

SERVICE UPDATE

<u>Name of Function:</u>	Commissioning
<u>Date:</u>	October 2023
<u>Title of Update:</u>	Aberdeen Low Emission Zone – Time-Limited Exemption for Taxis and Private Hire Cars
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UPDATE:

- 1.1 Aberdeen City Council (ACC) declared a City Centre Low Emission Zone (LEZ) on 30th May 2022. At a meeting of the City Growth and Resources Committee in June 2021, Members [agreed](#) a two-year grace period for all vehicles (during which no enforcement would take place), meaning enforcement commences on 1st June 2024.
- 1.2 Legislation governing LEZs was established in the [Transport \(Scotland\) Act 2019](#). The Act does not allow local authorities to issue permanent exemptions from LEZs (aside from those determined nationally) but they can grant local 'time limited' exemptions for certain vehicles and vehicle types by reference to the vehicle's use. Such exemptions can last for a maximum of one year and can be accompanied by any conditions or restrictions that the local authority deems appropriate. Although exemptions can be renewed, an exemption should not be a means by which vehicle or fleet owners avoid LEZ obligations indefinitely.
- 1.3 The process agreed with Transport Scotland for the consideration of exemptions was that applications would be reviewed by the local LEZ Delivery Group (made up of representatives of ACC, Aberdeenshire Council, Nestrans and NHS Grampian) and a recommendation made to the Chief Officer – Strategic Place Planning who would have ultimate delegated responsibility for approving or rejecting applications.
- 1.4 Members of the Council's Licensing Committee were contacted by representatives of the taxi and private hire car (PHC) industry regarding the possibility of an additional years' exemption from the LEZ. Following a drop in trade during the COVID-19 pandemic, many drivers left the business, resulting in a shortage of taxis in Aberdeen. It was suggested that restricting taxi numbers in the city centre further via the LEZ may exacerbate this shortage, with potential negative impacts on the city centre economy (particularly the night-time economy) and the ability of those enjoying the night time economy to travel home safely. Feedback from some drivers is that they cannot afford to upgrade their vehicles in time to comply with the LEZ, with the COVID impacts compounded by the current cost of living crisis. A time-limited exemption will support recovery of the industry and enable more time for LEZ compliance. At

present, approximately 189 taxis (32% of the local fleet) and 19 PHCs (8%) do not meet LEZ standards.

- 1.5 The Chief Officer – Strategic Place Planning, in consultation with the Convenor of the Licensing Committee, has approved the exemption, making it clear that, given the time and funding support that has already been available to enable compliance with the LEZ, the exemption will only apply for one year and drivers are expected to use this additional time to ensure vehicles are fully compliant by 1st June 2025.
- 1.6 Members of the Licensing Committee were notified of the exemption via a [report](#) to their September 2023 meeting, and the Committee resolved *to instruct the Chief Officer – Strategic Place Planning to circulate a Service Update to all members of Council in relation to the report*, which is the purpose of this Update.
- 1.7 An email was disseminated to all relevant contacts following the Committee meeting with information on the time-limited exemption and the funding support available to taxi and PHC drivers to help them comply with the LEZ from 1st June 2025.