



Glasgow City Council

**Environment, Sustainability & Carbon Reduction
City Policy Committee**

**Report by Executive Director of Neighbourhoods,
Regeneration and Sustainability**

Contact: Gavin Slater Ext: 78347

Item 6

8th June 2021

CONSULTATION ON GLASGOW LOW EMISSION ZONE

Purpose of Report:

To update Committee on work to progress the city's Low Emission Zone and to advise Committee of the intention to take the Low Emission Zone scheme to statutory consultation.

Recommendations:

It is recommended that Committee notes the content of this report, including:

- (1) The progress being made in developing the content of the Glasgow LEZ scheme.
- (2) The intention to proceed to statutory consultation on the Glasgow LEZ scheme.
- (3) The proposed content of the Glasgow LEZ consultation document.

Ward No(s):

Citywide: ✓

Local member(s) advised: Yes No consulted: Yes No

1 Background on Glasgow's Low Emission Zone

- 1.1 At its meeting on [28th September 2017](#), the City Administration Committee (CAC) agreed to a set of proposals for introducing the Low Emission Zone (LEZ) and identified key elements of Glasgow's journey towards this goal. Since that date, the Environment, Sustainability, Carbon Reduction and City Policy Committee has considered updates on the progress of the LEZ on [20th March 2018](#) and [11th June 2019](#) which detailed the introduction of phase 1 of the LEZ and progress in the development of phase 2. A further update was considered on [6th October 2020](#) noting the revised timescale for introduction of phase 2 due to the impacts of the pandemic on the legislative timescale. This revised timescale can be seen in Appendix A.
- 1.2 The LEZ is an intervention directed at protecting and improving public health. This is in a context where the harmful effects of poor air quality have become a significant global concern, particularly for urban policy. It is also part of a broader approach to enhancing the amenity and attractiveness of the city centre through cleaner air.
- 1.3 The LEZ is intended to accelerate the pace of improvement in Glasgow's air quality and in particular to ensure that air quality levels in the city centre cease to breach EU limits and Scottish objectives for nitrogen dioxide (NO₂). The principal cause of emissions and resulting air pollution in the city is road traffic, and detailed analysis of air pollution in the city centre has been undertaken to determine source apportionment. This analysis identified that, on the streets with the highest level of pollution, buses (60-75%) and other diesel engine vehicles are the main source of pollution. The initial proposal for Glasgow's LEZ was therefore to improve emissions from the bus fleet, with other vehicle types being included in the LEZ in phase 2.
- 1.4 Phase 2 of the LEZ is dependent on the LEZ legislation within the Transport (Scotland) Act which received Royal Assent on 15th November 2019. Part 2 of the Act conferred new powers on local authorities in relation to the creation, and civil enforcement, of LEZs. The Act allows Scottish Ministers to set out much of the necessary substantive and procedural detail of the regime by way of Regulations which came into force on 31st May 2021.

2 Low Emission Zone Progress

- 2.1 The initial public consultation on LEZ scheme options was conducted between 17th February and 29th March 2020, the results of which were reported to Committee on [6th October 2020](#). Comment was invited on specific issues including proposed boundary options, emission standards, vehicle types, grace periods and any unintended consequences.
- 2.2 There are elements around LEZ design and operation which are either (1) mandatory (as stated in law) or (2) discretionary, where a local authority has scope to decide/determine how to proceed. The feedback from almost one thousand online responses and from a consultation workshop have been used

to help define those areas of the LEZ scheme under the remit of the Council including boundary options and grace periods. Regulations have defined those aspects of an LEZ scheme to operate in Scotland including emission standards and vehicle types.

- 2.3 Since the revised timetable for introduction of LEZs in Scotland was presented to Committee in October 2020, work to develop the preferred scheme design has continued. This has been accomplished ensuring consistency with national legislation and Regulations while further developing the evidence base and mandatory elements. Work to consider the impacts of the pandemic on LEZ development has been undertaken.

3 LEZ Phase 2 Consultation

- 3.1 The Transport (Scotland) Act 2019 requires that a local authority must consult with, as a minimum, the statutory consultees outlined within Section 11 of the Act. Consultation will be for a period of ten weeks and, once representations have been made, a local authority is required to prepare and publish a report detailing the persons consulted and any representations made. The report is required to also indicate how the local authority has taken into account the representations received in the course of that consultation.
- 3.2 The period of consultation has been chosen to be sufficient to inform all stakeholders and allow time for responses to be prepared and received, while preserving the compliance with the LEZ timescale. Glasgow City Council wish to maintain this timetable as much as possible such that the benefits of the LEZ in terms of air quality can be achieved as early as possible considering the unavoidable delay experienced due to the pandemic.
- 3.3 To ensure that Glasgow City Council comply with the previously agreed revised timescale for the introduction of phase 2 of the LEZ it is proposed that this consultation begins in June 2021.
- 3.4 Consultation will take place through direct contact with statutory and recommended consultees and include an online element for wider engagement. The consultation will be widely promoted through the Council website, social media channels and traditional media. Since social distancing restrictions are likely to continue for much of the consultation period, it is proposed that events such as information and engagement workshops with stakeholders be conducted remotely.
- 3.5 A consultation document will be produced in a way that enables relevant information to be tested with consultees and thus to inform the Council response to Scottish Ministers. This document will include the following mandatory information as set out in the (draft) LEZ Guidance:
- A statement setting out the reasons why the proposed LEZ scheme should be made.

This will be developed with reference to the ongoing exceedances of the nitrogen dioxide objective level within Glasgow city centre, the relatively slow pace of improvement through traditional air quality action plan measures, the contribution to emissions from older vehicle types and the expected improvements to pollution levels from enacting the LEZ proposals. It will also reference the public health objectives of improved air quality and the improvement in the amenity of Glasgow city centre as a result.

- A copy of the map, and list of roads which the proposed scheme covers. This will comprise the larger of the two LEZ boundary options submitted previously for public consultation. This option maximised the air quality benefits, minimised the impacts of displaced traffic and signage requirements and was the most popular option with respondents. A map of the proposed LEZ area can be viewed in Appendix B.
- The date which the proposed scheme comes into effect – It is proposed that the LEZ come into effect (subject to the approval of Committee and Scottish Ministers) on 31st May 2022.
- The types of vehicles the proposed scheme applies to (the ‘scope’ of the LEZ).

The LEZ will apply to all vehicle types as defined within Schedule 1 and Schedule 2 of The Low Emission Zones (Emissions Standards, Exemptions and Enforcement) (Scotland) Regulations 2021 with their corresponding emissions limits. Petrol vehicles registered before 2006 and diesel vehicles registered before 1st September 2015 will generally not meet the emissions standards and will therefore be excluded from the LEZ.

The LEZ will not apply to vehicles as defined within Schedule 3 of the Regulations (mopeds and motorcycles).

- The objectives of the proposed scheme, with a particular emphasis on the objectives which meet the mandatory objectives outlined in Section 14(4) of the Act.

The LEZ objectives will be defined as:

(a) an objective of contributing towards meeting the air quality objectives prescribed under section 87(1) of the Environment Act 1995 (regulations about air quality), and,

(b) an objective of contributing towards meeting the emission reduction targets set out in Part 1 of the Climate Change (Scotland) Act 2009.

The above objectives will be clarified further with a quantification of the LEZ contribution to the short-term objective (a) and medium-term objective (b) with particular reference to the synergies with existing or

developing GCC policies and strategies such as the Glasgow Transport Strategy and the Climate Emergency Implementation Plan.

- The grace periods for residents, non-residents, and different types of vehicles.

The Transport Act requires that a mandatory grace period is enacted between an LEZ coming into effect and enforcement beginning. This grace period must be of not less than one year and not more than four years. Glasgow City Council has committed to enforcing the LEZ at the earliest opportunity following the revised timescale and therefore will propose a one year grace period meaning enforcement of entry restrictions will begin on 1st June 2023.

A further grace period in respect of vehicles registered to residents within the LEZ is required by the Act, reflecting their restricted options in respect of choosing to enter the LEZ. The LEZ scheme will therefore propose a further one year grace period for vehicles falling within this category, meaning enforcement of entry restrictions will begin on 1st June 2024.

With the proposals for the respective enforcement dates for residents and non-residents, GCC will step up the publicity campaign to ensure that this information is supplied to affected road users. This will include, but is not limited to, social media – including paid promotions, GCC website updates, media releases, radio advertisements, outdoor advertising, continuation of engagement work and targeted offline communications.

- The circumstances in which the local authority must, may or must not grant or renew a time limited exemption.

National exemptions to LEZ enforcement are detailed within the Transport Act and Regulations. However, a local authority has the discretion to grant time limited exemptions for vehicle types or specific vehicles for a period not exceeding one year. Glasgow City Council does not propose to grant a vehicle type exemption to the LEZ and the LEZ will therefore apply to all vehicle types (except for mopeds and motorbikes).

However, the LEZ scheme will contain provision for the application of time limited exemptions under exceptional or unique circumstances. These will cover circumstances where entry of a non-compliant vehicle is required for a specific, defined purpose not considered in legislation or Regulations and will be determined on their individual merits. A time limited exemption will not be considered for normal travel purposes or routine commercial operations.

- The operating hours of the LEZ

The LEZ will operate 24 hours a day, 365 days a year. The LEZ is proposed as a response to exceedances of the annual mean nitrogen dioxide objective. Therefore, emissions at all times of the day contribute to this exceedance.

3.6 The consultation document will also reference, and access will be provided to, ancillary information relating to the development and operation of the LEZ including, but not limited to:

- Glasgow air quality evidence report, prepared by the Scottish Environment Protection Agency and expected to be delivered in May, detailing the LEZ air quality modelling scenario testing, the emissions inventory of the baseline and LEZ scenarios and projections. This includes modelling on post-Covid recovery scenarios.
- The baseline and LEZ scenario transport modelling reports.
- The LEZ Post-Covid Uncertainty Summary Note – a report compiled into the potential recovery scenarios from Covid and the implications on LEZ development.
- The transport modelling report into the most likely Glasgow specific Covid recovery scenarios and implications, expected to be delivered in May.
- The Integrated Impact Assessment conducted on the Glasgow LEZ scheme design as detailed above, expected to be delivered in May.

4 Policy and Resource Implications

Resource Implications:

<i>Financial:</i>	Grant funding for air quality monitoring and action plan measures is provided by the Scottish Government.
	Grant funding for the LEZ and associated projects is provided by the Scottish Government and administered by Transport Scotland.
<i>Legal:</i>	Progress on the LEZ is dependent on the Transport (Scotland) Act 2019 and associated Regulations to come into force on 31 st May 2021.
<i>Personnel:</i>	LEZ actions will be undertaken using existing staff resources, partner organisations and consultant support.

Procurement: Procurement will be undertaken in respect of LEZ projects such as publicity, support for consultation and capital purchase of enforcement equipment.

Council Strategic Plan:

The recommendations of this report support the following Strategic Plan themes:

- A Vibrant City
- A Healthier City
- A Sustainable and Low Carbon City

The following Strategic Plan actions are supported:

- Glaswegians are active and healthier
- Glasgow is healthier
- The city is clean and public spaces are well maintained

The following Strategic Plan Priority is supported:
61. Develop options for the city to introduce Scotland's first low emission zone and work with partners on a cleaner fleet of buses and cars – including electric.

Equality and Socio-Economic Impacts:

Does the proposal support the Council's Equality Outcomes 2017-22

Generally supportive of the stated outcomes.

What are the potential equality impacts as a result of this report?

The LEZ is aimed at protecting the health of some of Glasgow's most vulnerable residents. An EQIA screening of the first phase of the LEZ has been undertaken - <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=45428&p=0>
A further EQIA for phase 2 of the LEZ has been undertaken as part of the Integrated Impact Assessment.

Poor air quality differentially impacts on residents with prior health conditions and improvements in air quality should therefore provide benefits.

Please highlight if the policy/proposal will help

Socio-economic impacts have been considered as part of the Integrated Impact Assessment of phase 2 of the LEZ.

*address socio
economic
disadvantage.*

**Sustainability
Impacts:**

Environmental: Action to improve air quality supports the Council Plan's key objectives to create a cleaner, more sustainable city and to improve health and wellbeing in Glasgow.

*Social,
including
opportunities
under Article
20 of the
European
Public
Procurement
Directive:* N/A

Economic: Improvements in air quality can help to create a better quality of life and thereby support a more attractive place in which to invest.

**Privacy and Data
Protection
impacts:** This report has no immediate impacts upon privacy or data protection. However, data collection as part of LEZ enforcement will be fully considered for compliance with relevant legislation and procedures.

5 Recommendations

- 5.1 It is recommended that Committee notes the content of this report, including:
- (1) The progress being made in developing the content of the Glasgow LEZ scheme.
 - (2) The intention to proceed to statutory consultation on the Glasgow LEZ scheme.
 - (3) The proposed content of the Glasgow LEZ consultation document.

Appendix A – LEZ Revised Timescale

Date	Action
August to mid October 2020	<p>Policy instruction development with SGLD, taking into account COVID-19 related issues and responses</p> <p>Public consultation on Regulations requiring affirmative instruments covering emission standards, penalty charges and exemptions.</p>
August to early October 2020	Impact Assessments completed by Transport Scotland on Regs (to inform policy instructions)
December to mid-January 2021	<p>Regulation text checked and agreed between Transport Scotland and SGLD</p> <p>Finalise and publish LEZ Guidance</p>
22 January 2021	Affirmative Regulations laid in Scottish Parliament subject to (1) engagement with, and support from, the Parliament and Legislation Unit followed by (2) subsequent agreement with the Minister for Parliamentary Business and Veterans in tandem with the Cabinet Secretary to support Parliamentary passage of the LEZ SSI's.
Late May 2021	<p>All LEZ Regulations come into force</p> <p>LEZ plans to be scrutinised by Local Authority committees (prior to their summer recess) in order to clear them for public consultation</p>
June to August 2021	Public consultation by local authorities on final LEZ plans
September to November 2021	Consultation data analysis with final changes to LEZ plans based on consultation feedback
December 2021 to January 2022	<p>LEZ plans to be scrutinised then approved (if appropriate) by Local Authority committees</p> <p>followed by...</p> <p>LEZ plans to be reviewed then approved (if appropriate) by Scottish Ministers</p>
February 2022	LEZ's introduced by February 2022 within window out to May 2022.

Appendix B – Proposed Low Emission Zone 2022 Boundary

