

## Additional Transport and Environment Committee

1.30pm, Tuesday 26 October 2021

### Present

Councillors Macinnes (Convener), Doran (Vice-Convener), Bird, Child, Corbett, Hutchison, Key, Lang, McLellan (substituting for Councillor Smith), Miller and Whyte.

### 1. Low Emissions Zone – Consultation and Development

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#### a) Deputation – Corstorphine Community Council

A written deputation from Corstorphine Community Council was circulated and considered by the Committee.

The key points made by the deputation were:

- The elected representation of West Edinburgh – MP, MSP, City Councillors (irrespective of political party) and Community Councillors were unanimously opposed to an LEZ that did not extend to the West of the City.
- At a time when the City Council was soliciting resident support for its Net Zero 2030 Strategy it was incongruous to spurn one of the most heavily populated area, and this was before the significant house building that had commenced and was planned for the West.
- It would be a dereliction of duty to our residents if Corstorphine Community Council did not vigorously oppose the LEZ in its current iteration.

#### b) Report by the Executive Director of Place

Edinburgh, along with Aberdeen, Dundee and Glasgow, was empowered by the Scottish Government to implement a Low Emission Zone (LEZ) to protect public health and reduce harmful emissions from traffic. All four cities were following a timeline for implementation by May 2022, with enforcement commencing at the end of a 'grace period', the length of which was to be determined by each local authority.

The consultation on Edinburgh's proposed city centre LEZ scheme ('the scheme') was held over a period of 12 weeks and included statutory and non-statutory consultees. Analysis of the consultation feedback had been undertaken to inform whether any changes to the scheme's design should be made and how concerns regarding the scheme's impacts could be addressed.

## **Motion**

- 1) To note that the Council had now concluded the statutory consultation on the proposed Low Emission Zone (LEZ) scheme and had also completed non statutory public consultation, as approved by Committee in June 2021.
- 2) To acknowledge that analysis and consideration of feedback from consultations had informed a review of the proposed LEZ scheme.
- 3) To note that, on consideration of the consultation feedback, no changes were proposed to the LEZ scheme but that concerns around impacts, such as vehicle displacement and financial implications would be addressed in the development of the Network Management Strategy and in raising awareness of support funds for vehicle adaptation.
- 4) To approve the LEZ scheme (as presented in June 2021) and to agree to proceed with the publication of the scheme for a period of 28-days in line with statutory requirements.
- 5) To approve further progress on the design and delivery of the scheme to meet the agreed implementation timeline.

- moved by Councillor Macinnes, seconded by Councillor Doran

## **Amendment 1**

- 1) To note that the Council had now concluded the statutory consultation on the proposed Low Emission Zone (LEZ) scheme and had also completed non statutory public consultation, as approved by Committee in June 2021.
- 2) To consider that the proposed Low Emission Zone was poorly designed, expensive and would not meet its stated aim to improve air quality.
- 3) To agree that a study on likely patterns of traffic and pollution displacement should proceed the adoption of any scheme.
- 4) To regret that the consultation once again presented a fait accompli and once again did not incorporate any of the rich and varied consultation feedback into the final proposals.
- 5) To instruct officers to produce a report in 3 cycles on a range of options for consultation, to incorporate analysis of likely traffic and pollution displacement from each scheme, evidence-based analysis of likely reductions in air pollution levels to be achieved and consideration of how the proposed schemes could become self-financing.

- moved by Councillor Hutchison, seconded by Councillor Whyte

## **Amendment 2**

- 1) To note that the Council had now concluded the statutory consultation on the proposed Low Emission Zone (LEZ) scheme and had also completed non statutory public consultation, as approved by Committee in June 2021.
- 2) To acknowledge that analysis and consideration of feedback from consultations had informed a review of the proposed LEZ scheme.
- 3) To note the absence of climate analysis in the report, and on consideration of the consultation feedback received regarding reduction of greenhouse gas

emissions, to agree to alter the LEZ scheme boundary and grace period and to clearly evidence to what extent the scheme would meet the legal requirement to achieve the objective set by the Transport (Scotland) Act 2019: *Contribute towards reduction of greenhouse gas emissions in fulfilment of Part 1 of the Climate Change (Scotland) Act 2009.*

- moved by Councillor Miller, seconded by Councillor Corbett

### **Amendment 3**

- 1) To note that the Council had now concluded the statutory consultation on the proposed Low Emission Zone (LEZ) scheme and had also completed non statutory public consultation, as approved by Committee in June 2021.
- 2) To acknowledge that analysis and consideration of feedback from consultations had informed a review of the proposed LEZ scheme.
- 3) To note the findings of the Council's earlier 2019 Low Emission Zone (LEZ) consultation in which 78% of respondents supported the proposed city-wide LEZ applying to buses and coaches, with 81% support for the city-wide LEZ applying to HGVs, LGVs and vans, and support for a city wide LEZ was greater than that for a city centre only LEZ.
- 4) To note that the results of the 2019 consultation compared starkly to the 2021 consultation which showed the proposed city centre LEZ scheme had failed to attract even majority support amongst respondents.
- 5) To note the continued concern expressed by residents on the potential for traffic displacement to areas around a city centre zone, and that the air quality modelling forecasts increases in NOx concentration in a number of streets outside the LEZ boundary following the implementation of the proposed scheme.
- 6) To note the frustration expressed that, despite having unacceptably low levels of air quality, major streets like Queensferry Road and St John's Road were not covered by the low emission zone.
- 7) To believe that, after almost six years of work and another two years before restrictions were enforced, it was important to be ambitious in driving down pollution levels and improving air quality for all communities, not just those within the core city centre area.
- 8) To therefore agree not to approve the proposed scheme and to agree that officers should return to Committee in two cycles with plans for a city wide LEZ and the necessary statutory and non-statutory consultations which would be required.

- moved by Councillor Lang, seconded by Councillor Bird

### **Voting**

The voting was as follows:

#### **First Vote**

The voting was as follows:

|                 |   |         |
|-----------------|---|---------|
| For the Motion  | - | 5 votes |
| For Amendment 1 | - | 3 votes |

For Amendment 2 - 2 votes  
For Amendment 3 - 1 votes

(For the Motion: Councillors Bird, Child, Doran, Key and Macinnes.

For Amendment 1: Councillors Hutchison, McLellan and Whyte.

For Amendment 2: Councillors Corbett and Miller.

For Amendment 3: Councillor Lang.)

There being no overall majority, Amendment 3 fell and a second vote was taken between the Motion and Amendments 1 and 2.

## **Voting**

### **Second Vote**

The voting was as follows:

For the Motion - 5 votes  
For Amendment 1 - 3 votes  
For Amendment 2 - 3 votes

(For the Motion: Councillors Bird, Child, Doran, Key and Macinnes.

For Amendment 1: Councillors Hutchison, McLellan and Whyte.

For Amendment 2: Councillor Booth, Corbett and Lang.)

In accordance with Standing Order 24.5, the Convener used her casting vote. Amendment 1 fell and a third vote was taken between the Motion and Amendment 2.

## **Voting**

### **Third Vote**

The voting was as follows:

For the Motion - 5 votes  
For Amendment 2 - 6 votes

(For the Motion: Councillors Bird, Child, Doran, Key and Macinnes.

For Amendment 2: Councillors Corbett, Hutchison, Lang, McLellan, Miller and Whyte.)

## **Decision**

To approve the amendment by Councillor Miller.

(Reference - report by the Executive Director of Place, submitted.)