

Bristol City Council
Minutes of the Overview and Scrutiny
Management Board



30 October 2019 at 6.00 pm

Members of the Board Present

Councillors Stephen Clarke, Geoff Gollop (in the Chair), Claire Hiscott, Brenda Massey, Anthony Negus, Celia Phipps, Jo Sergeant and Jerome Thomas (substituting for Paula O'Rourke).

Other Members in attendance;

Councillors Eleanor Combley and Gary Hopkins

1. Welcome, Introductions and Safety Information

The Chair welcomed all attendees to the meeting.

2. Apologies for absence

Apologies for absence were received from Councillors Johnson, and O'Rourke and Wright. Councillor Thomas substituted for Councillor O'Rourke.

3. Declarations of Interest

There were no declarations of interest.

4. Public Forum

The following public forum was received and a copy placed in the minute book.

No.	Name	Topic
Statement 1	Councillor Geoff Gollop	Clean Air Zone
Statement 2	Councillor Clive Stevens	Clean Air Zone



Statement 3	Alan Morris, Bristol Clean Air Alliance	Clean Air Zone
Question 1	Suzanne Audrey	Overview and Scrutiny
Question 2	Cllr Eleanor Combley	Clean Air Zone
Questions 3 & 4	Cllr Jerome Thomas	Clean Air Zone
Question 5	Geoffrey Allan, Chair of Totterdown Residents Environmental & Social Action Community Interest Company (TRESA CIC)	Clean Air Zone
Questions 6, 7, 8 & 9	Gavin Spittlehouse	Clean Air Zone
Question 10	Christina Biggs	Clean Air Zone

Following a supplementary question from Suzanne Audrey in relation to the late circulation of the papers for the meeting, Members noted that Officers had been working to tight deadlines to prepare the documentation, however, a number of measures had been put in place by way of mitigation, including two briefing sessions for Members and an extension to the usual public forum deadlines.

5. Improving Public Health Clean Air Plan

Officers introduced the item by providing a presentation (see Appendix A), and circulating a revised copy of the Clean Air Zone map (see Appendix B). During the ensuing discussion the following information was provided by Officers by way of clarification;

- The Clean Air Plan scheme would be implemented by March 2021.
- The proposed Clean Air Plan included a Clean Air Zone (CAZ C) which would apply 24 hours a day, 7 days a week to all vehicles except private cars. Fees for HGVs, coaches and buses would be £100 per day, with other vehicles (e.g. taxis and Light Goods Vehicles) charged at £9 per day. The proposed scheme was a hybrid combining these two schemes i.e. CAZ C and a diesel vehicle ban.
- The private vehicle diesel car ban (including all categories of diesel vehicle such as those that were 'Euro 6') would be implemented for parts of the city centre and harbourside and would apply to all vehicles from 8am to 3pm, 7 days a week. It should be noted that the CAZ scheme must meet various legal tests in terms of proportionality and deliverability so a total car ban would not be accepted by the Government.
- A small number of schemes would be rolled out to assist with the introduction of the CAZ including a Park and Ride facility on the M32 and bus priority measures on Cumberland Road.
- Modelling indicated there were nine key sites in the city that were the most problematic in terms of meeting the Government's air quality standards. Marlborough Street was the worst affected due to narrow roads, tall buildings, heavy traffic and the overall road network around the city.



- The figures used to inform the modelling were based on traffic samples taken in 'neutral' months such as November, as defined by the Department for Transport.
- The preferred hybrid model was predicted to reach clean air compliance in 2027, which was the earliest date of the options considered. When the Full Business Case for the CAZ was prepared, more detailed modelling for specific years would be conducted which may result in earlier compliance.
- Once the measures relating to the Clean Air Plan had been announced it was anticipated that people would start to change their behaviour by replacing vehicles with those that were more efficient or using more sustainable methods of transport. This could lead to earlier improvements in air quality.
- Engagement with key stakeholders and businesses had been a major element of the project and would continue to be an important element of the development of the Full Business Case. The purpose of this would be to identify the most appropriate use of exemptions, concessions and other mitigations to help stakeholders and businesses in relation to the implementation of the hybrid option.
- Details of the vehicle scrappage scheme were being prepared but it was estimated that up to £2k would be available for qualifying residents, with those on low incomes likely to be prioritised. The Council would need to submit a bid for appropriate funding to the Government's Clean Air Business Fund.
- A Health Impact Assessment would be prepared as part of the Full Business Case although this was not a requirement of the Government.
- Consideration would be given to small businesses that may require employees to travel around the city, particularly those based outside of the diesel car ban area which may not qualify for scrappage scheme funding.
- The issues and information that had been collected as part of the responses to the consultation around the Clean Air proposals would be used to inform the Full Business Case.
- Some displacement of vehicles in the streets around the perimeter of the hybrid option was anticipated as part of the CAZ. This would be closely monitored following implementation and additional changes could be introduced to prevent issues.
- It was acknowledged that income from penalty charges for entering the diesel car bar zone were estimates only.

During the discussion, Members made a number of comments on the Clean Air Plan proposals for submission to Cabinet on 5th November 19 when the Outline Business Case was being considered. Details as follows;

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 the 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 the 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 provided a number of maternity services, including those for pregnant mothers and premature babies, who 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 Clean Air Plan proposals would not support all those who needed assistance as appeared to be directed 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 CAZ 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 those 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 were 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. Members thanked Officers for providing supportive briefings to assist in this process but wished to put on record that for scrutiny to be effective, sufficient time needed to be factored in to the decision-making process for the papers to be scrutinised with proper notice. Cabinet should note that this wasn't solely in relation to Members of Council, as the public also saw the scrutiny process as part of proper public engagement

Exempt Papers

- There was a process whereby the Chair of OSMB and the relevant Scrutiny Commission were advised of any exempt papers and asked to agree with the classification. In the past that had worked, and the Chairs had 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.
- Members were further surprised to discover there were other exempt papers for the November Cabinet meeting and none of these had been through the above process.
- The established process was an important check and balance to prevent abuse of exempt status and Members would like assurances that this breach would not be repeated.
- Members hoped their comments conveyed the serious and business-like approach that OSMB took and that the Mayor and Cabinet would respond positively by acknowledging that the concerns raised reflected views expressed by affected residents and concerned local Members.

RESOLVED; That the statement outlined above be referred to Cabinet on 5th November 19

Meeting ended at 9.02 pm

CHAIR _____

