



Regulatory Update

London's Low Emission Zone for Non-road Mobile Machinery

Provided by Andrew Bourne & Co

Quick Facts

Construction and demolition activity, and the non-road mobile machinery used for this purpose, causes about 15 per cent of air pollutant emissions in the capital. To help lower emissions, the Greater London Authority created low emission zones.

In these zones, construction firms can only use non-road mobile machinery that emit a low amount of air pollutants (according to EU Directive 97/68/EC). The first phase started in Sept. 2015, and the second starts Sept. 2020.

The latest research from the London Atmospheric Emissions Inventory estimates that non-road mobile machinery used on construction sites in London is responsible for 12 per cent of nitrogen oxides emissions and 15 per cent of particulate matter emissions in the capital.

As part of the Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance, the Greater London Authority (GLA) introduced new standards to reduce emissions of pollutants from non-road mobile machinery (NRMM) carrying out construction and demolition activity. NRMM is any mobile machine, item of transportable industrial equipment or vehicle that is not intended for carrying passengers or goods on the road and installed with a combustion engine. This includes construction machinery, industrial trucks, forklifts and much more.

These new GLA standards cap emissions for both nitrogen oxide and particulate matter, and apply to NRMM with a power of between 37KW and 560KW. **The first phase** went into effect on 1st September 2015 and applies to NRMM in these two areas:

1. **Major Development Sites within Greater London:** NRMM used on the site of any major development within Greater London is required to meet Stage IIIA of EU Directive 97/68/EC.
2. **Any development site within the Central Activity Zone or Canary Wharf:** NRMM used on any site within the

Central Activity Zone or Canary Wharf is required to meet Stage IIIB of EU Directive 97/68/EC.

The second phase applies to NRMM in these two areas starting in September 2020:

1. **Any development site within Greater London:** NRMM used on any site within Greater London will be required to meet Stage IIIB of EU Directive 97/68/EC.
2. **Any development within the Central Activity Zone or Canary Wharf:** NRMM used on any site within the Central Activity Zone or Canary Wharf will be required to meet Stage IV of EU Directive 97/68/EC.

What is the EU Directive 97/68/EC?

The EU Directive 97/68/EC (The Directive) stipulates that, before they can be placed on the EU market, engines for use in NRMM must be approved to demonstrate compliance with pollutant emission limits. It sets out the maximum permitted exhaust emissions in relation to the power of the machinery's engine. The Directive was implemented into UK law by the Non-road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.



The content of this Regulatory Update is of general interest and is not intended to apply to specific circumstances. It does not purport to be a comprehensive analysis of all matters relevant to its subject matter. The content should not, therefore, be regarded as constituting legal advice and not be relied upon as such. In relation to any particular problem which they may have, readers are advised to seek specific advice. Further, the law may have changed since first publication and the reader is cautioned accordingly.

Contains public sector information published by GOV.UK and licensed under the Open Government Licence v1.0.
Design © 2015 Zywave, Inc. All rights reserved.

Whereas The Directive only applies to new engines, the GLA standards stipulate that old machinery that does not comply with The Directive cannot be used in those certain areas of London, thus creating what the GLA is calling the world's first NRMM low emission zone (LEZ). The NRMM LEZ thus comprises Greater London, the London Central Activity Zone, and Canary Wharf.

Where is the Central Activity Zone?

The Central Activity Zone encompasses a large swathe of central London. To learn the exact boundaries of the Central Activity Zone, visit <http://nrmm.london/nrmm/nrmm-map>.

What is a Major Development Site?

Major development sites are defined as residential developments of 10 dwellings or more (or, where the number is not given, 0.5 ha or more); and for all other uses, a floor space 1000 m² or more or a site area 1 ha or more.

I'm not ready—is there an exemption?

The GLA recognises that not all organisations will be ready to comply with the new emission standards and offers these potential solutions:

- Reorganise your NRMM fleet so that only compliant equipment is used in London.
- Replace equipment with new or second-hand equipment which meets the standards.
- Retrofit machinery with compliant parts such as a diesel particulate filter.
- Re-engine your machinery.
- If you are eligible, apply for an exemption by visiting <http://nrmm.london/nrmm/about/nrm-m-exemption-policy>.

What do I need to do?

Ascertain whether your machinery complies with The Directive's emission standards by consulting the machinery's engine plates. All engines manufactured in compliance with The Directive must be marked with certain information. Learn how to read your engine plates by consulting the guidance found here: <http://nrmm.london/nrmm/how-use/how-read-engine-plates>.

In addition to ensuring your machinery is compliant, site managers at major development sites in London will need to maintain a list of all on-site NRMM in paper, or ideally digital, format. You can use the GLA's NRMM database located here: <https://nrmm.london/user-nrmm/register>.

For more information and to consult the actual language of The Directive, navigate to <http://eur-lex.europa.eu> and search 'Directive 97/68/EC'.

