



Reply to:

Dr Richard Dixon
Director, Friends of the Earth Scotland
rdixon@foe.scot

Environment, Sustainability and Carbon Reduction City Policy Committee
Cc: Cllrs Anna Richardson & Susan Aitken
Glasgow City Council

Monday 19 March 2018

Dear Members of the Environment, Sustainability and Carbon Reduction City Policy Committee,

LOW EMISSION ZONE AMBITION

We write with concern about the City's LEZ proposals ahead of the meeting of the Environment Committee on 20 March.

Firstly, we extend thanks to all of you who have championed a Low Emission Zone for the city.

Secondly, we see there to be a frustrating level of opacity around funding arrangements for your and other cities' LEZs, as well as a frustrating lack of clarity over what the current starting point is for buses which pass through Glasgow City

Centre in terms of how many buses travel these routes and what their Euro standards are.

However, in spite of these challenges, the Low Emission Zone proposals are unacceptably unambitious and will condemn Glasgow to illegal air pollution for years to come. The proposals as they stand will:

- require that only 1 in every 5 buses have the cleanest possible emissions standards by the end of the year
- allow every van, lorry, car, and taxi to enter into the city without restriction for up to four more years
- have no signs, or automatic enforcement mechanisms in place by the end of the year.

These plans cannot therefore be said to deliver a “Low Emission Zone” and will fail to deliver on your and the Scottish Government’s manifesto commitments to having a Low Emission Zone in Glasgow by the end of the year and must be urgently strengthened.

A phased approach will also delay the length of time it takes for Glasgow to come into compliance with air quality statutory standards and European legal limits and make the Scottish Government vulnerable to legal challenge. This is a European obligation following 8 years of breaches of the NO₂ annual limit in Glasgow. The courts have interpreted that legal obligation as binding, with little discretion to raise the issue of cost or other factors for delaying action.¹ Put simply in the context of the Glasgow LEZ, there is no legally justifiable reason for delaying action to require the cleanest possible buses in the city centre.

This Low Emission Zone will be Scotland’s first, with three more to follow by 2020, and possibly even more by 2023. The ambition of the Glasgow plan sets the benchmark for the rest of Scotland. Decisions taken in Glasgow City Chambers will have repercussions therefore not just for the citizens of Glasgow but for many thousands more across Scotland, so it is vital that a high standard is set with this Low Emission Zone.

(1) 100% of buses should be required to be Euro 6 within a year

There is sufficient information to press on with a Low Emission Zone which requires 100% of buses to be Euro 6 compliant by the end of the year. We urge you to recommend that the slow phase in for Euro 6 compliance is revised in relation to buses.

Setting a target of 20% may not even make change happen more quickly than would have happened anyway with natural fleet turnover.

¹ See recent legal ruling of 21 February, *ClientEarth v Defra*, [2018] EWHC 315 (Admin), paragraphs 76 & 77: “the obligations imposed by the 2008 Directive are not qualified by reference to their cost” and “Cost might be taken into account if there were two equally effective means of achieving the objective in view in one particular zone or one local authority area within that zone, but it is illegitimate to decline properly to design or fund the necessary measures in that zone because the benefit to be gained is modest or of limited duration compared with other zones.”

Your report suggests that 1000 buses are not Euro 6 standard in the City Centre, and that 10-12% of Glasgow's total bus fleet are Euro 6 compliant already.

A Jacobs' report commissioned by Transport Scotland differs somewhat - it estimates that there just over 800 buses in Glasgow, and approximately 15% of these (125 buses) were already Euro 6 in 2017.² In terms of the remaining 683 buses, 677 are Euro 3,4, or 5 and would therefore be eligible for retrofit:

Table B6: Glasgow Bus Fleet Makeup

Engine Class	Number of Buses	Proportion Fleet ¹⁷
Euro II (from 1998)	6	1%
Euro III (from 2000)	253	31%
Euro IV (from 2005)	60	7%
Euro V (from 2008)	364	45%
Euro VI (from 2014)	125	15%

Table taken from Jacobs' report commissioned by Transport Scotland, "Developing Cost Estimates for Low Emission Zones in Scotland" (1 Sept 2017)

In London, bus exhaust retrofits are being done right now a cost of £15,000 per bus.

Based on your bus scenario and estimates from retrofit companies of £15,000 per bus retrofit, the cost to retrofit 1000 buses would be £15m.

Based on Jacobs' scenario, the cost to retrofit 677 buses would be £10.2m.

The Scottish Government has allocated £10.8m in funding for LEZ costs in this year's budget, and has made an additional £10m in loan funding available for buying low emission buses.

Therefore both your and Transport Scotland's bus fleet estimates, between 70% - 100% of all buses in Glasgow could be retrofitted to Euro 6 standard at no additional cost to any of the bus companies. The 20% target is therefore not justified on the grounds of costs and is unacceptable.

The only caveat to the above is that the bus industry has raised concern over whether Euro 3 buses can be retrofitted, which make up, according to Transport Scotland's report, 35% of the bus fleet. It is perfectly technologically feasible for Euro 3s to be retrofitted to Euro 6 standard, and it is more environmentally friendly and cheaper than purchasing a new bus, which could cost around £200,000.

However, if there is a decision not to retrofit Euro 3s, then the £10m loan fund could be accessed to purchase new buses. Alternatively, bus operators could swap Euro 3

² Based on Jacob's report commissioned by Transport Scotland, "Developing Cost Estimates for Low Emission Zones in Scotland" (September 2017). This report has been described to us as a "document in progress" but provides the clearest picture that we have access to at the moment.

buses that operate in the proposed LEZ area with Euro 6 buses operating in the wider area – not a long-term solution, but a way to remove some of the most toxic buses from the most toxic streets now.

Glasgow bus operators have known that a Low Emission Zone was coming for over 2 years and have not done enough to invest in renewing or improving their fleets in preparation.

Buses should be a major part of the solution to air pollution. Thanks to the Scottish Government funding they can be. **When you discuss the report on Tuesday please reject it and recommend it be strengthened to require all buses running through the city centre to be Euro 6 compliant within a year.**

(2) Other vehicles (vans, lorries, cars, and taxis) must be phased in to the zone sooner than proposed

Cleaner Air For Scotland promised that Scotland's air quality would be legally compliant by 2020.³ However, a phased approach for buses combined with no action to tackle other vehicle emissions for up to four years would certainly guarantee that Glasgow is not compliant with air quality limits by 2020: SEPA modelling has shown that if all buses are Euro 6 compliant in Glasgow city centre in 2019, there will still be areas in breach of the air quality standards.⁴

Figure 2.3 - Glasgow Emissions Model Results, 2019 with Buses either Retrofitted or Euro 6

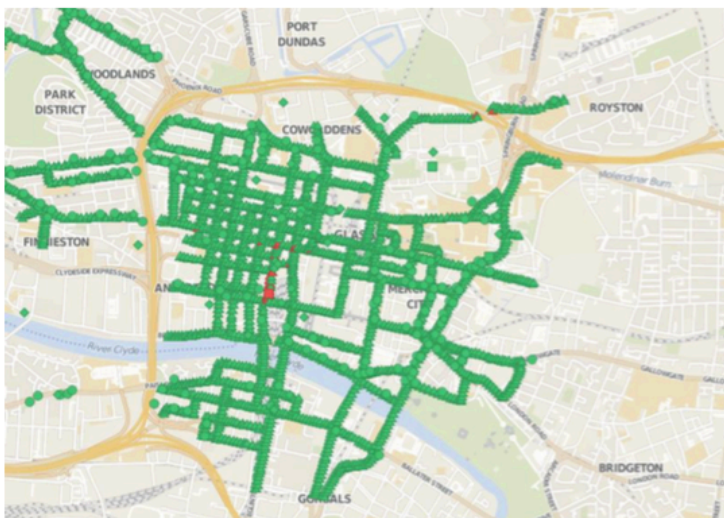


Figure 2.3 shows that the majority of monitoring locations in the city centre area are estimated to be below the 40 µgm⁻³ limit level for this scenario. Some exceedances are still estimated to occur on Hope Street and Argyle Street.

Figure taken from Jacobs' report commissioned by Transport Scotland, "Developing Cost Estimates for Low Emission Zones in Scotland" (1 Sept 2017)

Therefore other vehicles must be included within the zone as quickly as feasibly possible. We understand there may be a phase in but your report suggests that no

³ Cleaner Air for Scotland, Figure 1 Figure 1. Cleaner Air for Scotland – the first five years

⁴ See Transport Scotland, "Building Scotland's Low Emission Zones: A Consultation", Scenario 6, page 13

action may be taken for up to four years, which is unacceptably slow. The Council also committed back in September that this report would include “specific draft proposals and timescales to include vans, lorries and taxis,” and these are not set out in the report.

These proposals as they stand render the Scottish Government’s target date to have clean air in Scotland unachievable and do not reflect the urgency of the need to tackle air pollution, which continues to contribute to over 300 early deaths every year in Glasgow.⁵

(3) Summary

For the reasons above, we would not be able to support a Low Emission Zone that, by the start of 2019, had no signage, no additional cameras installed to enable monitoring and compliance, and which only requires a portion of some buses to be Euro 6 compliant. A phased approach for buses appears to mean that any Euro class of any type of vehicle will still be able to enter the city centre for years to come, and therefore it is not a Low Emission Zone in any sensible meaning of the term. Such a scheme would clearly not fulfil the Scottish Government’s Programme for Government commitment to having Glasgow’s LEZ in place by the end of 2018 and would not fulfil the urgent need to tackle the ongoing air pollution crisis in Glasgow.

We hope that the information that we have provided above gives you enough detail and support to be ambitious in setting out proposals for a LEZ which sees all the buses in Glasgow be Euro 6 compliant within a year.

Please reject the current proposals and ask officials to come back with a much more ambitious, evidence based proposal which reflects your commitment to achieving clean air as soon as possible.

Yours sincerely,

Dr Lizzie Reather, Chair, Cycling UK Scotland
Sara Barry, Coordinator, Friends of the Earth Glasgow
Dr Richard Dixon, Director, Friends of the Earth Scotland
Ellie Harrison, Campaigner, Get Glasgow Moving
Liz Murray, Head of Scottish Campaigns, Global Justice Now
Iona Shepherd, Coordinator, GoBike
Tom Ballantine, Chair, Stop Climate Chaos Scotland
Dr Sam Gardner, Acting Director, WWF Scotland

PS: Friends of the Earth Scotland will be outside the Chambers in George Square ahead of the meeting doing a photo stunt from 12:30 onwards on Tuesday. All Councillors are very welcome to come and speak with them.

⁵ Public Health England (2014), “Estimating Local Mortality Burdens associated with Particulate Air Pollution”, Table 3, page 20

