching the city centre and ensuring that Preston Street Primary is within the boundary.</p> <p>The Council has declared a climate emergency and has committed to a net zero strategy by 2030. A wider LEZ scheme would go further toward meeting this ambition, without being at the expense of the health of the children at Preston Street Primary.</p>	
<p>18 (Organisation - New Town Broughton Community Council)</p>	<p>Welcome LEZ not in current format. The boundary should be increased to, include the designated Town Centres and areas such as Broughton Street, which form such an important element in the development of 20-minute neighbourhoods</p> <p>More consideration has been given to providing convenient diversionary routes than maximising the health benefits for people living in Edinburgh.</p> <p>Pollution levels have been considered on an absolute basis without any consideration of the number of people that will be exposed.</p> <p>Concerns that there is no recognition of the risks to pedestrians from vehicular emissions in areas outside of the LEZ; some of which have very high levels of walking including children walking to school.</p> <p>Calton Hill boundary should be redrawn to include Regent Road to ensure non complaint vehicles remain on arterial routes.</p> <p>London Road boundary should be redrawn to follow the south side of London Road. As a major arterial route, London Road would be a more appropriate diversion.</p>	<p>Boundary Size/ Boundary-Traffic Management/ Evidence Base/ Enforcement/ Carbon Emissions/ West End</p>

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	<p>Randolph Crescent/Great Stuart Street/Ainslie Place should be included in the LEZ as they are not suitable for diversion routes. If the boundary remains as currently proposed further measures should be developed.</p> <p>Insufficient detail is provided on the mitigating actions or measures to minimise traffic displacement.</p> <p>The current plans are focussed on reducing levels NOx pollution. Should include carbon.</p> <p>Other measures should be included such as wider roll out of EV infrastructure.</p> <p>Concerned that the enforcement approach is inadequate.</p>	
19 (Individual)	<p>Concerns that the city centre boundary alone may displace polluting vehicles to other areas of the city and exacerbate existing air quality problems. This will increase NOx pollution, around Preston Street Primary School. This will worsen health outcomes for children and staff.</p> <p>Concern that children at the school will learn less effectively, will become ill more frequently and have shorter lives. Children who also suffer deprivation will experience the above more severely than their wealthy counterparts.</p> <p>Staff at the school will also become ill more frequently.</p> <p>Increased traffic will make the roads around the school more dangerous for children.</p> <p>The plan is dangerously inadequate to address carbon output. It displaces traffic to residential areas.</p>	Boundary Size/ Boundary-Traffic Management/ Impact/ Preston Street Primary School/ Carbon Emissions
20 (Individual)	<p>Support for scheme not in current form.</p> <p>Concerns that the scheme boundary will encourage the most heavily polluting vehicles to divert around two sides of Preston Street Primary School. This will negatively impact the health and wellbeing of children and staff at the school as this is not an appropriate diversion route.</p>	Boundary-Traffic Management/ Preston Street Primary School

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<p>21 (Individual)</p>	<p>Objecting due to the proposed scheme being too small to improve air quality across the city</p> <p>Concerned that the diversion route will increase pollution in those streets, problematic for Moray Feu which is in World Heritage Site</p> <p>Believes Calton Hill should be included in the LEZ to prevent rat running, and Leith/Corstorphine should be included as areas of high pollution</p> <p>Believes whole urban area of city should be in LEZ</p> <p>Also concerned about lack of consultation with communities in developing proposed LEZ.</p>	<p>Boundary-Size/ Boundary-Traffic Management/ Consultation/ West End</p>
<p>22 (Individual)</p>	<p>The LEZ will add to the existing traffic problems in the residential streets of the West End resulting in an increase in traffic volumes traffic noise, and pollution.</p> <p>Concerned that the Council did not consider other transport related projects that are being constructed around the West End. Displacement of traffic is causing a rat run through residential streets</p> <p>Concern that the LEZ impact assessment focused on Palmerston Place and Chester Street, so mitigations will be limited to these streets only. Concerned also that there is no defined mitigation plan that will focus on the west end and put residents before traffic.</p> <p>There is a specific west end impact due to tram, City Centre West to East Link (CCWEL) and LEZ so needs unique focus on mitigations. Asks for consideration of a Low Traffic Neighbourhood (LTN) for West End.</p>	<p>Boundary-Size and Traffic Management/ Wider issue of traffic management due to city centre development/ West End</p>
<p>23 (Individual)</p>	<p>Concerns that the boundaries are poorly sited and will have a detrimental impact on the health, wellbeing and the rights of children due to the increased polluting traffic diverted.</p> <p>Concern that the IIA is inaccurate and understates the negative air quality and health impact of the traffic diverted along the boundaries, particularly on children attending Preston Street Primary School, or playing in greenspaces (e.g. the Meadows) alongside the boundary streets (e.g. Melville Drive).</p>	<p>Boundary-Size/ Boundary-Traffic Management/ Evidence Base/ Preston Street Primary School</p>

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	<p>Concern that the boundaries further entrench traffic patterns passing around and through key greenspace, educational and play areas (e.g. Preston Street Primary, the Meadows) making future modifications to remove all or most of the traffic from these routes in the future more difficult.</p> <p>Requesting for the scheme to be paused at this stage, a full Children’s Rights and Wellbeing Impact Assessment (CRWIA) carried out and boundaries extended and redrawn to remove the most polluting traffic from areas where children attend school or are known to play.</p> <p>Concern that specific measures to mitigate against negative health impacts of the children of Preston Street Primary are not acceptable or adequate. There is no scientific air quality evidence that widened pavements would be enough to protect the health and wellbeing of children and they would like to know where the evidence to support this has been sourced.</p>	
<p>24 (Organisation - West End Community Council)</p>	<p>Concerns that the LEZ will add to the existing traffic problems and pollution in the West End. Concerns over traffic displacement onto residential streets, and impact on Boundary streets (e.g. Palmerston Place and Chester Street).</p> <p>Concerns that cumulative traffic impact from changes in the traffic network in the West end (g trams and CCWEL) are not been recognised and addressed.</p> <p>Concern that there is no defined mitigation plan to deal with the displacement of traffic to West End residential streets. A more defined and detailed mitigation plan covering all streets in the West End needs to be developed. Propose the introduction a low traffic neighbourhood (LTN) in the West End.</p> <p>Concern that consultation notices were only located on boundary streets, those on surrounding streets not given same opportunity to raise an objection.</p>	<p>Boundary-Traffic Management/ Enforcement/ Consultation/ Wider issue of traffic management due to city centre development/ West End</p>
<p>25 (Organisation - Living Streets)</p>	<p>Objects due to previous comments during consultation not been addressed or fully considered. Some of the issues (lack of effective enforcement) were completely ignored and others (displacement of traffic into predominantly</p>	<p>Boundary-Size/ Boundary-Traffic Management/ Enforcement/ Consultation/ West End/ Carbon Emissions</p>

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	<p>residential areas) are dismissed on the basis that it is too difficult to make changes to the current arrangements.</p> <p>Believe this is counter to Scottish government focus on community empowerment.</p> <p>Organisation believes that the boundaries of the LEZ should be increased.</p> <p>Need to see clearly defined plans for mitigation measures on residential streets.</p> <p>The current plans are focussed on reducing levels NOx pollution. Other forms and sources of pollution need to be both more closely monitored and reduced, in particular the levels of particulate pollution and continued use of temporary diesel generators within the LEZ</p> <p>Concerns about impact at west end.</p> <p>Concerned about enforcement and the use of ANPR with only 16 fixed cameras and one mobile unit to cover the other.</p> <p>33 entry routes – worried this will undermine compliance and force non-compliant vehicles onto residential routes.</p>	
26 (Individual)	<p>Objects due to concerns over air quality outwith LEZ zone. Fail to see how designating an area of the city as out of bounds to non-complaint vehicles 24/7 is a worthwhile tool to improve public health.</p> <p>Edinburgh is already abound with multiple road closures collectively responsible for increased emissions.</p>	Boundary-Size/ Wider issue of traffic management due to city centre development