

Cabinet Agenda



Date: Tuesday, 5 November 2019

Time: 4.00 pm

Venue: City Hall, College Green, Bristol, BS1 5TR

Distribution:

Cabinet Members: Mayor Marvin Rees, Nicola Beech, Craig Cheney, Asher Craig, Kye Dudd, Helen Godwin, Helen Holland, Anna Keen, Paul Smith and Steve Pearce

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Date: Monday, 28 October 2019



Agenda

6. Reports from scrutiny commission

(Pages 3 - 6)



Statement on behalf of the Overview and Scrutiny Management Board for 5th November 19 Cabinet – Clean Air Plan.

The statement below is being sent on behalf of the Overview and Scrutiny Management Board (OSMB) and is a cross party submission agreed by Members of all four parties in attendance at the meeting.

Overall Comments on the Clean Air Plan

- Members of the Overview and Scrutiny Management Board recognised that a significant amount of officer and consultant work had gone into producing this report and particularly wanted to put on record their thanks to Adam Crowther, Head of Strategic Transport and his team for their efforts, and for the very positive way they had engaged with Members in the run up to our meeting. The comments that follow are not intended to be critical of officers but do reflect Members' concerns.
- All Members stressed that the Clean Air Plan was a vital policy and they did not want to delay its implementation, but they were also seeking clarification around some queries and significant areas of concern.
- Members found the report to be lengthy and repetitive in places and whilst they understood this was because of the requirements set out by the Government's Joint Air Quality Unit for the Outline Business Case, they concluded it may be difficult for the public to follow. Members suggested that a plain English executive summary of the report be provided, including a more detailed commentary of the various appendices.
- The Board understood that the Clean Air Proposals needed to be submitted to the Government by 6th November 19 and this would not allow for a further round of public consultation. In view of this they suggested that additional public engagement be conducted as part of the development of the Final Business Case, particularly as the hybrid nature of the recommended scheme had not been subject to consultation.
- Members made a range of comments about the Clean Air proposals that were both constructive and positive. They agreed that it would have been preferable for a representative of the Cabinet to have been in attendance at the meeting to hear the discussion.

Concerns Requiring an Urgent Response

- Access to a number of hospitals was a major concern as several were situated within the diesel car ban area. Members understood the need to improve the overall air quality in the city, however, they strongly suggested that work be undertaken to mitigate the impact on patients and visitors using the hospitals, many of whom would be located in the wider Bristol area and beyond. In particular, Members referred to St Michael's Hospital, which provides a number of maternity services,

including those for pregnant mothers and premature babies, which may experience extended stays.

- Members queried the impact of the displacement effect on air quality standards on roads outside of the Clean Air Zone. They requested that information be made available to show the current pollution levels at various monitoring points and for the modelled figures for future years to also be provided so that interested parties could assess the extent of any deterioration.
- The Board considered the impact of the proposed Arena in Filton and suggested that this should have been included in the modelling exercise, although they noted this was because Planning Permission had not been approved to date. Local ward Members wanted to know what the air quality impact would be in North Bristol if the Arena went ahead as displacement could make that area significantly worse.
- Under the proposals, drivers of newer Euro 6 'clean' diesel cars would be treated the same way as drivers of 'dirty' diesel vehicles, but the emissions of Euro 6 diesels were often lower than older petrol cars. Members suggested that blanket implementation of the ban was inappropriate when technology should exist to differentiate between vehicle type. Members felt this approach was unjust and would potentially penalise motorists who had acquired 'clean' diesel vehicles in recent years.
- Financial assistance to business owners within the ban area was welcome, but many contractors who worked in central Bristol would travel in from the Greater Bristol area. Members recommended that a more inclusive solution be taken.
- The effectiveness of the diesel vehicle scrappage scheme was queried. Members were concerned that the scheme would not support all those who needed it as it appeared to be targeted at people living within the ban areas and did not recognise that those who worked or had other reasons to travel to the area could be equally affected.
- The Board were advised that the First Bus fleet would be compliant by March 21, and that no other bus operators had taken up the funding opportunities offered to upgrade their vehicles. Members expressed concern that this made it harder for potential competitors to First Bus to enter the market and suggested that support to other bus providers be re-offered.
- Members noted the proposed exemption for designated school buses but suggested that this be extended to include vehicles being used for school trips to visitor attractions in the city else the Clear Air Zone charge could make the excursions unviable, which would also impact on visitor numbers.
- Those areas that were already saturated with commuter parking were likely to find increased pressure from diesel drivers looking for parking

spaces, which would produce further deterioration in air quality. Mitigation for these areas was essential.

- Concern was expressed that no alternative options had been considered for spending £113m on improving air quality.

Administrative matters;

OSMB members wished to raise two general points about the 5 November 19 Cabinet meeting;

- Five working days' notice

The practice of producing Cabinet papers to tight deadlines makes scrutiny difficult, and potentially impossible. The Clean Air proposals are potentially one of the most significant and important decisions to be taken by the Cabinet in recent years. However, Scrutiny effectively had 36 hours to absorb over 1000 pages. We thank officers for providing supportive briefings to assist in this process but wish to put on record that for scrutiny to be effective, sufficient time needs to be factored in to the decision-making process for the papers to be scrutinised with proper notice. Cabinet should note that this isn't solely in relation to Members of Council, as the public also see the scrutiny process as part of proper public engagement

- Exempt Papers

There is a process whereby the Chair of OSMB and the relevant Scrutiny Commission are advised of any exempt papers and asked to agree with the classification. In the past that has worked, and the Chairs have seen the papers and the exempt documentation prior to publication, with sufficient time to assess the content and to be briefed if appropriate.

Members anticipated there would be exempt papers for the Clean Air proposals and asked if this was the case on a number of occasions but received repeated assurances that there would be none.

The Chair of the Overview and Scrutiny Management Board was surprised therefore to receive a call at 7pm on publication day to be advised that there were indeed confidential papers. At that stage Members had not seen any of the papers and did not know there were over 1000 pages. The Chair advised he would not agree to exempt papers in those circumstances.

It was surprising to discover that there were other exempt papers for the November Cabinet meeting and none of these had been through the above process.

The established process is an important check and balance to prevent abuse of the exempt status and Members would like assurances that this breach will not be repeated.

Members hope this statement conveys the serious and business-like approach that OSMB took and that the Mayor and Cabinet will respond positively by acknowledging that the concerns we have raised reflect views expressed by affected residents and concerned local Members.

Thank you.

Councillor Geoff Gollop
Chair of the Overview and Scrutiny Management Board