

**Committee Report No:** 57-2022

**Document Title:** Dundee Low Emission Zone

**Document Type:** Other

**New/Existing:** New

**Period Covered:** 21/02/2022 - 21/02/2024

**Document Description:**

The purpose of the report is to 1) advise Committee on the outcome of the objection period following the publishing of a Notice of Proposals for the Dundee Low Emission Zone scheme, and 2) seek approval to apply to the Scottish Ministers for approval of the proposed Dundee Low Emission Zone scheme in line with the Transport (Scotland) Act 2019, the Low Emission Zones (Scotland) Regulations 2021, and the Low Emission Zones (Emission Standards, Exemptions and Enforcement) (Scotland) Regulations 2021.

**Intended Outcome:**

The intended outcome of the report is for Committee to 1) Remit the Executive Directors of Neighbourhood Services and City Development to apply to the Scottish Ministers for the making of the Low Emission Zone as per Section 10 of Part 2 of the Transport (Scotland) Act 2019 based on the submission template presented in Appendix B, and 2) subject to the LEZ scheme being approved by Scottish Ministers, approves the publication of a notice to 'make' the LEZ scheme, as set out in set in Regulation 5 of the Low Emission Zones (Scotland) Regulations 2021.

**How will the proposal be monitored?:**

This is a further stage in the process to introduce a low emission zone for Dundee and is being progressed in line with the requirements contained within the Transport (Scotland) Act 2019 and the Low Emission Zones (Scotland) Regulations 2021. Should the proposed scheme be approved by the Scottish Ministers, the LEZ will then be introduced with annual monitoring and reporting of the performance of the Low Emission Zone scheme being required by legislation.

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## **A. Equality and Diversity Impacts:**

<b>Age:</b>	No Impact
<b>Disability:</b>	No Impact
<b>Gender Reassignment:</b>	No Impact
<b>Marriage and Civil Partnership:</b>	No Impact
<b>Pregnancy and Maternity:</b>	No Impact
<b>Race/Ethnicity:</b>	No Impact
<b>Religion or Belief:</b>	No Impact
<b>Sex:</b>	No Impact
<b>Sexual Orientation:</b>	No Impact

### **Equality and diversity Implications:**

Refer to Dundee Low Emission Zone Integrated Impact Assessment Chapter 5 (page 44). There are instances where the LEZ could disproportionately affect some groups in society. For example, those who have a diminished ability to upgrade to a compliant vehicle due to low income (including people on benefits, single parents, or disabled people). Those on lower incomes may experience reduced access to locations and in turn the goods, services, or employment opportunities available to them. Community transport providers rely on cars and minibuses that may be subject to a LEZ, therefore the services they provide to a range of protected groups (such as youth groups and those receiving care) may be affected. The most significant impact of the LEZ will be the improvement in air quality and the resulting health benefits, benefitting residents, visitors and workers. The LEZ also has a potential positive health impact through encouraging the use of active travel and public transport for certain trips and changing existing travel behaviours.

### **Proposed Mitigating Actions:**

Refer to Dundee Low Emission Zone Integrated Impact Assessment Chapter 6 (page 57). Support funding to help prepare for the introduction of low emission zones in Scotland is being made available by the Scottish Government which seeks to reduce any negative impacts of the proposed LEZ schemes in Scotland. This includes support via the LEZ Mobility Fund, retrofitting schemes, and exemptions outlined in the LEZ regulations. The proposed two-year grace period also allows time to prepare for the LEZ.

### **Is the proposal subject to a full EQIA? : No**

Refer to Dundee Low Emission Zone Integrated Impact Assessment Chapter 5 (page 44). There are instances where the LEZ could disproportionately affect some groups in society. For example, those who have a diminished ability to upgrade to a compliant vehicle due to low income (including people on benefits, single parents, or disabled people). Those on lower incomes may experience reduced access to locations and in turn the goods, services, or employment opportunities available to them. Community transport providers rely on cars

and minibuses that may be subject to a LEZ, therefore the services they provide to a range of protected groups (such as youth groups and those receiving care) may be affected. The most significant impact of the LEZ will be the improvement in air quality and the resulting health benefits, benefitting residents, visitors and workers. The LEZ also has a potential positive health impact through encouraging the use of active travel and public transport for certain trips and changing existing travel behaviours.

## **B. Fairness and Poverty Impacts:**

### **Geography**

<b>Strathmartine (Ardler, St Mary's and Kirkton):</b>	No Impact
<b>Lochee(Lochee/Beechwood, Charleston and Menzieshill):</b>	No Impact
<b>Coldside(Hilltown, Fairmuir and Coldside):</b>	No Impact
<b>Maryfield(Stobswell and City Centre):</b>	No Impact
<b>North East(Whitfield, Fintry and Mill O' Mains):</b>	No Impact
<b>East End(Mid Craigie, Linlathen and Douglas):</b>	No Impact
<b>The Ferry:</b>	No Impact
<b>West End:</b>	No Impact

### **Household Group**

<b>Lone Parent Families:</b>	No Impact
<b>Greater Number of children and/or Young Children:</b>	No Impact
<b>Pensioners - Single/Couple:</b>	No Impact
<b>Single female households with children:</b>	No Impact
<b>Unskilled workers or unemployed:</b>	No Impact
<b>Serious and enduring mental health problems:</b>	No Impact
<b>Homeless:</b>	No Impact
<b>Drug and/or alcohol problems:</b>	No Impact
<b>Offenders and Ex-offenders:</b>	No Impact
<b>Looked after children and care leavers:</b>	No Impact
<b>Carers:</b>	No Impact

### **Significant Impact**

<b>Employment:</b>	No Impact
<b>Education and Skills:</b>	No Impact
<b>Benefit Advice/Income Maximisation:</b>	No Impact
<b>Childcare:</b>	No Impact
<b>Affordability and Accessibility of services:</b>	No Impact

### **Fairness and Poverty Implications:**

Refer to Dundee Low Emission Zone Integrated Impact Assessment Chapter 5 (page 44). The LEZ has the potential to cause a range of positive and negative impacts, from improving health of society to potentially reducing access to the city centre for those who rely on private vehicle transport. The most significant impact of the LEZ will be the improvement in air quality and the resulting health benefits, benefitting residents, visitors and workers. The LEZ also has a potential positive health impact through encouraging the use of active travel and public transport for certain trips and changing existing travel behaviours.

**Proposed Mitigating Actions:**

Refer to Dundee Low Emission Zone Integrated Impact Assessment section 6 (page 57). Support funding to help prepare for the introduction of low emission zones in Scotland is being made available by the Scottish Government which seeks to reduce any negative impacts of the proposed LEZ schemes in Scotland. This includes support via the LEZ Mobility Fund, retrofitting schemes, and exemptions outlined in the LEZ regulations. The proposed two-year grace period also allows time to prepare for the LEZ.

## **C. Environmental Impacts**

### **Climate Change**

<b>Mitigating greenhouse gases:</b>	Positive
<b>Adapting to the effects of climate change:</b>	Positive

### **Resource Use**

<b>Energy efficiency and consumption:</b>	Not Known
<b>Prevention, reduction, re-use, recovery or recycling waste:</b>	Not Known
<b>Sustainable Procurement:</b>	Not Known

### **Transport**

<b>Accessible transport provision:</b>	Positive
<b>Sustainable modes of transport:</b>	Positive

### **Natural Environment**

<b>Air, land and water quality:</b>	Positive
<b>Biodiversity:</b>	No Impact
<b>Open and green spaces:</b>	No Impact

### **Built Environment**

<b>Built Heritage:</b>	No Impact
<b>Housing:</b>	No Impact

### **Is the proposal subject to Strategic Environmental Assessment**

Screening determined that the proposal was likely to have significant environmental effects and as a consequence an environmental assessment was necessary. An Environmental report was submitted to the statutory Consultation Authorities together with the draft Plan, Programme or Strategy for consideration. Responses were received from all three Consultation Authorities with SEPA providing feedback on the results of the Environmental Assessment (NatureScot and Historic Environmental Scotland topics scoped out so no comments required). SEPA agreed with the results of the Assessment, noting SEPA have been provided assistance in the development of the LEZ throughout. No wider comments on the Environmental Report were received (i.e. from public or stakeholders) and therefore the proposed LEZ scheme is not required to be adjusted or reassessed prior to submission of the Scheme. A copy of the Environmental Report will be available to view here: <http://www.dundee.gov.uk/cplanning/sea/>

### **Environmental Implications:**

The LEZ is expected to have a positive effect on the SEA environmental topics of Population and Human Health and Air. While having no negative impact on Climatic Factors or Material Assets, the assessment concluded that the positive impact is also likely to be small and therefore the LEZ is expected to have a neutral effect of these environmental topics. The probability, duration and frequency of these effects are difficult to ascertain and may only be quantified either upon implementation or through continual monitoring of the actions generated. The NLEF assessment and NMF modelling within the SEPA AQ Evidence Report has shown that improvements to air quality will result from measures implemented by the LEZ. It is also expected that as vehicle fleets change to comply with the LEZ requirements,

benefits to air quality may extend beyond the LEZ area (e.g. upgraded, lower emissions bus fleets serving the larger urban area and beyond). Transport has been identified as a major source of greenhouse gas emissions and the LEZ is part of a wider strategy to shift towards a low carbon economy and reduction of greenhouse gas emissions.

## **D. Corporate Risk Impacts**

### **Corporate Risk Implications:**

There are risks associated with the subject matter of this report which depart from the norm of Council activity but having undertaken analysis of the upside and downside risks of the activity there is a clear benefit to the Council or its citizens in undertaking the activity in the manner proposed. The downside financial exposure to the Council is less than £250,000 and there is not the potential for significant censure from press or public.

### **Corporate Risk Mitigating Actions:**

Support funding to assist local authorities introduce LEZs in Scotland has been made available by the Scottish Government. It is anticipated that this funding will continue, however the level of funding being made available in future years is not known at the time of writing this report. The level of income from LEZ fines once enforcement commences in 2024 is not expected to be significant and is likely to diminish quickly once the LEZ becomes established.