

REPORT TO: Cabinet

MEETING DATE: 10 September 2019

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: City of Edinburgh Low Emission Zone Consultation

1 PURPOSE

- 1.1 The purpose of the report is to advise Members of the proposed response to the City of Edinburgh Council (CEC) on their consultation on the introduction of Low Emission Zones (LEZ) in Edinburgh.

2 RECOMMENDATIONS

- 2.1 Members are asked to endorse the proposed response to the City of Edinburgh's consultation exercise.
- 2.2 Members are asked to consider the wider implications of the proposal in respect of the Scottish Government's and East Lothian Council's declaration of a 'Climate Emergency'.
- 2.3 Members are asked to consider the objectives of East Lothian Climate Change Strategy (in preparation) to reduce carbon emissions in all services areas and that the introduction of a LEZ will benefit overall carbon reduction.
- 2.4 Members are asked to support the general principles of the City of Edinburgh's proposed LEZ subject to the following conditions:
- East Lothian Council seeks to work collaboratively with City of Edinburgh Council to develop appropriate lining and signing arrangements associated with the LEZ designs that will bound East Lothian in the interests of road safety and to ensure that the interests of both parties are met;
 - East Lothian Council seeks to work with CEC on the making of exemptions and potential interventions to mitigate the impacts of the LEZ in East Lothian in particular through Musselburgh, Wallyford, Prestonpans and Tranent;

- East Lothian Council opposes the proposal to allow a longer grace period for Edinburgh residents as this does not consider all users equally and therefore is unfair;
- East Lothian Council will investigate a collaborative arrangement with the City of Edinburgh to include Musselburgh within the Low Emission Zone.

3 BACKGROUND

- 3.1 The Scottish Government introduced the Transport (Scotland) Bill by the Cabinet Secretary for Finance and Constitution, Derek Mackay MSP, on 8th June 2018. The Bill is divided into six parts, Part 1 introducing the concept of Low Emission Zones.
- 3.2 A Low Emission Zone is a scheme whereby driven vehicles that fail to meet a specified standard will be prohibited from driving within a designated area. A person who permits a vehicle that does not meet the criteria, to enter the zone will receive a penalty charge notice (PCN), which will be payable unless a vehicle exemption is in place.
- 3.3 The Transport (Scotland) Bill is currently going through Parliament. It is anticipated that the Bill and associated regulations will be finalised early in 2020.
- 3.3.1 The general provisions of the bill requires the setting up of a zone, (Appendix A) subsequently designating all roads therein to require all vehicles to meet the emission standards. All petrol engine vehicles will have to meet Euro 4 standards – required for vehicles sold after January 2006. Diesel cars will have to meet Euro 6 standards required for diesel cars sold after September 2015. Heavy diesel vehicles will need to meet Euro 6 standards generally those registered with the DVLA after 2014.
- 3.4 Under section 4, two or more Local Authorities can join together to create a joint scheme. However, a scheme must be approved by the Scottish Ministers before it can be made.
- 3.5 The Bill provides for a grace period for residents and for non-residents. A longer time is allowed for residents of the zone. Eligible residents must be resident to the zone with the vehicle registered at their home address in the zone.
- 3.6 The scheme can make provision for the introduction of exemptions for particular vehicles or types of vehicles. Before a scheme includes an exemption, the Authority must justify the reasons for making such an exemption. In this regard a time based exemption may be appropriate to allow night shift workers to proceed through the zone where inadequate public transport services exist. The precise detail of the exemption will be set out by the local authority. The default position will be that the scheme operates 24 hours a day.

- 3.7 Income received by the Local Authority must be applied to the operation of the scheme, implementing any identified relevant mitigation measures and to achieve the objectives of the scheme. Any additional surplus can be applied to repayment of any grant funding received by the Scottish Ministers in setting up the scheme.
- 3.7 It is anticipated the scheme will impact up to 2000 driven vehicles daily from East Lothian entering the city centre zone. The impact on commercial vehicles entering the wider city zone is unknown at this time. Detailed information of the analysis and impacts are provided in the accompanying Members' library report.

4 POLICY IMPLICATIONS

- 4.1 These proposals will contribute towards The East Lothian Plan – 2017-27 focusing on health and wellbeing, safety, transport connectivity, sustainability and protecting our environment.
- 4.2 This proposal will contribute to the Local Outcome Improvement Plan to deliver a high quality environment and that people in East Lothian are enjoying healthier lives.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The introduction of LEZs in Edinburgh will likely affect the wellbeing of East Lothian community or have a significant impact on equality, the environment or economy and an Integrated Impact Assessment (IIA) will need to be undertaken.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – The introduction of Low Emission Zones (LEZs) in Edinburgh will have a financial impact on East Lothian Council. A more detail report will be required once more details of the LEZ and timings of Grace periods are confirmed.

7 BACKGROUND PAPERS

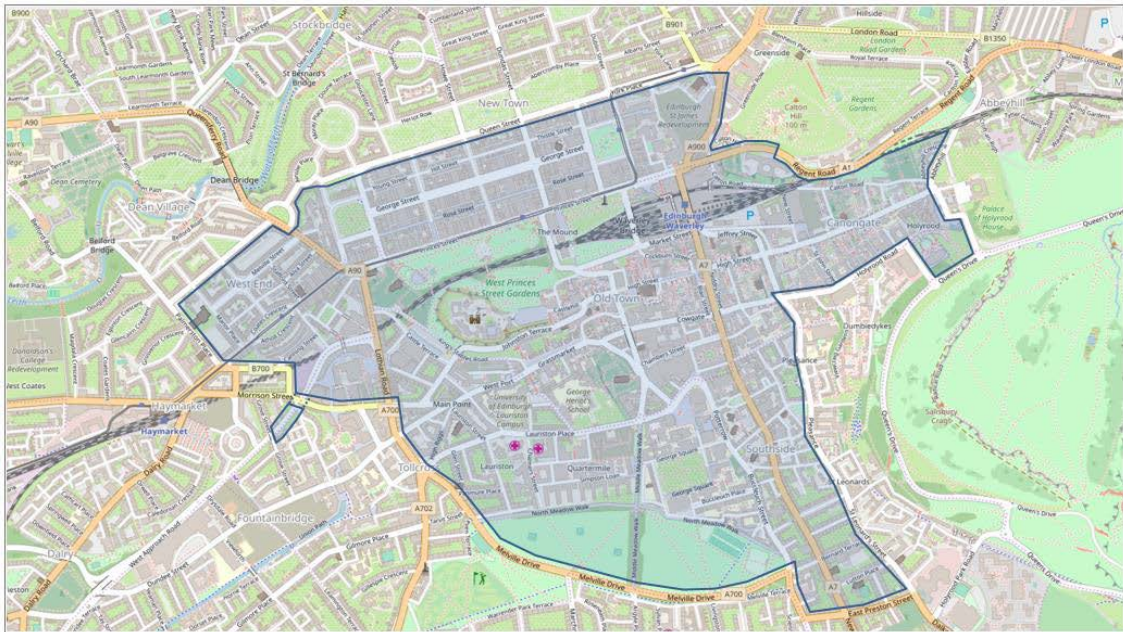
- 7.1 Members' library report. Analysis of implication of City of Edinburgh Low Emission Zone Consultation

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Appendix A

LOW EMISSION ZONE PROPOSED BOUNDARIES

Map 1 – City Centre Low Emission Zone Boundary



Map 2 – City-wide Low Emission Zone Boundary

