

**LEZ Leadership Group Meeting 10
12 November 2020
Via MS TEAMS**

Attendees:

Roseanna Cunningham, Cabinet Secretary for Environment, Climate Change and Land Reform (Chair)

Michael Matheson, Cabinet Secretary for Transport, Infrastructure and Connectivity

Cllr Anna Richardson (Glasgow City Council)
George Gillespie (Glasgow City Council)
Cllr Lynne Short (Dundee City Council)
Tom Stirling (Dundee City Council)
Cllr Sandra Macdonald, (Aberdeen City Council)
David Dunne (Aberdeen City Council)
Shauna Clarke (City of Edinburgh Council)
Will Garret (City of Edinburgh Council)
Janice Milne (SEPA)
Hugh Gillies (Transport Scotland)
Stephen Thomson (Transport Scotland)
Pete Grant (Transport Scotland)
Vincent McNally (Transport Scotland)
Mairi McAllan (Scottish Government)

Apologies:

Dr Colin Ramsay (Health Protection Scotland)
Cllr Lesley Macinnes (City of Edinburgh Council)
David Pirie (SEPA)
Cllr Mark Flynn (Dundee City Council)
Gale Beattie (Aberdeen City Council)

Subject	Discussion and actions
<p>Welcome and review of previous actions</p>	<ul style="list-style-type: none"> • HG welcomed everyone to the meeting and agreed with the CabSecs to coordinate the Teams meeting. • No comments were received about the previous minute issues, action points and outcomes. All present confirmed were content and no changes required. <p>Actions from August 2020 meeting</p> <ul style="list-style-type: none"> • Action: Need for further LEZ modelling work to take account of COVID-19 inspired changing travel patterns.

	<p>Outcome: New COVID uncertainty modelling work being undertaken in the 4 cities with funding provided by TS.</p> <ul style="list-style-type: none"> • Action: 121 engagement between Councillors and TS to be offered by TS. Outcome: This was offered to all authorities and taken up by Dundee, Aberdeen and Edinburgh to date. • Action: TS to take into account a package of risk via a risk register (including local elections in 2022). Outcome: TS has a working version of a risk register, with input from the LAs (with Aberdeen’s risk register being particularly well developed). Risk Registers were also discussed at the LEZ Consistency Group and will be a recurring agenda item. • Action: Funding provision should be reviewed to allow LAs to progress their work. Outcome: Transport Scotland awarded Glasgow further moderate funding (to carry out the essential impact assessment work) following the last Leadership Group meeting. We recently wrote to Aberdeen to advise that the additional routine funding requested was not appropriate at this time. • Action: Budget uncertainty into next financial year requires further detail on the funding pressure (likely to be experienced by local authorities) both this year and the years to come. Outcome: Transport Scotland have written to the LAs requesting future funding forecasts – we would expect some sort of indicative figures to be available for the next Leadership meeting.
City-specific LEZ progress	<p>Glasgow</p> <ul style="list-style-type: none"> • Working on impact assessment to be finished this financial year. • Won’t have TRC in place, but optimistic to reach 60% target this year in conjunction with SEPA and bus operators. • Reported to committee on air quality and need for revised enforcement date. Expect enforcement as early as legally possible - in early 2023, will return to committee in May 2021 for final approval and consultation. <p>Edinburgh</p> <ul style="list-style-type: none"> • Report to committee in October to outline the revised timeline. • Finalising report on impact assessments and enforcement options. • Ongoing modelling underway • Delivery Group not meeting (as lead officer has moved on). • LEZ website section is being updated. <p>Aberdeen</p> <ul style="list-style-type: none"> • Really busy with public and stakeholder engagement including workshops. • +500 consultation responses but not sure how this compares to other cities – still being analysed. • Modelling work is ongoing to test options.

	<ul style="list-style-type: none"> • Report to city growth and resources committee to present work early next year (with preferred option). • Funding from Nestrans made up for this year's grant shortfall to look at LEZ combined with City Centre masterplan. • Ongoing engagement with TS. <p>Dundee</p> <ul style="list-style-type: none"> • Systra formally appointed for modelling and project management. • Delivery Group meets monthly. • Report to Committee in September (with press coverage). • Ongoing engagement taking place bus operators. • Modelling in Lochee Road. • ANPR camera installed early 2021. • Fife Council and Tactran engagement in conjunction with TS. • Seeking a view on COVID-19 direction.
<p>LEZ and COVID-19</p>	<ul style="list-style-type: none"> • ST drew attention to 2 elements associated with COVID and how LEZ Guidance should be framed – 1. the design phase and how COVID is accounted for at this stage and 2. in the operational phase e.g. time bound exemptions and how these might be applied post COVID vs pre-COVID • The 2 elements are framed within the context that the Scottish Government will provide LEZ guidance, so there is an opportunity for CabSecs and Councillors to offer input in shaping this guidance (given the responsibility that Ministers and Councillors have around approving LEZ schemes, and this should encompass a narrative around COVID, as directed in the Guidance). This is an opportunity to consider how we could rethink the LEZs in the space of a post COVID economic recovery. • DCC are struggling with the tension between modelling being a theory, whereas COVID brings a reality to LEZ planning. • The pandemic will help DCC hit air quality targets this year, and there are also strong air quality plans already in place. • DCC is a travel to work area and is transport poor (<50% access) but EV uptake is happening (where they should be) – There is a question around how DCC accommodates commuters who will return after COVID – this will change air quality. • Small intervention via Spaces for People cause massive joy with a nudge theory. • DCC root and branch review prompted by COVID. • DCC would struggle with bus gates and bus lanes because of the nature of the city. • HG noted transport strategies particularly around zero emission targets which are now in play but there is a question of how elastic models are compared to the pre-COVID landscape e.g. will people return to old habits? We need to understand this aspect, hence the reason for the ongoing modelling work between TS and LAs.

- There is an opportunity now, where we don't allow elasticity to change travel patterns; rather we need to lock in the benefits of the changes that have happened.
- LEZ guidance to give direction to not go back to previous actions and not return to previous approaches.
- MM – General uncertainty in this area around COVID and transport. Some areas are benefitting from short term travel pattern reductions. Difficult to understand how people are going to behave in post pandemic world. Doesn't just create problems for LEZs, but for whole transport sector (bus, train etc.).
- MM – have sense that public transport levels will not return to pre-COVID levels (with rail being slower than bus) and we may never return to pre-COVID levels.
- MM – We need to ask the questions: 'Are thresholds for LEZs still relevant? Should we look at something different, to manage behaviour (and thus reduce emissions) other than LEZs?'
- MM – From environmental point of view, can we "bake in" gains from last 8 or 9 months to support environmental aspects into the existing transport system (from the initial decline in private car use)? This would mean that LEZs are tweaked in some way to support the "baked in" gains.
- MM – Seeing more people using private cars (short journeys) rather than public transport and more time/space to use cars i.e. work from home.
- AR – Glasgow are refreshing their air quality action plan in post COVID world to look at new actions but still feel that LEZs are appropriate based on SEPA National Modelling Framework evidence. Without lockdown we will still not meet air quality objectives. GCC also reflect comments made today from DCC.
- AR – still have capacity for drivers in city centre but Spaces for People is in place, and it can also help to reduce air pollution.
- AR – Secondary conflicts exist as a result of COVID, such as the lack of business activity/reduced on-street parking, and also climate change with taxi drivers getting to LEZ target via Euro 6 but in conflict with going toward EV/climate change targets – there is no slack to allow businesses to upgrade twice in a short period of time.
- AR – We want to bake in the benefits of the ambitious measures taken in last 6 months in Glasgow – such as pop up cycle lanes, neighbourhood road closures and school car free zones – and to look to make many of these permanent. Want to be bold but there are significant pressures in this space.
- RC – We need to remember what LEZs are about – principally air quality with secondary objectives on climate change (the latter is serious and immediate given the Climate Change Plan update publication in December). As such, transport is in the spotlight but we need to remain calm; LEZs should be about reducing vehicle/car movements ironically when we want people to avoid public transport – there is unavoidable mixed messaging at present.

- RC – Interested to hear people’s views on the belief that public transport will not get back to pre-COVID levels.
- RC – 20 minute neighbourhoods are going to be important and should be part of the conversation in LEZ designs.
- RC – We almost need to pause thinking on LEZs, to give us space to work through on this, to understand the political sensitivities and think about where we are going (with LEZs). There is a concern that use or adoption of pre-COVID models that won’t fit the reality post-COVID both for positive and negative reasons. The positive angle is framed around the 20 minute neighbourhood’s policy but there is concern around use of mass transit in the future.
- SMcD – A general question was posed to the CabSec’s around whether LEZs are enough, or are they still fit for purpose? RC did not feel that either of these issues were the key issue, but rather that LEZs are designed to discourage the use of individual vehicles but we are now in a position to discourage public transport use.
- RC – We may need to rethink what we are doing on LEZs but we should also think about how we achieve our core outcomes – noting that we may struggle to get people back onto public transport. We inherited our own idea of what LEZ will look like, but need to rethink what a LEZ will have to look like now.
- MM – 2 points are worth considering: 1. There is currently a fear of using public transport so there is a short term issue during the pandemic around essential travel messaging and the associated concerns (and this can be addressed as we come out of pandemic) 2. More difficult issue in terms of behaviour change and the role of people’s daily travel patterns (including this group!) post COVID, so it’s difficult to qualify the change in behaviours of travel and working patterns right now, although we are starting to see how patronage is changing since the start of the pandemic.
- MM – That proposed approach to review the LEZ in relation to COVID is right, but LEZs should rightly help to avoid the default to private cars. It’s not about not needing LEZs, but do we need to revisit the expectations on LEZs, to fit into the new normal? Don’t want to stop LEZ design work, but we should progress (our understanding of the relationship to COVID) in parallel to think about other things to do, to add to or expand on to achieve the desired outcomes in a new post COVID space.
- RC – Agree with MM points. We also need to fold in the concept of 20 minute neighbourhoods, so we need thinking on this policy to get a product that we want to work – parallel work is fine.
- HG – Boom in second hand car market might be a legacy issue too as people get a car so people want to get value out of this (seeing this insight in Edinburgh).
- VMcI – COVID uncertainty work is a significant piece of work. TS has commissioned work on COVID uncertainty via consultants with workshops planned in Aberdeen, Dundee, and Edinburgh **ACTION:**

	<p>COVID uncertainty work to be shared with the leadership group by end of 2020 e.g. prior to the next Leadership Group meeting.</p> <ul style="list-style-type: none"> • AR – Reassurance about the discussion today to work in parallel e.g. 20 minute neighbourhood via liveable neighbourhood strategy is underway now with work ongoing into next year, to create modal shift. LEZs should work in tandem with other schemes to create radical change; it should not be an either/or situation. • CEC – take LEZ forward in context of mobility plan and city centre transformation planning. These 2 projects will make the delivery improvement. Change and churn so other plans are in place to incorporate LEZs, but LEZ originally planned might look different now post COVID but important piece of the toolkit to deliver city centre we want. • HG – Raised the Regs and pressures from NGOs regarding air quality, so need to move Regs on that point as this still remains a key objective. • ST – suggest that the topic of LEZs in relation to city centre transformation planning might be considered at February meeting – to discuss how LEZs fit into the bigger picture taking place in the cities. • VMcl – TS have also undertaken test marketing on how to reach used car buyers.
<p>LEZ Regulation proposals</p>	<p>Emission standards</p> <ul style="list-style-type: none"> • ST – advised process and timescale for the Regulations. There are 12 Regs that the Scottish ministers have power to raise - advised the following: <ul style="list-style-type: none"> • Emission standards would be Euro IV/4 for petrol and VI/6 for diesel and Euro 3 for motorbikes and mopeds (if scoped in). • At this point in time there are no proposals to include future emission standards to be included in the 2021 Regs – these are better delivered through a range of measures – the approach to decarbonising transport through market enablers. Scottish ministers will retain the power to set future emission standards at a future date if they so wish. • MM – ST has set out the position. There will be some appetite for more stringent standards, around potential conflict on use of public transport. If we go further than Euro VI toward zero emission vehicles – this would cause bus operators great difficulty – need to ensure the balance with proposed Regs is right but might need to revisit in the future. Don't set the bar so high as to be unviable economically. • RC – flag up pressure from NGO's is very likely and might reflect itself in chamber. Politics might want to see lock-down of future policy, but

	<p>the logic of what is being proposed is good, but needs simple straightforward and logical explanation.</p> <ul style="list-style-type: none"> • AR – comfortable with the emission standards proposed. • LS – comfortable – SM – comfortable – need whole package of Regs to be considered rather than cherry pick. • WG – Comfortable with emission standards proposed. • ST – suggested separate Teams meeting to discuss the regulation in more detail than possible today – there will also be some further informal consultation on the regulations. <p>Penalty Rates</p> <ul style="list-style-type: none"> • ST – outlined the likely levels of fines for the different vehicle types and how the surcharge would work – 4 tier approach with a maximum level of fine established. • Penalty rates would be reduced if paid within 14 days – also one penalty per day per LEZ – surcharge reverts to zero after 30 days. • HG – supported the idea of an additional meeting to consider the Regs and feedback – will also return for ministerial approval on the regulations before they are in place. • MM – asked if the tiered surcharge system is modelled on an existing system anywhere else. ST answered that while this is not the case other European LEZs had a much higher base rate penalty – Scotland will be setting a baseline penalty in line with other existing UK legislation – and using the tiered system to get to a more aggressive level similar to that in use in other countries. The surcharge system is also used in other pieces of legislation in use in the UK. <p>Exemptions</p> <ul style="list-style-type: none"> • ST outlined the types of vehicles that will be exempt within the regulations (national) and the type that may be considered by LAs for time limited exemptions. <p>Prior Consultation</p> <ul style="list-style-type: none"> • ST advised on the groups that the Regs will state require to be consulted. <p>Examinations</p> <ul style="list-style-type: none"> • ST advised that the Regs will detail the technicalities of the examination process
<p>LEZ Communications</p>	<ul style="list-style-type: none"> • VM provided update on the communications works taking place including making use of social media and online messaging. • LEZs website is being refreshed with new, images, clickable but still informative with blogs. • Blogs from external parties from EPS, SEPA (GCC LEZ success). • News stories regarding Ultra low emission bus scheme and CAFS2 consultation. • PTP grant funding case studies on website (Glasgow and Aberdeen). • Main focus will now be on pushing LEZ Support Fund to market to people struggling with financial implications of the LEZ. Working in

	<p>conjunction with EST and Big P via social media, traditional marketing – and using £150K capital funding to promote the support fund this year.</p>
Bus Partnership Fund	<ul style="list-style-type: none"> • PG – BPF relevant to system wider approach via BPF – complement to LEZs. BPF – is over £500M fund to deliver bus priority and infrastructure – get people out of their cars and onto bus. • BPF was paused but on 09/11/20 BPF was launched with good engagement so far. • BPF about green recovery but also clearly relevant to air quality. • MM has written to LA chief executives across Scotland on the funding availability – need partnerships and alliances coming forward and engaging in delivery. Early effort needed to deliver vision. • BPF linked to Transport Act via Bus Partnerships (with latter needing an early boost). • Setting up a community forum to compare challenges around COVID and dent in public transport patronage and worsening congestion. • PG and team available to come to LA meetings and help promote BPF.
Summary and Way Forward	<ul style="list-style-type: none"> • HG summarised the meeting – substantive point was where LEZs are in light of COVID and how we think ahead to how we shape LEZs. • Work is already being done by officials around COVID issues and we circulate a resume around the group before Christmas. • Extraordinary meeting to take place with regards to the regulations to be set up via the Consistency Group. Cabinet Secretaries will make final decision on these when available. • Comms will continue to be pushed forward as mentioned.
AOB Next meeting and possible topics	<ul style="list-style-type: none"> • No comments from LAs
Date and time of next meeting	<ul style="list-style-type: none"> • Meetings are due to happen every 3 months, so a meeting in early February will be sought.