

Roads Directorate

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Andrew Kerr
Chief Executive
The City of Edinburgh Council
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Our ref: LEZ/SL/VM
19 May 2022

Dear Andrew

**THE TRANSPORT (SCOTLAND) ACT 2019, THE LOW EMISSION ZONES (SCOTLAND) REGULATIONS 2021 AND THE LOW EMISSION ZONES (EMISSION STANDARDS, EXEMPTIONS AND ENFORCEMENT)(SCOTLAND) REGULATIONS 2021.
EDINBURGH LOW EMISSION ZONE
THE SCOTTISH MINISTERS' DECISION**

This letter contains the Scottish Ministers' approval of a proposal from the City of Edinburgh Council dated 01 April 2022 for a Low Emission Zone (LEZ) to be made on 31 May 2022.

The Scottish Ministers, under section 10 of the Transport (Scotland) Act 2019, approve the making of the LEZ as proposed.

On review of the submission from the City of Edinburgh Council the following points were noted:-

1. The City of Edinburgh Council has requested Scottish Minister's approval for their LEZ scheme. The proposed LEZ aims to improve air quality and contribute towards climate change emission reduction targets by restricting vehicle movements within a defined geographical area based on vehicle emission standards.
2. The LEZ is to be enforced using Automatic Number Plate Recognition (ANPR) cameras with penalty notices issued for non-compliant vehicles.
3. The LEZ is within the city centre and covers the public roads as proposed within the submission (it does not include any private or special roads). The LEZ will operate 24 hours a day 365 days a year unless subject to a temporary suspension by the local authority. Emission standards and penalty charges are as set out in the relevant legislation.

4. The LEZ will apply to all vehicles except i) those entitled to an exemption and ii) motorbikes/mopeds, as these are not expected to be within scope for LEZs in Scotland.
5. The LEZ will be made on 31 May 2022, thereafter there will be a grace period. The City of Edinburgh Council has set a grace period of 2 years for both residents and non-residents. Enforcement of the LEZ will not commence until 01 June 2024.
6. The City of Edinburgh Council has advised that full consultation and engagement has been undertaken in line with statutory requirements. Objections were considered with no changes to the LEZ proposals considered necessary. The objections report has been published on the council website.
7. It is noted that the City of Edinburgh Council has decided not to appoint a reporter to undertake an examination of the LEZ scheme prior to submission to Scottish Ministers.
8. The objectives of the LEZ scheme are clearly stated and suitable supporting evidence and air quality modelling has been provided.
9. The submission includes the relevant environmental and equalities impact assessments.

The Scottish Ministers' Decision

The Scottish Ministers have carefully considered the need, justification and environmental impact of the scheme.

Appropriate air quality assessment has been undertaken and SEPA has concluded that the project will lead to a reduction of harmful air pollution within the LEZ.

The Scottish Ministers have also considered the consultation and engagement activities undertaken by the City of Edinburgh Council in advance of the LEZ introduction, including the need for an equalities impact assessment.

The Scottish Ministers are content that there is sufficient justification for introduction of the LEZ and that adequate consultation has been undertaken by the City of Edinburgh Council. Scottish Ministers have therefore decided that a reporter will not be appointed to undertake an examination of the LEZ scheme submitted by the City of Edinburgh Council.

Having taken into account all relevant matters, the Scottish Ministers have decided that on the grounds of a) contributing towards meeting the air quality objectives prescribed under section 87(1) of the Environment Act 1995, and b) contributing towards meeting the emission reduction targets set out in Part 1 of the Climate Change (Scotland) Act 2009 that the LEZ, as proposed by the City of Edinburgh Council, should be made.

The foregoing decision by the Scottish Ministers is final.

This decision letter will also be made available on the Transport Scotland website www.transportscotland.gov.uk

Yours sincerely

A handwritten signature in blue ink, appearing to read "Stewart Leggett". The signature is written in a cursive style with a prominent initial 'S'.

Stewart Leggett
Director