

## **The Greater London Authority**

### **Statement of Policy: March 2024<sup>1</sup>**

### **Exemptions and Retrofit Procedures for the Non-Road Mobile Machinery (NRMM) Low Emission Zone (LEZ)**

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<sup>1</sup> This document supersedes the version published June 2020 on [www.nrmm.london](http://www.nrmm.london).

## **Abbreviations**

NO<sub>x</sub>: Oxides of Nitrogen

PM: Particulate Matter

PN: Particle Number

Tel: Telemetry

NRMM: Non-Road Mobile Machinery

GLA: Greater London Authority

TAN: Type Approval Number

EST: Energy Saving Trust

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## Introduction

### History of the scheme

In 2015, the GLA consulted on an exemptions policy to the Non-Road Mobile Machinery (NRMM) Low Emission Zone, which applies to all construction sites in the Central Activities Zone (i.e. central London), Opportunity Areas (including Canary Wharf) and the rest of Greater London.

The NRMM Low Emission Zone uses the Mayor's and London boroughs' planning powers to control emissions from NRMM used on construction sites. In a similar way to the ULEZ, the NRMM LEZ requires all engines with a power rating between 37 kw and 560 kw to meet emission standards based on the engine emission "Stage".

This policy update does not change policy but

- Removes sections which had been added to support the industry during Covid-19 lockdown.
- Updates details to reflect current emission standards for different 'Zones', which were designed to become progressively tighter. This will happen in stages until January 2040 when only zero emission machinery will be allowed.
- Outlines the current GLA exemptions and retrofit policy.

## Exemption and retrofit policy (Updated March 2024)

### 1.1 Exemption and retrofit policy rationale

The NRMM 'EU stages' are the basis for the NRMM Low Emission Zone (LEZ) emission requirements. The latest emission level varies according to the engine category. These emission levels are deemed appropriate for the given power and application of the engine. This has meant that particular classes of NRMM plant on the market cannot meet these standards because they are not available at the EU stage stated on the NRMM website: [Non-Road Mobile Machinery \(NRMM\) | London City Hall](#) or are available but in a volume insufficient to meet demand in London. Furthermore, options for re-engineering or retrofitting NRMM plant to meet the latest emission stage are sometimes limited owing to safety reasons or cost.

It is therefore necessary to outline a method of assessment for retrofit exemption eligibility. This secures emission savings without restricting construction activity and growth in the capital. Experience with implementing the NRMM LEZ since 2015 shows that, while compliant equipment is available for the vast majority of uses, there is still a need for retrofitting older machinery to maximize its working life and, in a limited number of cases, especially where retrofitting equipment is not an option or where there are no compliant options, exemptions are still needed.

It is important to note that as part of the planning compliance monitoring process, there is a requirement for all NRMM plant between 37kW and 560kW to be logged on the NRMM register regardless of whether an exemption is being sought and/or has been granted.

Enforcement officers undertake regular site visits to check compliance with the NRMM Low Emission Zone and appropriate action can be taken by the local planning authority if non-compliance is identified.

### **1.2 Role of NRMM Expert Working Groups**

During the consultation phase of the NRMM policy, an NRMM Committee of industry experts was convened to advise the GLA on the specific needs of stakeholders and the availability of NRMM plant and alternative technical options for compliance (e.g. retrofit).

To reflect the current ways of hybrid working, this policy update highlights how the GLA have reformatted the NRMM Committee of industry experts into small NRMM Expert Working Groups. These operate in a purely advisory capacity not as decision-making bodies. All decisions and policy updates will be made separately and independently by the GLA.

With the standards for the NRMM Low Emission Zone progressively becoming tighter from January 2025 to January 2040, the GLA will maintain an open dialogue with experts in the industry to ensure that the NRMM exemptions process is aligned with the industry, paying regard to advancement in technology.

### **1.3 Updates to this policy since first publication**

There have been several policy statement updates since it was first published in August 2015. These updates clarified areas of ambiguity of terminology and the process whereby exemptions interface with the GLA's stance on the use of retrofit technology.

As part of the October 2018 update, truck-mounted cranes were no longer included under block exemptions. Evidence from the NRMM register has shown a sufficient quantity of compliant equipment in the market to justify granting exemptions on a case-by-case basis only. An exemption for this type of NRMM plant could still be given under the 'viability' category, where applicable.

In June 2020 the policy was reviewed and updated in response to the Covid-19 pandemic. This update introduced a time limited exemption from the uplift in standards from September 2020, to help site operators, hire companies and machinery and retrofit manufacturers manage disrupted supply chains and longer prior deployment times arising as a result of the lockdown procedures. The Covid 19 exemption ended in February 2021.

As part of the 2024 review, Appendix A (Covid-19 time limited exemption) was revoked, and Section 1.5 (Viability exemption) updated in line with the latest guidelines from the Energy Saving Trust website.

In addition, as set out within paragraph 1.2 the GLA have reformatted the NRMM Expert committee into smaller NRMM Expert Working Groups to facilitate timely discussions on specific subject matters as they arise.

### **1.4 Summary of exemptions**

Table 1 below provides a summary of exemption categories following consultation in summer 2015 and subsequent discussions with the NRMM committee.

**Table 1: Exemption categories**

<b>Exemption category</b>	<b>Description</b>	<b>Exemption period</b>
<b>Viability</b>	The NRMM plant is not currently manufactured to meet the EU stage as stated in the SPG or there is an insufficient quantity of compliant plant in the UK supply chain for the task, however, it meets the next best available EU stage <sup>2</sup> <u>and retrofit is unviable, following robust consideration.</u>	12 months from date of approval
<b>Short-term</b>	The exemption can be requested in emergency situations for NRMM plant that is on site for a period of no greater than 30 days to account for a range of potential circumstances where equipment is urgently required.	30 calendar days from date of registration

### **1.5 Viability exemption (consideration of retrofit solutions)**

From the start of the NRMM scheme, the GLA has worked with industry to identify suitable retrofit solutions so that all construction equipment in London meets the highest possible emissions standard.

#### **Retrofit Solutions**

Operators of NRMM plant must check whether the equipment is manufactured to meet the PM and NO<sub>x</sub> requirement of the relevant EU stage and if this is not the case, they must robustly consider whether retrofit solutions are available, including a provision of

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<sup>2</sup> For example, if it is not manufactured to meet Stage IIIB then it must meet Stage IIIA as a minimum.

a quote or similar evidence where applicable. This assessment should consider whether it can be installed safely meeting appropriate equipment regulations (i.e. Provision and Use of Work Equipment Regulations) and it is effective at reducing emissions to ensure it meets the relevant EU stage in so far as is practicable. This is with the objective of mitigating both PM and NO<sub>x</sub> emissions, for clarification on what pollution reduction is required according to EU stage, please refer to [The Energy Saving Trust website](#).

All retrofitted machines within scope (between 37kW and 560kW) require an exemption. When applying for an exemption, it is vital to enter the original Type Approval Number (TAN) and EU Stage of the engine. This confirms what EU Stage the machine was before the retrofit and provides the option to register for an exemption as a retrofit.

In order for the exemption to be considered, a retrofit installation certificate which confirms the new emission levels for the machine needs to be uploaded onto the NRMM Register.

### **Register of retrofit solutions and suppliers**

To ensure that robust and high-quality retrofit technologies are used, only retrofit systems produced by manufacturers registered with the Energy Saving Trust (EST) will be eligible for consideration. The EST register that lists emission reduction systems for NRMM can be found on [The Energy Saving Trust website](#).

Retrofit equipment is required to have been tested to the relevant ISO:8178 test cycle(s) and include ongoing telemetry once installed to maintain emissions reductions. The EST register is a certification scheme that ensures retrofit solutions have demonstrated required reductions in pollutants and that criteria in the areas of quality management, warranty and appropriate insurance provision have been met in respect of the supplier. When a company has demonstrated compliance with the requirements of the scheme, it is eligible to use the EST Endorsed Product mark on its product and marketing literature. More information can be found at: [The Energy Saving Trust website](#)

### **Other Viability Reasons**

The GLA anticipates that a retrofit solution could be installed on the majority of NRMM plant. However, an exemption will be given in those instances where retrofit is demonstrated to be unviable. When applying for an exemption because the operator is unable to source compliant machinery, and no retrofit solutions are available, they must upload evidence to demonstrate why an exemption is being requested.

If a viability exemption is granted, the machine in question will be given a reference number which can be used when registering future deployments within the period of validity of the exemption. However, once the exemption period expires, a new exemption request will need to be sent to the GLA to account for any changes in the availability of compliant equipment and retrofit technologies. Exemptions will not be automatically renewed.

### **1.6 Short-term exemption**

The short-term exemption recognises a range of potential circumstances, including emergencies where equipment is urgently required.

Under such circumstances, you must apply for a short-term exemption and provide evidence to demonstrate why an exemption is being requested.

If the exemption is granted, it will be valid for 30 calendar days, and once the period has expired, it cannot be renewed simply by moving a piece of equipment from one site to another and then back again. The NRMM register provides a mechanism for checking if such a piece of non-compliant equipment is returned to a site after its 30 day exemption period has expired.

This stipulation does **not** mean that equipment on site for fewer than 30 days is not required to be registered, comply with NRMM standards or apply for an exemption. **All** in-scope machinery on site for any length of time must be included on the register and an exemption request should be submitted with appropriate evidence to support the case.

A short-term exemption may also be granted where a site operator can demonstrate that a suitable retrofit solution has been ordered for the equipment but has not yet been fitted. Once the retrofit solution is fitted the site operator should then apply for a long-term exemption for the equipment.

### **1.7 Applying for an exemption**

Applications for an exemption must be submitted when entering the equipment on the NRMM register, on or before its arrival on site. Once a piece of equipment is registered that does not meet the correct emission standard for that zone (i.e. Central Activities Zone, Opportunity Areas and Greater London), the form will flag it up as non-compliant and give you the option to apply for an exemption. The exemption form uses the details already entered in the register (site and contact details, NRMM details etc.) with a free-form field and document upload function for the specific exemption request, which is then sent to the GLA.

Exemption requests will be reviewed by the GLA, in keeping with the principles adopted in this policy statement, typically within 10 working days. The GLA's decision is final. If an application is rejected then a grace period of five working days will apply,



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from date of notification, whereby the NRMM plant must then be removed from the site.

If an application is approved, then the NRMM plant is exempt as per the period outlined in Table 1 above.

If insufficient information is provided to make a judgement on the merit of an exemption request, then that request will be rejected with a direction to provide more details.

## The NRMM LEZ Exemptions and Retrofit Policy

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