

**Mobility and Access Committee for
Scotland (MACS)**

Area 2F North, Victoria Quay
Edinburgh EH6 6QQ
T: 0131 244 0923
E: MACS@gov.scot



Low Emission Zone Team
Transport Scotland

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lezconsultation@transport.gov.scot

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Hello,

**MACS RESPONSE TO THE CONSULTATION ON THE LOW EMISSION ZONES GUIDANCE
AND REGULATIONS**

Please see below response produced by the Mobility and Access Committee for Scotland (MACS).

Kind regards,
Naghat Ahmed & Keith Robertson
MACS Roads, Infrastructure and Active Travel Workstream

Scotland's Low Emission Zones: Consultation on Regulations and Guidance
Consultation Questions

Number	Consultation Question	Answer
1a	Do you agree with the proposed <u>present-day</u> emission standards for Scottish LEZs? If not, why not?	Yes, MACS, in general, welcomes the proposals as certain road spaces will improve air quality. In addition, it may assist in reducing congestion.
1b	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.	MACS in general agrees with the proposal, however it is crucial that the regulations are designed in a manner that takes into account accessible travel for disabled people.
2a	Which of the proposed national LEZ exemptions do you agree with? Please be as specific as possible in your reasoning.	MACS agrees with the Blue Badge exemption. Blue Badge holders will be impacted in terms of their door to door journey. For example, a blue badge holder may not be able to access different modes of transport and the only option is to enter the LEZ possibly with a non-compliant vehicle. MACS believes that blue badge exemption from LEZ's should be mandatory from the Scottish Government and not left up to the discretion of local authorities so that exemptions for blue badge holders is standardised across the country.
2b	Are there any other LEZ exemptions you would propose? If so, what should these exemptions be and why?	No, however proposed exemptions should be equality impact assessed. For example, the impact on the door to door journey for disabled people facing socioeconomic disadvantages must be measured.
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.	This is not area an directly impacting MACS but it is important to get the balance right as the fines need to be effective that impact people's behaviour. The objective should not be revenue generation and people on low incomes must be taken into consideration.

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3b	Which surcharge 'curve' in Figure 1 represents the best approach to designing a surcharge?	Although this is not an area that directly impacts MACS, we suggest any approach should consider the impact on disabled people.
3c	How should the surcharge approach be applied in order to discourage non-compliant vehicles from driving within a LEZ?	As noted above in 3b.
3d	How many days should lapse before a registered keeper of a vehicle returns to the base tier of the penalty charge?	This is not an area that directly impacts MACS, however, we would suggest any approach should consider the impact on disabled people both in financial and socioeconomic terms.
4	Do you agree with the general principles of the LEZ enforcement regime? If not, why not?	Yes, MACS supports the general principles of the LEZ enforcement regime, however any regime designed must be inclusive across all disabilities.
5	What are your views on the proposed list of 'other persons' that local authorities must consult with on their LEZ plans?	The proposed list should include organisations that represents the views of disabled people to ensure it is inclusive across all disabilities. For example, Blue Badge holders may be unable to access alternative modes of transport i.e. rail, bus etc... within the LEZ therefore it will impact travel arrangements for disabled people that could create further isolation causing increased mental health deterioration and consequently further strain on NHS budgets.

Number	Consultation Question	Answer
6	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?	<ol style="list-style-type: none"> 1. Are the objectives being met for the LEZ? 2. What number of vehicles entering the LEZ are non-compliant? 3. Are the exemptions effective within the LEZ and how many request exemptions? 4. The number of penalty charges issued and how many are appealed? 5. How effective is any tracking/identification measures and is there any improvement to be made? 6. Has there been any negative impact (including unintended consequences) to any protected characteristic groups (as per the equality Act 2010)
7	What secondary objectives should be created for LEZ schemes? Please be as specific as possible in your reasoning	MACS suggests any objectives created within the LEZ scheme promotes accessibility, is inclusive of all disabilities, doesn't widen the inequality gap and is alert to affordability.
8	Do you agree with the steps outlined in Figure 2 for enabling a LEZ scheme to come into effect? If not, why not?	Yes, MACS recommends taking into account the impact this will have on particular groups such as disabled people who are taking multimodal journeys and how accessible the different modes of transport are once the LEZ scheme comes into effect.
9	How can local authorities maximise the technological opportunities available from the deployment of approved devices?	An area that local authorities may possibly explore is using smart devices to assist with exemptions and providing information on LEZ. For example, clear road maps that gives the public clarity of start to finish of the process which must be inclusive for all disabilities. Local authorities should be using all mediums at their disposal to inform and educate members of the public about LEZs.

Number	Consultation Question	Answer
10	<p>What positive or negative impacts do you think the LEZ proposals outlined within this consultation may have on:</p> <p>(a) particular groups of people, with particular reference to 'protected characteristics' listed above</p> <p>(b) the very young and old</p> <p>(c) people facing socioeconomic disadvantages</p>	<p>MACS welcomes the LEZ proposals however particular groups may disproportionality be impacted negatively such as</p> <p>(a) disabled people</p> <p>(b) people facing socioeconomic disadvantages</p> <p>The above groups may be unable to afford a vehicle that is compliant with LEZ leading to penalty charges being issued if they enter the LEZ.</p> <p>Disabled people may not be able to qualify for a Motability vehicle through Social Security Benefits such as Personal Independence Payment resulting in some disabled people purchasing vehicles that are non-compliant with LEZ which results in additional costs for disabled people to enter the LEZ. This will negatively impact the disabled person in financial terms and on their ability to undertake a door-to-door journey that in turn is likely to lead to further isolation and ultimately a deterioration in a disabled persons mental health.</p>
11	<p>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>	<p>The business sectors such as SMEs may potentially be impacted by increased costs such as the vehicles that entering into the LEZ to deliver and supply goods may be non-compliant vehicles which may result in additional costs within the business sector especially if distributors carry any LEZ on-costs onto the SMEs and eventually the consumer.</p>
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>MACS would strongly advise GDPR is complied with. However, voluntary disclosure must be put in place and in consultation with disabled people to ensure data is not perceived as mandatory.</p>

Number	Consultation Question	Answer
13	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.	Yes, this will impact the environment as cities have public exposure and should aim at improving air quality which can protect health and encourage people to think about active travel and public transport options whilst helping reduce emissions and the carbon footprint. However, it must be kept in mind that for many people, especially travelling from rural areas, public transport may not be an option with the only option for travel being a private car.
14	Do you have any other comments that you would like to add on the Scottish Government's LEZ proposals outlined within this consultation?	As noted above, MACS would strongly suggest the LEZ proposals take into account the impact on accessibility for disabled people within low emission zones and local authorities must carry out equality impact assessments to ascertain the likely impact to disabled people in particular and others within protected characteristics in general. All EqlAs must be working documents and regularly reassessed at least annually as LEZs are developed and refined.