

Consultation Questions

Number	Consultation Question
1a	<p>Do you agree with the proposed present-day emission standards for Scottish LEZs? If not, why not?</p> <p><i>The emission standards should be consistent across all vehicle classes. In effect all Diesel vehicles should be Euro 6 and all Petrol vehicles should be Euro 4. This makes the standard much easier to understand by all users regardless of vehicle class. Information on the proportional breakdown of the national fleet would have been beneficial in this decision-making process (e.g. what percentage of vehicles will be affected by LEZ restrictions).</i></p>
1b	<p>What are your views on Scotland making a transformative shift to zero or ultra-low emission city centres by 2030? Please be as specific as possible in your reasoning.</p> <p><i>As it currently stands the document does not provide enough information on ultra-low emission city centres for PKC to pass comment. Would all Scottish cities be required to have an ultra-low emission city centre, or would they only be required in cities with Air Quality Management Areas? A clear definition for a 'city centre' would also need to be provided before any comments can be made.</i></p> <p><i>A LEZ may also not be a precursor to low emission cities where only one or two streets are implicated</i></p> <p><i>If Scotland is to make a transformative shift to zero or ultra-low emissions city centres, measures must be put in place to allow members of the public to reduce the need for them to bring their vehicles into city centres.</i></p> <p><i>This might include:</i></p> <ul style="list-style-type: none"> <i>~ the construction of Park & Choose sites where member of the public can choose public transport, cycling, walking or wheeling where appropriate</i> <i>~ Introduction of zero or ultra-low emission public transport vehicles, such as trams, trolley buses or electric vehicles</i> <i>~ Construction of distribution centres for deliveries where last mile deliveries are coordinated</i>
2a	<p>Which of the proposed national LEZ exemptions do you agree with? Please be as specific as possible in your reasoning.</p> <p><i>In terms of the proposed national LEZ exemptions, the following exemptions should be included:</i></p> <ul style="list-style-type: none"> <i>- Emergency Vehicles, Military Vehicles – These should be exempt nationally, as they are specialist vehicles that need to access all areas for the safety of the public. However, if there is no sign of improvement in the efficiency of these vehicles after a number of years, this exemption should be reviewed.</i> <i>- Vehicles registered with a 'disabled' or 'disabled passenger vehicles' tax class.</i> <p><i>In terms of the proposed national LEZ exemptions, the following exemptions should be excluded:</i></p> <ul style="list-style-type: none"> <i>- Historic Vehicles, Showman Vehicles – These vehicles should NOT be exempt. They do not provide a service, nor are they necessary for any group. There are a number of other highly specialised vehicles including Cranes and Construction Vehicles that have not been included in the exception.</i> <i>- Blue Badge Holders - The administration of Blue Badge holders could prove to be challenging, as the badge is assigned to a person rather than a vehicle. The system of administering a LEZ should be as automated as possible, without needing to have human intervention, for example a blue badge holder phoning to log their vehicle of travel. The minimum amount of intervention possible should be designed into the system. Where a disabled person has their own vehicle that has been adapted and registered with a 'disabled' or 'disabled passenger vehicles' tax class, this vehicle should be included.</i>

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2b	Are there any other LEZ exemptions you would propose? If so, what should these exemptions be and why?
	<i>No other exemptions should be considered</i>
3a	Do you agree with the proposed base level and subsequent tiers of penalty charges for each vehicle type as outlined in Table 5? Please explain your answer.
	<i>Yes, the approach that has been taken, is logical and explainable with HGVs and Buses receiving a larger charge from the outset due to both their higher emissions rate and the likelihood they are owned by a business (and thus would potentially not be discouraged by the standard penalty).</i>
3b	Which surcharge 'curve' in Figure 1 represents the best approach to designing a surcharge?
	<i>Graph 2 is the best approach, as the stepped approach provides clear guidance for vehicle users and authorities on surcharge increases. However, it is recommended that the surcharge be increased after two contraventions rather than three (as shown in Graph 2).</i>
3c	How should the surcharge approach be applied in order to discourage non-compliant vehicles from driving within a LEZ?
	<i>The doubling effect displayed in Table 5 is appropriate for all vehicle types with the exception of Bus/Coach and Heavy Goods Vehicles where a higher initial surcharge has been applied.</i>
3d	How many days should lapse before a registered keeper of a vehicle returns to the base tier of the penalty charge?
	<i>Graph 2 should also apply in reverse, going back down in a phased return, rather than an automatic reset. The period should be longer than 28 days before going back down the graph. This would discourage those who occasionally drive in the city centre (once a month for example) from avoiding the penalty charge due to the period lapsing in-between each contravention. This lapse period should be counted from the offender's most recent contravention, rather than the first in a sequence (e.g. if an offender is charged three times over a 28-day period, the lapse period should be counted from the third contravention).</i>
4	Do you agree with the general principles of the LEZ enforcement regime? If not, why not?
	<i>The general principles are acceptable. With regard to the issuing of the PCN, could a photograph of the contravening vehicle be included on the notice?</i>
5	What are your views on the proposed list of 'other persons' that local authorities must consult with on their LEZ plans?
	<p><i>Agree with all those proposed by SG to be consulted, but suggest the following agencies/bodies should also be consulted:</i></p> <ul style="list-style-type: none"> <i>• Chamber of Commerce</i> <i>• Federation of Small Businesses</i> <i>• Community Planning Partnerships</i> <i>• Delivery Companies</i> <i>• Bus and Coaches Operators</i>

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6	<p>If a LEZ scheme review was undertaken, what elements would you expect the review to investigate and how would the review ensure transparency and accountability?</p>
	<p><i>In terms of a review of the scheme the following information should be included:</i></p> <ul style="list-style-type: none"> <i>~ The number of vehicles entering the LEZ</i> <i>~ The number of contraventions</i> <i>~ Time spent within the LEZ</i> <i>~ Impacts on the surrounding road network, in terms of emissions and vehicle numbers</i> <i>~ The reduction in emissions achieved in the LEZ</i> <i>~ The number of vehicles paying the surcharge and which Tier they are in</i> <i>~ Assessment of the Zone signage effectiveness (e.g. large number of first-time offenders – poor signage)</i> <p><i>The review should be undertaken by an independent body of experts similar to the Cleaner Air for Scotland Review, with all relevant stakeholders consulted on the findings of the review before any changes to the LEZ scheme are made.</i></p> <p><i>If the Scottish Ministers are to give a local authority direction to address an under performing LEZ, they must give clear recommendations on how they feel performance can be improved.</i></p>
7	<p>What secondary objectives should be created for LEZ schemes? Please be as specific as possible in your reasoning</p>
	<p><i>Increase use of public transport and sustainable transport methods: could be monitored through obtaining passenger data from bus companies, using cycle counters etc. This would show the direct effect of the LEZ in encouraging modal shift.</i></p> <p><i>Increase uptake of Low/Zero emission vehicles: ANPR surveys could be undertaken to assess composition of the local fleet. This would show the influence the LEZ has had on vehicle change for both cars and public transport.</i></p>

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8	Do you agree with the steps outlined in Figure 2 for enabling a LEZ scheme to come into effect? If not, why not?
	<p><i>Yes, however additional steps should be included:</i></p> <ul style="list-style-type: none"> <i>• An appraisal/feasibility study for a LEZ in the chosen area should be undertaken before Step 1. Following this study, a consultation of stakeholders should be carried out.</i> <i>• Prior to Step 7 and following Step 6 in Figure 2, a grace period should be included</i> <i>• Following Step 7, a Review of the LEZ step should be listed</i>
9	How can local authorities maximise the technological opportunities available from the deployment of approved devices?
	<p><i>The devices could be used for the following purposes:</i></p> <ul style="list-style-type: none"> <i>- Car Parking within the LEZ, could be used to charge based on time within the zone</i> <i>- ANPR Camera data could be used to create accurate traffic and air quality models which can be regularly updated with new ANPR data. These models would assist in the Air Quality Action Planning process, leading measures more focused on problem areas</i> <i>- Noise monitors could be included in the devices to assist noise mapping.</i> <i>- Devices could communicate with city traffic management systems, alleviating congestion when identified</i> <i>- Monitoring of real-world emissions to establish if Euro ratings are accurate.</i>
10	What positive or negative impacts do you think the LEZ proposals outlined within this consultation may have on:
	<ul style="list-style-type: none"> a) particular groups of people, with particular reference to 'protected characteristics' listed above b) the very young and old c) people facing socioeconomic disadvantages
	<p><i>(a) There could be a possible negative impact on those with a disability, were they (those with a blue badge) not to be exempt from the LEZ as discussed in 2a. Similarly, there may be a negative impact on the elderly if their vehicle does not meet LEZ standards, due to possible mobility problems making it difficult to reach the city centre from outside the LEZ.</i></p> <p><i>(b) There would be a positive impact on the health of the very young and old from a LEZ. Both of these groups are particularly vulnerable to air pollution and would benefit from the improvements in air quality a LEZ may likely bring.</i></p> <p><i>(c) There may be a negative impact on those facing socioeconomic disadvantages. The introduction of a LEZ could result in penalties, the need to purchase a more efficient car to access the area, or the need to use more expensive travel methods (e.g. if public transport is more expensive than using their car).</i></p>
11	Do you think the LEZ proposals outlined within this consultation are likely to increase, reduce or maintain the costs and burdens placed on business sectors? Please be as specific as possible in your reasoning.
	<p><i>There may be an initial decrease in revenue for businesses within the LEZ, due to customers being unsure about the new Zone: there is a perception that footfall will be adversely affected where parking is not available nearby their business. In addition, delivery methods for businesses may need to be changed if a delivery vehicle does not the new LEZ standards. This could result in an increase of costs for a business. A raft of measures for businesses should be made available to incentivise growth/sustainably following the introduction of a LEZ.</i></p>

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12	<p>What impacts do you think the LEZ proposals outlined within this consultation may have on the personal data and privacy of individuals?</p> <p><i>The approach for enforcing the LEZ, is a well-established method of pursuing penalties for example Bus Lane enforcement or Speed Camera enforcement. GDPR must be adhered to regarding the use of ANPR data collected through LEZ verification technology.</i></p>
13	<p>Do you think the LEZ proposals outlined within this consultation are like to have an impact on the environment? If so, which ones and how? Please be as specific as possible in your reasoning.</p> <p><i>The LEZ proposals will have a significant positive effect on the environment, primarily on local air quality. When implemented these measures will divert vehicles of poor emission standards away from city centres while encouraging the uptake of more efficient vehicles and more sustainable transport methods, the combination of which will result in a decrease in air pollutants within LEZ areas. The decrease in overall traffic in the area may also result in a decrease in vehicular noise pollution.</i></p>
14	<p>Do you have any other comments that you would like to add on the Scottish Government's LEZ proposals outlined within this consultation?</p> <p><i>Clarification is required regarding the assessment of vehicles entering a LEZ:</i></p> <ul style="list-style-type: none"> <i>• Will foreign vehicles be recognised by ANPR cameras?</i> <i>• Can ANPR identify retrofitted vehicles or vehicles using alternative fuels (these vehicles will have different emission rates to their original models)?</i> <i>• How will the degradation/age of vehicles be factored into determining LEZ access (vehicle degradation leads to increased emissions)?</i> <p><i>An increase in city centre parking charges and parking fines should occur in conjunction with the introduction of LEZs. This will further discourage those willing to accept the cost of contraventions for the convenience of parking in the city centre.</i></p> <p><i>Should the revocation of LEZ's be considered, where for example significant city centre changes occur?</i></p> <p><i>Will penalty costs be retained by the Local Authority to reinvest in positive transport measures.</i></p> <p><i>Redirection of traffic away from an implemented LEZ onto smaller side streets less equipped to deal with high volumes of traffic could result in air quality problems being moved elsewhere rather than being reduced. As such, a LEZ may not be advantageous for every city</i></p> <p><i>Crieff has an AQMA constrained to one main road running through the town and does not have any alternative routes for traffic were a LEZ to be implemented. Alternative actions should be available for similar cities/towns in which a LEZ would be unfeasible.</i></p>