

# Overview and Scrutiny Management Board

30<sup>th</sup> January 2020



**Report of:** Overview and Scrutiny Management Board

**Title:** Clean Air Zone Hybrid Proposal Update

**Ward:** City Centre

**Officer Presenting Report:** Adam Crowther, Head of Strategic City Transport

**Contact Telephone Number:** 0117

## Recommendation

This report provides an update on the questions and issues raised at the previous Scrutiny meeting on 30<sup>th</sup> October 19. Officers will also give a presentation providing a project update on the delivery of our proposed Hybrid Clean Air Zone scheme at the meeting (of the Overview and Scrutiny Management Board on 30<sup>th</sup> January 20). This will enable officers to ensure Members have the latest update as discussions with the Government are still ongoing.

## 1. Summary

Bristol City Council's Clean Air Zone Outline Business Case was presented and approved by Cabinet on the 5<sup>th</sup> November 2019 see link

<https://democracy.bristol.gov.uk/documents/s42665/BCC%20CAZ%20BC%201%20-%20Clean%20Air%20Cabinet%20Report%2028%20Oct%202019.pdf> and to Government on the 6<sup>th</sup> November. The proposal provides for an outer ring Medium CAZ C scheme and an inner ring Diesel Ban. All non-compliant vehicles, with the exception of private vehicles (such as cars), are charged for entering the outer ring 24/7, with possible charges ranging from £9, for Taxis and LGVs, to £100 for Coaches and HGVs. Only privately registered vehicles would be banned from entering the Diesel Zone between the hours of 0700-1500hrs seven days a week.

We are continuing to have ongoing dialogue with the Government. Officers from the Department for Food and Rural Affairs (DEFRA), Joint Air Quality Unit (JAQU), have indicated that we are likely to hear formally from Government regarding our Outline Business Case in late January.

## 2. Questions from the meeting of Oversight and Scrutiny Board meeting of 30<sup>th</sup> October 2019

Members asked a number of questions at the last Scrutiny Board meeting and Officers have provided answers and commentary below.

1. Question/comments - 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.

Answer – Officers are currently carrying out an exercise to map existing bus services, including the Hospital Bus service and similar within the City Centre with a view to bringing forward proposals as to how these might be improved. The specific purpose of this piece of work is to improve this access but to also include funding for any such service with our Full Business Case submission. Officers are also meeting with the hospital trust to examine potential exemptions for specific, necessary cases.

2. Question/comments - 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.

Answer – This data will be made available at the meeting via Pinpoint. We are not making it available publically because it is 'synthetic' data produced by the model and would create confusion with the actual monitoring data we already provide on the website. We haven't made this available in advance as the modelling work has continued to update this data and we want to share the most up to date information with Members at the meeting. This will show the original

monitored air pollution levels and the forecast pollution levels for our Hybrid option which has been slightly amended. Officers will explain the amendment verbally at the meeting.

3. Question/comments - 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.

Answer – A formal assessment would be required to take place ahead of a planning application and would be required to demonstrate that it can deliver effective park and ride/rail sites across the northern fringe of the City in order to deliver the modal share i.e. split of traffic between different modes, that are being relied upon to generate the traffic and air quality forecasts.

4. Question/comments - 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.

Answer – To be legally compliant with the Government air quality levels, we must reduce the amount of nitrogen dioxide (NO<sub>2</sub>) in the city's air to levels set by the government – in the shortest possible time. While we know petrol cars also produce emissions, on average, petrol vehicle NO<sub>2</sub> emissions are far lower than diesel.

By manufacturer group, Euro 6 petrol vehicle NO<sub>2</sub> emissions for even the worst manufacturers are within 1.5 times the type-approval limit. However for diesel vehicles, even the best manufacturer group had Euro 6 NO<sub>2</sub> emissions of more than twice the type-approval limit, and all other manufacturer groups were at least four times the type-approval limit. Four manufacturer groups had average emissions of more than 12 times the type-approval limit. So by introducing a Diesel Ban Zone we will be able to improve air quality and reduce NO<sub>2</sub> as quickly as possible as per the legal direction from the Government.

5. Question/Comments - 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.

Answer – Through the work of the business case we are developing a set of exemptions, concessions and mitigations. In developing this list we will still be required to ensure that compliance is met within the timescale set by Government therefore will only be able to move forwards where they meet this criteria. In addition to this a financial support package i.e. loan/grant etc. is also being developed but the details and who it applies to are still being worked on and are yet to be finalised. All options are being considered and will continue to be developed as work towards the Full Business Case.

6. Question/Comments - 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.

Answer – Officers are reviewing any proposed vehicle scrappage scheme alongside the viability of other schemes such as loans and grants. Currently all options are being considered and will continue to be developed and revised as work towards the Full Business Case is carried out. The models we do move forward with will support the change from more polluting vehicles in favour of cleaner vehicles and greener forms of transport to help clean the city's polluted air. There has been no decisions made about who the schemes will be available to and this will be considered in the modelling.

7. Question/Comment - 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.

Answer - The support to Bus Operators was part of a Government programme entitled the Clean Bus Technology Fund (CBTF). There have been three phases of CBTF the first of which commenced in 2016. First Bus was the major applicant to this fund but three other companies were also awarded grants to bring vehicles up to Euro VI standard. Our proposals to Government propose providing further support for this.

8. Question/Comment - 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.

Answer –Officers are engaging with Coach Operators and have carried out engagement with them. Two Coach Summit meetings were also held in December and January. Our proposals have to balance offering exemptions against the imperative to meet the Government target to improve air quality. Officers know that emissions from buses and coaches are a key element in poor air quality so it is unlikely that we will be able to offer exemptions in the manner requested however are still looking at options that will support operators to be able to operate a cleaner fleet.

9. Question/Comment - 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.

Answer – Officers are currently mapping all known issues raised by both the Area Committees and wider general public against the boundaries of both CAZ zones. The purpose of this is to try and identify if there are any key themes or issues that could potentially arise and be exacerbated by the implementation of the proposed CAZ. Any proposals to mitigate any unintended consequences would then be included in our Full Business Case Clean Air Fund bid. We will continue to work with affected areas as the scheme is implemented to develop scheme to mitigate any impacts.

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

Answer – Bristol City Council is under a Government direction to deliver a scheme that improves air quality to comply with 40 micrograms/square metre in the shortest possible time.

In order to do this a significant amount of modelling has taken place to consider the most effective way to meet the legal direction by Government. The Hybrid scheme has shown that it addresses this direction and will reach compliance in the shortest time possible.

The scheme has been through both Strategic Outline Business Case assessment (see link below) where several options were considered, through to Outline Business Case where one final option was proposed, the Hybrid Option and accepted. Our approach has been and continues to be scrutinized by DEFRA who we are working with to develop the Full Business Case.

(<https://democracy.bristol.gov.uk/documents/s19804/Clean%20Air%20Plan%20-%20Cabinet%20Report%20and%20Appendices%20-%20Final%20with%20Early%20Measures%20Fund%20included%20-with%20legal.pdf>)

In light of member's comments at the Board meeting in October regarding the size of the Outline Business Case Cabinet report, number of appendices and the detailed technical nature of both, Officers confirm that a short plain English Summary of the Full Business Case will be presented with the Cabinet papers. This will accompany the full suite of Full Business Case documents required by Government and will be a short summary

## **11 Public Sector Equality Duties**

Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
  - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
  - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
  - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
  - tackle prejudice; and
  - promote understanding.

A full Equality Impact Assessment was carried out for the Outline Business Case and this will be reviewed for the submission of our Full Business Case to Cabinet.

**Appendices:**

None

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:**