

Aberdeen Low Emission Zone

SCREENING REPORT

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

Aberdeen City Council

Title of the plan:

Aberdeen Low Emission Zone (LEZ)

What prompted the plan:
(e.g. a legislative, regulatory or administrative provision)

The key policy and legislative drivers for Low Emission Zones are:

- Transport (Scotland) Act 2019;
- Environment Act 2005;
- Air Quality (Scotland) Regulations 2000 and Air Quality (Scotland) Amendment Regulations 2016
- European Ambient Air Quality Directive (2008/50/EC) and Air Quality Standards (Scotland) Regulations 2010.

Plan subject:

(e.g. transport)

Transport, Environment and Air Quality

Screening is required by the Environmental Assessment (Scotland) Act 2005.

Based on Boxes 3 and 4, our view is that:

An SEA is required, as the environmental effects are likely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

Section 5(3)

Section 5(4)

An SEA is not required, as the environmental effects are unlikely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

Section 5(3)

Section 5(4)

Contact details:

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Date:

30 September 2021

STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

Context of the Plan:

A Low Emission Zone for Aberdeen

In September 2017, the Scottish Government, in their [Programme for Government](#), committed to the introduction of Low Emission Zones (LEZs) into Scotland's four biggest cities (Glasgow, Edinburgh, Aberdeen and Dundee) by 2020.

Although the timescales for the delivery and enforcement of a LEZ in Aberdeen have been adjusted due to the impact of the Covid-19 pandemic, the Scottish Government and Aberdeen City Council (ACC) are still committed to introducing a LEZ in the city at the earliest opportunity.

An LEZ is a scheme under which individuals driving vehicles which fail to meet specified emission standards will be prohibited from driving those vehicles in contravention of the terms of the scheme as proposed by a local authority within a designated geographical area.

Low Emission Zones are included in the [Transport \(Scotland\) Act](#) which received Royal Assent in November 2019. The Act provides the legislative framework for Scottish local authorities to design, establish and operate nationally consistent LEZs. It allows the Scottish Government to set consistent national standards for key aspects including emissions, penalties, exemptions and parameters for grace periods. Local authorities will then have the powers to create, enforce, operate or revoke an LEZ in their areas and to design the shape, size and vehicle scope of their low emission zone.

Aberdeen City Council, through the [National Low Emission Framework \(NLEF\)](#), has identified a preferred LEZ for the city and this SEA screening report will detail the expected environmental impact of the LEZ (the Plan).

Policy Context

A full policy review has been undertaken in the [Interim NLEF Stage 2 Report](#) (SYSTRA, June 2021). The policy review first set the context of the legislative framework for introducing a LEZ in Aberdeen, providing background on where LEZ fits in the legislative landscape. This was followed with a detailed review of National, Regional and Local plans, policies and strategies to ensure cognisance is taken of those that may help shape a LEZ in Aberdeen or in turn, be impacted by the introduction of a LEZ.

Activities relating to monitoring and management of air quality in Scotland are primarily driven by European (EU) legislation (at the time of writing) and implemented to UK and Scottish air quality policy. There are also many related national, regional and local policies and strategies that can influence and be influenced by, the delivery of Aberdeen's Low Emission Zone. Many of these policies and strategies are focused on transportation issues and may help contribute to overall improvements in air quality in Aberdeen. Similarly, it is crucial that local plans and policies (e.g. Development Plans, Economic Strategies) are informed by the LEZ to ensure they continue to drive improvements in air quality.

The detailed legislation, policies and plans reviewed in the NLEF Stage 2 Report are listed below. Firstly, the key policy and legislative drivers for Low Emission Zones are:

- [Transport \(Scotland\) Act 2019](#);

- [Cleaner Air for Scotland – The Road to a Healthier Future \(CAFS\)](#)
- [The Environment Act 1995: Part IV](#)

The wider legislative and policy that influence or can be influenced by a LEZ in Aberdeen:

- EU, UK and Scottish Air Quality Legislation
 - [The Ambient Air Quality and Cleaner Air for Europe \(CAFE\) Directive \(2008/50/EC\)](#)
 - [2013 Clean Air Programme for Europe \(COM\(2013\)918\)](#)
 - [2016 National Emissions Ceiling Directive \(2016/2284/EU\)](#)
 - [The Environment Act 1995: Part IV](#)
 - [The Air Quality Strategy for England, Scotland, Wales and Northern Ireland](#)
 - [Air Quality Standards \(Scotland\) Regulations 2010](#)
 - [Air Quality \(Scotland\) Regulations 2000](#)
 - [Air Quality \(Scotland\) Amendment Regulations 2002](#)
 - [Air Quality \(Scotland\) Amendment Regulations 2016](#)
 - [Cleaner Air for Scotland – The Road to a Healthier Future \(CAFS\)](#)
 - [National Low Emission Framework \(NLEF\)](#)
- National Plans, Policies and Strategies
 - [National Planning Framework 3 \(NPF3\)](#)
 - [National Transport Strategy 2 \(NTS2\)](#)
 - [Strategic Transport Projects Review \(STPR\)](#)
- Regional Plans and Policies
 - [Aberdeen City and Shire Strategic Development Plan](#)
 - [Aberdeen City Region Deal](#)
 - [Regional Transport Strategy](#)
 - [Nestrans Regional Transport Strategy 2013–2035 Refresh](#)
 - [North East Regional Economic Strategy to 2035](#)
- Local Plans and Policies and Projects
 - [Aberdeen Local Transport Strategy](#)
 - [Aberdeen Local Development Plan](#)
 - [Aberdeen City Centre Masterplan](#)
 - [North East Scotland Roads Hierarchy Study](#)
 - [Aberdeen Sustainable Urban Mobility Plan](#)
 - Aberdeen Sub Area Model (ASAM)
 - Aberdeen City Centre Microsimulation Model

Air Quality in Aberdeen

The [Environment Act 1995](#) , requires all local authorities in the UK the statutory duty to undertake an air quality assessment within their area and determine whether they are likely to meet the air quality objectives for a number of pollutants. The process of review and assessment of air quality undertaken by local authorities is set out under the Local Air Quality Management (LAQM) regime.

Where the results of the review and assessment process highlight problems in meeting the objectives for air quality, the authority is required to declare an Air Quality Management Area (AQMA). Following the declaration of an AQMA, the local authority is then required to produce an Air Quality Action Plan (AQAP) which sets out measures that the local authority will implement to work towards to achieve air quality objectives.

In 2001 ACC declared part of the City Centre (Union Street and Market Street) an Air Quality Management Area (AQMA) due to predicted exceedances of the annual mean national air quality objective for nitrogen dioxide (NO₂). The AQMA was extended in 2003 to include adjoining roads. In 2004, the Detailed Assessment indicated potential exceedances of the annual mean objective for particulate matter (PM₁₀) and an AQMA was declared for PM₁₀ covering the same area. In 2005 the AQMA for NO₂ and PM₁₀ was further extended to include additional adjoining city centre roads. Two further AQMAs were declared in 2008, again due to exceedances of the NO₂ and PM₁₀ annual mean objectives, for the Anderson Drive/Haudagain roundabout/Auchmill Road corridor and the Wellington Road corridor (Queen Elizabeth Bridge/Balnagask Road), the latter also including the 24 hour mean objective for PM₁₀. The City Centre AQMA and the Anderson Drive AQMA were further amended in 2018.

The AQAP provide the mechanism by which local authorities, in collaboration with national agencies and others, will state their intentions for working towards the air quality objectives using the powers they have available. ACC's AQAP includes a series of measures that they will introduce in pursuit of the Air Quality Standards (AQS). The principal aim of the AQAP is to minimise the effects of air pollution on human health within the local authority area using all reasonable measures, within reasonable time frames, and by working towards achieving the AQS.

Despite improvements in air quality since the introduction of the AQAP, there are several locations in the City Centre AQMA where exceedances of emissions exist and where the AQS are not being met. The [2020 Air Quality Annual Progress Report \(APR\) for Aberdeen City Council](#), contains the latest (pre-Covid-19) information on air quality problems in Aberdeen that this plan will look to address. **The LEZ is being introduced to achieve compliance with the Air Quality Standards.**

National Low Emission Framework

As stated in the Scottish Government guidance, published January 2019, The [National Low Emission Framework](#) (NLEF) is *an air quality-focused, evidence-based appraisal process developed to help local authorities consider transport related actions to improve local air quality, where transport is identified as the key contributor to air quality problems* (NLEF, 2019).

The NLEF supports and builds on the work already being done through the LAQM system and local authorities in Scotland should have regard to NLEF when undertaking their local air quality management duties, as required under the Environment Act 1995.

The primary aim of the NLEF is to improve local air quality in areas where Scottish Air Quality Objectives (AQOs) are exceeded, or likely to be exceeded, and transport is identified as the key contributor.

The NLEF appraisal process provides a consistent approach to inform decisions on

transport-related actions to improve local air quality. It supports local authorities in considering transport-related issues in the context of local air quality management and help develop evidence to support consideration of the introduction of an LEZ as an appropriate option to improve air quality.

NLEF Guidance describes the following key steps that should be undertaken as part of the Assessment:

1. Define the objectives for the potential LEZ
2. Assess the impact of potential LEZ options with regard to air quality using the National Modelling Framework Aberdeen City Model
3. Identify the preferred option, including consideration of geographical extent and scope of vehicles to be included
4. Stakeholder input and consultation
5. Consider the wider impacts of the preferred option (e.g. traffic and air quality modelling, Strategic Environmental Assessment, Equality Impact Assessment)

In June 2020, SYSTRA completed an *Interim NLEF Stage 2 Assessment Report*. The report detailed the identification of the LEZ objectives and the preferred LEZ options (steps 1-3) to be presented for consultation (step 4) and detailed model testing (step 5).

Following publication of the first interim NLEF Stage 2 Report and on instruction from ACC's City Growth and Resources Committee, SYSTRA and ACC undertook a six-week public and stakeholder consultation exercise in Autumn 2020. The results from consultation informed the final LEZ option for Aberdeen along with detailed traffic microsimulation modelling and traffic emissions modelling.

A second [Interim NLEF Stage 2 Report](#) (*Aberdeen Low Emission Zone, National Low Emission Framework Interim Stage 2 Report, SYSTRA 2021*) was published in June 2021 and, through analysis of consultation findings and outcomes from the traffic and emissions modelling, it identified the final preferred LEZ for the city.

Description of the Plan:

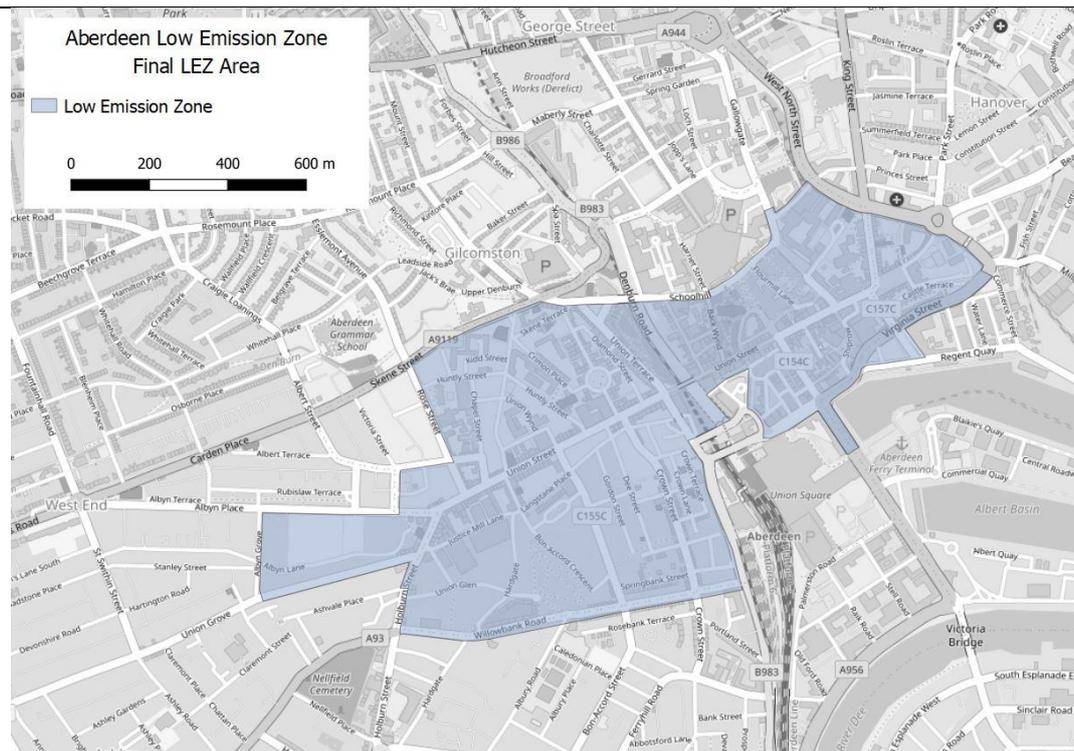
Description of the Plan

The Plan is the implementation of a Low Emission Zone in Aberdeen.

The Transport (Scotland) Act 2019 states the required content of a LEZ, namely:

- The zone to which it relates
- the types of vehicles to which it applies
- the date on which the scheme comes into effect
- the grace periods applicable
- the LEZ objectives

The proposed LEZ area as identified through the NLEF appraisal and statutory consultation is shown below.



The [Low Emission Zones \(Emission Standards, Exemptions and Enforcement\) \(Scotland\) Regulations 2021](#) sets the emission standards for entry to the LEZ without penalty and allows ACC to define which vehicle types are to be restricted from entering the LEZ area.

It is proposed that the final Aberdeen LEZ Option applies to all vehicles types as specified in [Regulation 2](#) of the Low Emission Zones (Emission Standards, Exemptions and Enforcement) (Scotland) Regulations 2021. The LEZ emission standards for Aberdeen LEZ are therefore:

- Euro VI emission standards for buses, coaches and heavy good vehicles with diesel engines, with retrofitted vehicles to this standard also being acceptable (Euro VI vehicle registrations from 2013)
- Minibuses, large vans, taxis and cars are set at the Euro 6 for diesel vehicles and Euro 4 for petrol vehicles (Euro 6 diesel vehicle registrations in 2015, Euro 4 petrol vehicles in 2006).
- Euro 3 for motorcycles and mopeds

The Transport (Scotland) Act 2019 requires a LEZ to specify a grace period before penalty enforcement of the scheme. It is proposed that the grace period for Aberdeen’s LEZ expires in May 2024 for all vehicle types and for residents and non-residents of the zone.

Impact of the Plan on the Environment

As part of the development of the LEZ, SEPA has undertaken detailed air quality modelling through the National Modelling Framework, using outputs from the Aberdeen City Traffic Model. This has confirmed that, on its own, a LEZ will not result in all air quality exceedances reducing to within legal limits and additional traffic management measures are required. As a result, the LEZ on its own is not expected to have significant environmental effects, albeit it has been shown that there will be positive effects on air quality. Full details of the impact of the LEZ and the required accompanying transport

measures can be found in the [Interim NLEF Stage 2 Report](#).

It is therefore the opinion of Aberdeen City Council as the Responsible Authority, that a SEA is not required for the LEZ as its implementation on its own is unlikely to have significant environmental impacts in accordance with Schedule 2 of the Environmental Assessment (Scotland) Act 2005.

What are the key components of the plan?

There is ultimately only one key component of the plan, the delivery of Aberdeen's Low Emission Zone, which will be subject of this SEA.

Have any of the components of the plan been considered in previous SEA work?

The legislative and policy context and the appraisal tools used to deliver the plan (e.g. Transport (Scotland) Act and NLEF have been independently subject to SEA.

The LEZ has been included within the series of interventions assessed under the [Aberdeen Local Transport Strategy](#) (LTS) 2016-2021 and Nestrans [Regional Transport Strategy](#), (RTS) which have been subject to full SEA. This ensures an assessment has been undertaken on the LEZ and importantly, it has been done in consideration of the cumulative environmental effects of a LEZ alongside wider ACC transportation interventions and objectives.

In terms of your response to Boxes 7 and 8 above, set out those components of the plan that are likely to require screening:

The delivery of Aberdeen's Low Emission Zone

**STEP 3 – IDENTIFYING INTERACTIONS OF THE PLAN WITH THE ENVIRONMENT AND
CONSIDERING THE LIKELY SIGNIFICANCE OF ANY INTERACTIONS**

Plan Components	Environmental Topic Areas										Explanation of Potential Environmental Effects	Explanation of Significance
	Biodiversity, flora and fauna	Population and human health	Soil	Water	Air	Climatic factors	Material assets	Cultural heritage	Landscape	Inter-relationship issues		
Delivery of Aberdeen's Low Emissions Zone	✗	✓	✗	✗	✓	✓	✓	✗	✗	✗	The delivery of Aberdeen's Low Emission Zone will set an area of certain road spaces within the city, allowing only vehicles of suitable emissions standards to enter the LEZ. Introducing the LEZ will aim to reduce vehicular emissions in the zone and therefore have an impact upon Population and Human Health, Air, Climatic Factors and Material Assets.	It is expected that the delivery of the Low Emission Zone will have a positive impact on Population and Human Health, Air, Climatic Factors and Material Assets. It has been identified through detailed air quality modelling by SEPA that the LEZ on its own is not enough to bring all air quality exceedances to within legal limits and additional traffic management measures are required. As a result, the LEZ on its own is not expected to have significant environmental effects.

STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING

Summary of interactions with the environment and statement of the findings of the Screening:

(Including an outline of the likely significance of any interactions, positive or negative, and explanation of conclusion of the screening exercise.)

Air quality modelling through the National Modelling Framework (SEPA) confirmed that, on its own, a LEZ will not result in all air quality exceedances reducing to within legal limits and additional traffic management measures are required. As a result, the LEZ on its own is not expected to have significant environmental effects, albeit it has been shown that there will be positive effects on air quality.

It is therefore the opinion of Aberdeen City Council as the Responsible Authority, that a SEA is not required for the LEZ as its implementation on its own is unlikely to have significant environmental impacts in accordance with Schedule 2 of the Environmental Assessment (Scotland) Act 2005.

In addition to the view that the LEZ on its own will not be subject to a SEA, the LEZ has been included within the series of objectives assessed under the [Aberdeen Local Transport Strategy](#) (LTS) 2016-2021 and Nestrans [Regional Transport Strategy](#), (RTS) which have been subject to full SEA. This ensures an assessment has been undertaken on the LEZ and importantly, it has been done in consideration of the cumulative environmental effects of a LEZ alongside wider transportation interventions.

When completed send to: SEA.gateway@scotland.gsi.gov.uk or to the SEA Gateway, Scottish Government, Area 2H (South), Victoria Quay, Edinburgh, EH6 6QQ.