

# Bristol City Council Equality Impact Assessment Form



Name of proposal	<b>Improving Public Health: Bristol Clean Air Zone (CAZ) – Outline Business Case</b>
Directorate and Service Area	Growth and Regeneration
Name of Lead Officer	Adam Crowther / Mike Jackson

## Step 1: What is the proposal?

### 1.1 What is the proposal?

- Bristol City Council is wholly committed to enabling clean air in the city and to achieving this as quickly as possible whilst making sure that we put in place measures that will mitigate the impact on people with protected characteristics (and/or from low income households).
- Due to the scale of the issue in urban areas nationally, Her Majesty's Government in 2017 formally directed 24 local authorities (including Bristol City Council) to submit plans for how they will achieve compliance to the legal NO<sub>2</sub> limits and how they would implement these plans by March 2021.
- Local authorities are therefore required to model various options for achieving clean air and to take forward the option that delivers compliance against the NO<sub>2</sub> legal limits within the shortest possible time, reduces exposure the quickest; and ensures that compliance is not just possible but likely.

From 1<sup>st</sup> July 2019 Bristol City Council carried out a six-week public consultation on two options for achieving NO<sub>2</sub> compliance: option 1: a medium CAZ C charging scheme with additional non-charging measures and mitigations; option 2, a small area diesel car ban with mitigations. The details of both these options are set out in further detail in the Outline Business Case (OBC), appendix A. The outcomes of consultation are set out in a separate consultation report.

Following consultation and further technical analysis on both options, the Officers are recommending that we progress with a 'hybrid' option, which merges options 1 and 2 described above. As this is the options that achieves compliance in line with our legal obligations.

## Step 2: What information do we have?

### 2.1 What data or evidence is there which tells us who is, or could be affected?

Broadly, there are three types of impact arising from this decision:

1. Impact on public health from reducing air pollution
2. Impact on individuals through charging; impact on businesses through enforcement of the CAZ
3. Impact of additional measures aimed at improving and encouraging sustainable transport options for people

#### **Impact of Reducing Air Pollution**

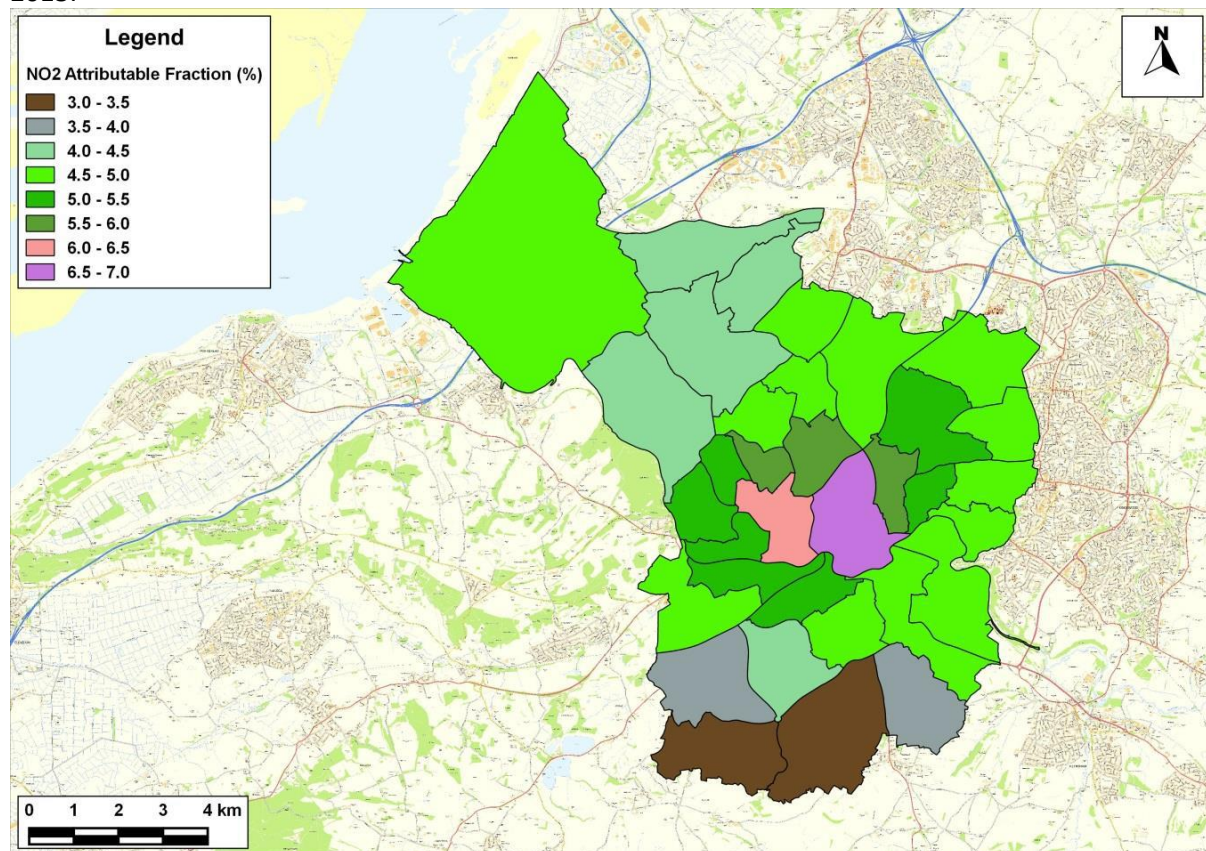
We manage air pollution levels in order to protect public health. Reducing air pollution leads to a reduction in both morbidity and mortality. The most recent analysis commissioned by Bristol City

Council – based on evidence from the Committee on the Medical Effects of Air Pollutants (COMEAP) – calculated that around 300 deaths each year in the City of Bristol can be attributed to exposure to both nitrogen dioxide and fine particulate matter.

Significant parts of the city are affected by air pollution in excess of the UK and EU standards for nitrogen dioxide – this is called the Air Quality Management Area (AQMA). This covers the city centre, central residential areas and main roads. Approximately 100,000 people live in the city centre and many more study, work and travel through this area.

Air pollution affects the whole of the city and health impacts from poor air quality will be experienced outside the AQMA.

The figure below shows the fraction of deaths (%) attributable to nitrogen dioxide in Bristol wards in 2013.



### Impacts of Charging Zones

London has recently introduced an Ultra-Low Emissions Zone (ULEZ) which charges most vehicle types including cars, taxis, buses, motorcycles and vans. This has been in place since April 2019 and covers the same area that London's pre-existing congestion charging zone covered. However, as it has only been in place for a few months, we cannot reliably assess its full impact.

Aside from London's ULEZ, no other UK city has introduced a clean air zone with charges. Therefore, we do not have direct experience of the impact. However, it is reasonable to assume that people with protected characteristics and/or from low income groups that are required to pay a charge may be negatively affected, and this may have a detrimental impact on life chances and health. This is further explored in section three of this report.

In 2016, a government assessment of the impact of Clean Air Zones was undertaken in five of the cities that were directed to implement CAZs, the findings of which can be read here:

[https://consult.defra.gov.uk/airquality/implementation-of-cazs/supporting\\_documents/161012%20%20CAZ%20Impact%20Assessment%20%20FINAL%20consultation.pdf](https://consult.defra.gov.uk/airquality/implementation-of-cazs/supporting_documents/161012%20%20CAZ%20Impact%20Assessment%20%20FINAL%20consultation.pdf)

### Quality of Life Survey

In relation to the proportion of people who say air pollution prevents them leaving their house when they want to, the council's Quality of Life Survey 2018 / 19 shows there are clear differences between both equality groups and where people live:

Indicator	% for whom air pollution prevents them from leaving their home when they want to
<b>Equalities Group</b>	<b>Percentage</b>
16 to 24 years	3.2%
50 years and older	4.8%
65 years and older	5.4%
Female	3.6%
Male	5.6%
BME (Black and Minority Ethnicity)	5.6%
WME (White Minority Ethnicity)	6.6%
Carer	6.9%
Disabled	7.7%
LGB (Lesbian Gay Bisexual)	7.8%
No religion or faith	5.3%
Religion or faith	3.8%
<b>Bristol Average</b>	<b>4.6%</b>

*source: Quality of Life in Bristol survey 2018-19*

Indicator	% for whom air pollution prevents them from leaving their home when they want to
<b>Ward Name</b>	<b>Percentage</b>
Ashley	11.5%
Avonmouth & Lawrence Weston	3.1%
Bedminster	2.3%
Bishopston & Ashley Down	5.7%
Bishopsworth	6.7%

Brislington East	2.9%
Brislington West	2.8%
Central	4.0%
Clifton	1.3%
Clifton Down	4.2%
Cotham	1.9%
Easton	6.0%
Eastville	2.3%
Filwood	5.1%
Frome Vale	5.7%
Hartcliffe & Withywood	4.0%
Henbury & Brentry	6.5%
Hengrove & Whitchurch Park	4.0%
Hillfields	1.7%
Horfield	2.7%
Hotwells & Harbourside	4.1%
Knowle	4.8%
Lawrence Hill	5.7%
Lockleaze	6.0%
Redland	5.2%
Southmead	1.4%
Southville	9.6%
St George Central	3.6%
St George Troopers Hill	4.2%
St George West	16.8%
Stockwood	0.8%
Stoke Bishop	0.0%
Westbury-on-Trym & Henleaze	3.7%
Windmill Hill	8.5%
<b>Bristol Average</b>	<b>4.6%</b>

*source: Quality of Life in Bristol survey 2018-19*

## 2.2 Who is missing? Are there any gaps in the data?

The consultation received responses from a wide range of groups and residents. Overall, the survey received 5,034 responses, of which 4,835 (96%) were self-completed online, 110 (2%) were completed online as interview surveys or at drop-ins or events and 89 (2%) were self-completed using paper surveys.

Geography - 3,512 responses (70%) were received from postcodes within the Bristol City Council area, 342 (7%) responses were from South Gloucestershire, 175 (3%) were from North Somerset, and 46 (1%) were from Bath & North East Somerset (B&NES). A further 22 (less than 1%) were from unspecified locations within the four West of England authorities and 84 (2%) responses were from further afield.

Deprivation - The home location of respondents in Bristol was compared with nationally published information on levels of deprivation across the city to review if the responses received include a

cross-section of people living in more deprived and less deprived areas. The comparison looked at levels of deprivation in 10 bands (known as 'deciles') from decile 1 (most deprived) to decile 10 (least deprived). The response rate from the most deprived third of Bristol (deciles 1, 2 and 3) is less than the proportion of citizens living in those areas. The proportion of respondents in deprivation deciles 4 and 5 closely matches the proportion of Bristol citizens living in deprivation deciles 4 and 5. Response rates from the least deprived half of the city (deciles 6 to 10) are higher than the proportion of Bristol citizens living in those areas.

Although, the more deprived areas are under-represented as a proportion of the population, the large number of responses in all deciles enables meaningful comparison of the views of people living in the most deprived and least deprived areas.

Age - The most common age of respondents was 35-44 years (29%), followed by 25-34 (21%) and 45-54 (20%). The proportion of responses in the age categories 25-34 years, 35-44, 45-54, 55-64 and 65-74 was higher than these age groups' proportion of the population in Bristol. Survey responses from children (under 18), young people aged 18-24 and people aged 75 and older were under represented. In each age category, the proportions of all respondents and Bristol respondents were very similar; the greatest difference being in people aged 45-54 which made up 20% of all respondents and 18% of Bristol respondents.

Sex - 45% of all responses were from women (47% for Bristol respondents) and 54% were from men (52% for Bristol respondents). 0.7% were from people who identified as 'other' (0.8% for Bristol respondents).

Disability - The proportion of disabled respondents (8%) and disabled Bristol respondents (8%) matched the proportion of disabled people living in Bristol.

Ethnicity - The proportions of White British respondents (87%) and White British respondents from Bristol (86%) are higher than the proportion of White Bristol people in the Bristol population. The response rates from White Irish (2%) and Other White respondents (7%) were also higher than the proportion of these groups living in Bristol. The responses rate from Gypsy / Roma / Traveller people (0.1%) closely matches proportion of these citizens in the Bristol population.

All other Black, Asian and Minority Ethnic respondents were under-represented in the response rates compared to the proportion of BAME citizens living in Bristol, despite targeted efforts to increase participation in areas with high BAME populations.

Religion/faith - People with no religion (69% of respondents and 70% of Bristol respondents) responded in higher proportions than people of no religion in Bristol's population. Christians (26%), Muslims (0.6%), Hindus (0.2%) and Sikhs (0.1%) were under-represented compared to the proportions of these faiths living in Bristol. The proportion of Jewish respondents (0.2%) closely matches the Bristol population. Buddhists (1%) and people of other faith (2%) responded in greater numbers than the proportions of these faiths in the Bristol population.

### 2.3 How have we involved, or will we involve, communities and groups that could be affected?

A full consultation programme was designed and planned with our framework consultants to ensure that people in the West of England region understood the issues surrounding air quality as well as the potential solutions. The proposed hybrid option builds upon this. A series of engagement activity is proposed including a city summit with key city stakeholders (businesses, community groups and the city's partnership boards) and communications campaigns to enable residents to ask questions and further consultation will take place as part of detail of the implementation of the preferred

option

We used our existing relationships with local universities, NHS, WECA, community groups and the Green Capital Partnership to plan activities and communications that reach all relevant communities.

We engaged with particular equalities groups including BME, age and disability to understand the likely impacts on people with protected characteristics.

Further details of our engagement and consultation are available in the appendices of the outline business case.

### **Step 3: Who might the proposal impact?**

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

#### **3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?**

Analysis shows that both options consulted on as separate interventions would have a disproportionate financial impact on people with protected characteristics and low income households. This is also true of the benchmark (CAZ D general charging) option that was initially considered. The hybrid option does not have as proportionately disparate affect; however we recognise that this option does not fully mitigate the negative impacts.

A ban on diesel cars may correlate with some equalities groups such as older people, and may also disproportionately affect those people who need to use a car more, such as disabled and elderly people. The requirement to replace a diesel vehicle to continue trip-making may have a more significant impact, especially for households with only one diesel car.

Further, there may be an impact on disabled people and / or carers who have had adaptations to existing diesel vehicles via grants etc. in order to make their vehicles accessible. Such groups may not be able to afford or be sufficiently reimbursed if they are then required to get further adaptations to a replacement vehicle.

The CAZ C (commercial vehicle charging zone for non-compliant vehicles) may also adversely impact disabled persons, elderly persons and children. These groups are more likely to use taxis, buses, or home-to-school transport. The financial effects of the CAZ upon operators who need either to pay the charges to enter, or to replace or retrofit older vehicles, are therefore more likely to impact upon these groups in the form of raised prices. Accessibility for these groups could also be reduced if operators choose to change or lower service levels as a result of the proposals.

#### **3.2 Can these impacts be mitigated or justified? If so, how?**

Bristol City Council is committed to delivering an option that complies with the legal tests while at the same time seeking to put in place measures that will mitigate any disproportionate adverse impact on people with protected characteristics and low income households. To develop Bristol's proposed option, officers from the Council have been in regular contact with officials from JAQU throughout 2018-19. Initially the Council developed a shortlist of options in line with JAQU assessment criteria reported to council in March 2018. The subsequent assessment of these options

produced 2 'preferred options' based on the year they would be likely to reach compliance. Modelling showed the options having different compliance dates; 2030 for the CAZ D (charging all non-compliant modes) and 2024 for a Small Area Diesel Car Ban. The first option raised concerns about time to compliance and both options raised concerns about the impact on people with protected characteristics and low income households, so further consideration was given to options that would meet the terms of the directive and legal tests, while at the same time mitigating the impact.

This led to the development of the hybrid option as detailed in the Cabinet report and OBC and includes mitigation and exemption measures. The hybrid option achieves compliance in the shortest possible time (2025), reducing the impact of poor air quality on protected groups. Although adverse impacts upon protected groups remain these will be mitigated by the following measures:

The key mitigations for the small area diesel ban and CAZ C (commercial charging zone) from an equalities perspective are:

- a) A local scrappage scheme (offered to people scrapping the most polluting vehicles in exchange for a grant towards a new car or a switching to another mode i.e. bus tickets). This will provide lower income households and people with protected characteristics impacted by the diesel ban an immediate avenue to maintain their mobility.
- b) Council-led improvements to buses and taxis to bring them to the compliant Euro standards. This should reduce the charging / vehicle replacement costs placed upon operators by the CAZ C. This in turn will reduce any costs passed on to public transport users, including users from low income households, elderly users, disabled passengers, and children.
- c) Bus and local traffic interventions in the most polluting areas; including a bus lane on the M32 and a targeted diesel ban on the highway past the Bristol Royal Infirmary and Children's Hospital. These will improve service reliability for operators, mitigating the impact of the charging zone. Improved public transport reliability will also mitigate the accessibility impacts of both the small area diesel ban and commercial charging zone.
- d) Exemption from the small area diesel ban for Blue Badge holders living inside the area with a vehicle registered to that address. This will prevent disabled people living inside the area from having their transport option removed.
- e) Exemption from the small area diesel ban and CAZ C for community transport vehicles. This will mitigate negative accessibility impacts upon disabled and elderly people who rely upon these services for their mobility. It will also mitigate the financial impacts upon these groups from potentially replacing these services with more expensive modes, such as taxis.
- f) Exemption from the small area diesel ban and CAZ C for home-to-school transport vehicles. This will mitigate adverse financial and accessibility impacts upon children and young people by preventing their mobility from being disrupted and avoiding extra cost for alternative modes.

Exemptions have been balanced against the need to achieve legal compliance in the shortest possible time. If too many exemptions are included, this could impact the compliance date. In turn, this would weaken the positive impact of the proposal on groups with protected characteristics.

This is the basis for decisions such as that not to extend the Blue Badge exemption citywide, instead limiting it to holders resident in the diesel ban area.

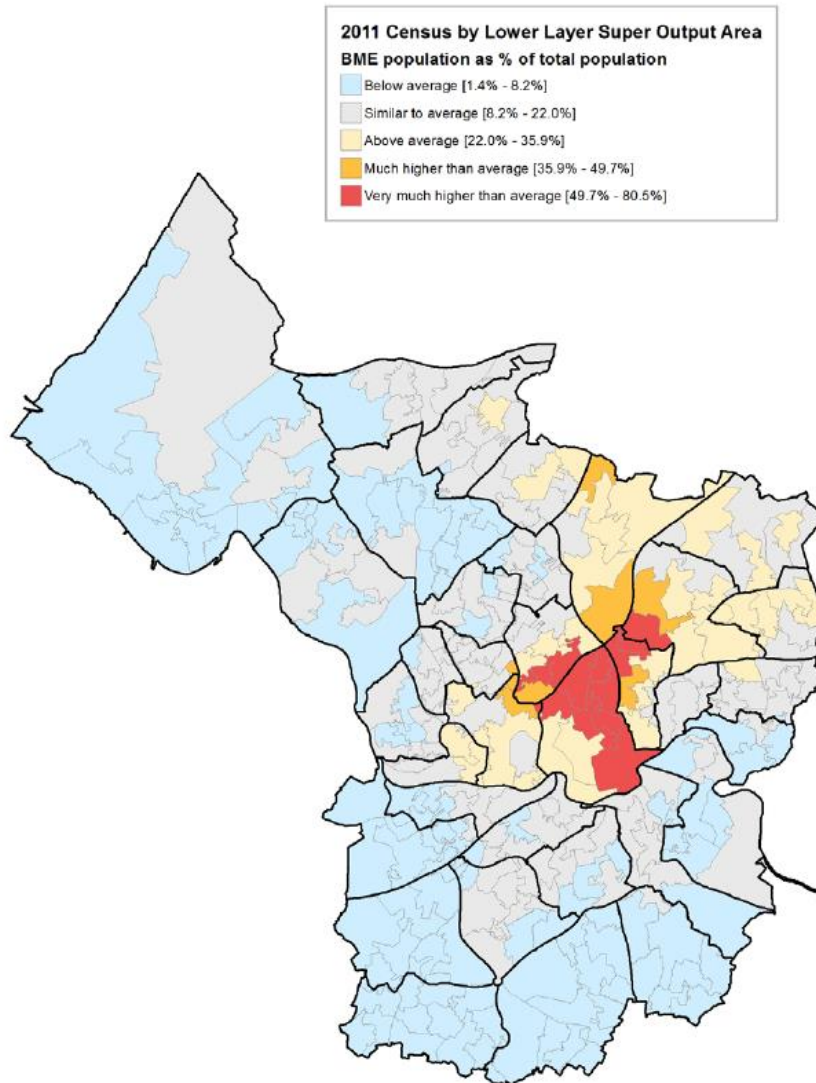
### 3.3 Does the proposal create any benefits for people with protected characteristics?

Considering air pollution in relation to protected characteristics:

- Race: BME people make up a larger proportion of the population living in the more polluted



areas – the AQMA - than the city as a whole and therefore it is reasonable to assume that BME groups experience greater exposure to air pollution. Successful interventions to improve air quality will improve the citywide health of BME communities relative to non-BME citizens.



- Age: some age groups – the very young and older people – are more likely to be vulnerable to the effects of air pollution. As a result, general improvements will benefit these age groups more. Their relative geographical distribution is not strongly aligned to polluted areas or potential charging zones.
- Disability: some disabled people, for example those with breathing difficulties are more vulnerable to air pollution.
- Other groups with protected characteristics (such as marriage; gender reassignment; religion) are not considered to be differentially exposed or vulnerable to air pollution.

Our conclusion therefore is that improving air quality to meet legal compliance for nitrogen dioxide is likely to be beneficial to the whole population with more positive impacts on BME groups, children, older people and people with breathing conditions.

### 3.4 Can they be maximised? If so, how?

The benefits can be maximised by achieving legal compliance and reducing exposure in the shortest possible time

Consideration should also be given as to whether, in achieving legal compliance in the shortest



possible time, wider improvements in air quality can be delivered in areas that are already compliant but still experience health impacts from air pollution.

#### Step 4: So what?

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

##### 4.1 How has the equality impact assessment informed or changed the proposal?

- It has tested whether we should include or exclude a large zone from further study.
- The Distributional Impact Assessment that has informed this EQIA has also informed the detailed consideration and evolution of proposals. Results of the Distributional Impact Assessment have also suggested that combining the two options consulted provides better overall outcome for low income households and groups with protected characteristics than them being applied in isolation.
- In identifying potential mitigation targets, it has noted potential exemptions for groups with protected characteristics. For example, the exemption from the small area diesel ban for residents living inside with a Blue Badge and a registered vehicle, and exemptions from both the diesel ban and CAZ C (commercial charging) for community and home-to-school transport vehicles.
- In identifying potential mitigation targets, it has endorsed the inclusion of mitigation measures, such as a scrappage scheme to enable people with protected characteristics and low-income households with polluting vehicles to enable alternative transport solutions under the scheme.

##### 4.2 What actions have been identified going forward?

Once a decision has been made in respect of the preferred option, and the Government has accepted the Council's OBC, further engagement and consultation will take part in respect of the detail implementation of the plan.

The key mitigation measures and exemptions for the proposed plan are being developed to ensure the disproportionate impact on low income households and people with protected characteristics is effectively managed. This includes ongoing engagement with communities and key stakeholders across Bristol to raise awareness of the impacts in order to plan around them, draw attention to air quality benefits for the city, and raise awareness of mitigation of adverse impacts by the council.

This future engagement plan is included in the OBC documents in appendix A.

##### 4.3 How will the impact of your proposal and actions be measured moving forward?

As part of the OBC, an Evaluation & Monitoring Plan has been drawn up, which is included as appendix A. This lays out how the project's benefits will be monitored through the sensor network in order to show that air pollution levels have reached legal compliance in the directed timeframe. Through the network of sensors, the council will be able to monitor air quality improvements by area, and evaluate the degree to which lower income neighbourhoods, and areas with a higher proportion of residents with protected characteristics, are improving compared to the mean. It is expected that the majority of this work will be carried out by the sustainability team.

The monitoring of the proposal's financial and accessibility impacts upon groups with protected characteristics are difficult to monitor independently, as the future Quality of Life Survey results on accessibility and transport will be affected by a range of inter-dependent factors outside the scope of this project. However, appropriate conversations about this monitoring will be developed with

the equalities team as the project moves towards Full Business Case submission to JAQU in February 2020.	
Service Director Sign-Off: Mike Jackson	Equalities Officer Sign Off: Duncan Fleming
Date:28 <sup>th</sup> October 2019	Date: 28 <sup>th</sup> October 2019