

Decision Pathway – Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 25 February 2021

TITLE	Improving Public Health: Bristol Clean Air Plan – Full Business Case		
Ward(s)	Citywide		
Author: Adam Crowther	Job title: Head of Strategic City Transport		
Cabinet lead: Mayor	Executive Director lead: Mike Jackson, Chief Executive		
Proposal origin: <i>Other</i>			
Decision maker: Mayor Decision forum: <i>Cabinet</i>			
Timescales:			
<ul style="list-style-type: none"> • Outline Business Case to Cabinet for approval – 5 November 2019 • Full Business Case to Cabinet for approval - 25 February 2021 • If approved by Cabinet, Full Business Case submitted to Joint Air Quality Unit (JAQU) on 26 February 2021 • Implementation of Clean Air Zone by 29 October 2021, as per current Direction 			
Purpose of Report:			
To seek approval from Cabinet to:			
<ul style="list-style-type: none"> • Submit the Full Business Case (FBC) to the Joint Air Quality Unit (JAQU), setting out the recommended option for which Clean Air Zone (CAZ) scheme should be implemented in Bristol; • Authorise officers to continue to work with JAQU and to agree implementation plans for the Clean Air Zone; • Approve the necessary resources, as set out in the Full Business Case required to deliver the recommended option; • Delegate authority to the Chief Executive Officer (Clean Air Zone Senior Responsible Officer - SRO), in consultation with the Cabinet member for Finance, Governance & Performance to seek further funding should it be required, from JAQU (Joint Air Quality Unit - DEFRA and DfT officers) To seek approval to spend and award contracts in line with the requirements of the Full Business Case 			
<p>Bristol City Council is committed to improving air quality in the shortest possible time and the Mayor has often cited the moral and legal duty to do so. Pollution from traffic is a serious problem in Bristol and other major UK cities and has been for many years. The central areas of the city and the main arterial routes have been identified for a number of years as being in breach of the legal levels set by the UK and the EU for levels of Nitrogen Dioxide (NO₂) due to the amount of vehicles using these routes. The Council's own reports have calculated that the deaths of around 300 Bristol residents could be attributed to air pollution each year.</p> <p>The Council's Corporate Strategy outlines a vision for Bristol that includes leading the way on tackling the damaging impact of air pollution, alongside a pledge to develop an air quality action plan and work with bus operators to explore and invest in new fuel technologies to help reduce air pollution overall.</p> <p>While these Clean Air Zone proposals focus on achieving legal compliance in relation to NO₂ limits, Bristol City Council recognises the health improvements that can be achieved by reducing pollution from particulate matter. In most cases, the measures to reduce NO₂ pollution should also reduce particulate pollution.</p>			

Due to the need to improve air quality in urban areas nationally, in 2017 the Government formally directed 24 local authorities, including Bristol City Council, to:

- submit plans for how they will achieve compliance to the legal Nitrogen Dioxide (NO₂) limits
- explain how they would implement these plans by March 2021.

Local authorities were required to model various options for achieving cleaner air and to take forward the option that delivers compliance using the following three legal tests:

1. Achieves compliance with the legal NO₂ limits in the shortest period of time.
2. Reduces human exposure as quickly as possible.
3. Ensures that compliance is not just possible but likely.

Bristol City Council has remained 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 impacts on vulnerable citizens and those on low incomes. To develop Bristol's recommended option we have been working with officials from the Government's Joint Air Quality Unit (JAQU).

Poor air quality is the largest known environmental risk to public health in the UK. Investing in cleaner air and doing more to tackle air pollution are priorities for the EU and UK governments, as well as for Bristol City Council (BCC). The administration recognises that achieving improved air quality is not solely a transport issue. Notwithstanding the Council's work on a Clean Air Zone, efforts have been made to make citizens more aware of – and take personal responsibility for – various sources of air pollution, from traffic fumes to solid fuel burning. The Mayor has articulated a 'call to action' for local people, businesses and organisations to consider how small changes can make a significant difference in cutting toxic fumes across the city as well as writing to government asking for more powers from to tackle non-motorised pollution. BCC has monitored and endeavoured to address air quality in Bristol for decades and declared its first Air Quality Management Area in 2001. Despite this, Bristol has ongoing exceedances of the legal limits for Nitrogen Dioxide (NO₂) and these are predicted to continue until around 2027 without intervention.

The Secretary of State has an obligation to achieve specified "limit values" for certain pollutants including nitrogen dioxide (NO₂) which must not exceed 40 µg/m₃ as an annual mean (i.e. measured over a calendar year). (regulation 17 and Schedule 2 of the Air Quality Standards Regulations 2010) The primary drivers for these 'Limit Values' are public health concerns associated with NO₂ and PM₁₀. Specific health impacts for these pollutants can be summarised as follows¹:

- NO₂: high concentrations can lead to inflammation of the airways. Long-term exposure can increase symptoms of bronchitis in asthmatic children and reduced lung development and function; and
- PM: Long-term exposure can increase risk of developing cardiovascular and respiratory diseases, including lung cancer. Research shows that particles with a diameter of 10 microns and smaller (PM₁₀), and especially particles with a diameter of 2.5 microns or smaller (PM_{2.5}) can be inhaled deep into the respiratory tract.

More generally, a range of other public health issues are linked to poor air quality, as detailed below. These issues are believed to affect at-risk groups such older people, children, people with pre-existing lung and heart conditions².

- Long-term exposure to air pollution is linked to chronic mortality;
- Long term exposure can also reduce life expectancy by increasing deaths from lung, heart, and circulatory conditions;
- Short term exposure can contribute to adverse health effects including exacerbation of asthma, effects on lung function and increases in hospital admissions; and

¹ [Ambient \(Outdoor\) Air Quality and Health Fact Sheet](#). World Health Organisation (2016). Accessed February 2018.

² World Health Organization (2013) *Review of evidence on health aspects of air pollution – REVIHAAP Project*. <http://www.euro.who.int/en/health-topics/environment-and-health/air-quality/publications/2013/review-of-evidence-on-health-aspects-of-air-pollution-revihaap-project-final-technical-report>

- Other adverse health effects including diabetes, cognitive decline and dementia, and effects on the unborn child³ are also linked to exposure.

In light of the public health issues outlined above, the UK government is legally responsible for ensuring that it complies with the Air Quality Standards Regulations 2010 which implement the provisions of the EU Air Quality Directive 2008. The Government assesses air quality compliance in 43 areas across the country at single locations, using both monitoring and modelling. It uses DEFRA's Pollution Climate Mapping (PCM) model to forecast exceedances, which is adjusted based on the monitored data. This is the approved means of reporting air quality information to assess legal compliance with the Air Quality Standards regulations.

To meet UK Government regulations, local authorities must demonstrate that they are working towards the National Air Quality Objectives. The objective level for concentrations of NO₂ and PM₁₀ within the national legislation are the same as the European regulations (annual mean of 40 µg/m³) but are applied and assessed differently. Air Quality Objectives only apply where people are exposed for the averaging period of the objective (i.e. for a year) and therefore compliance with air quality objectives is assessed most commonly at building facades (where people are regularly present) including around busy major junctions.

The Government's Local Air Quality Management (LAQM) regime requires all local authorities to regularly review and assess whether Air Quality Objectives (AQOs) have been achieved at relevant locations. Where the assessment shows exceedances at relevant locations, the authority must declare an Air Quality Management Area (AQMA) and prepare an action plan which identifies appropriate measures in pursuit of the objectives.

The UK Government's latest air quality plan (July 2017) identifies that for the majority of non-complying zones, a network of Clean Air Zones is the most effective route to compliance of annual mean NO₂ with legal limits. DEFRA's vision for Clean Air Zones is: "Clean Air Zones improve the urban environment to support public health and the local economy, making cities more attractive places to live, work, do business and spend leisure time. They support cities to grow and transition to a low emission economy thus ensuring these benefits are sustainable for the long term." The UK government has discretionary powers to pass on their responsibility (and associated legal outcomes) to local authorities.

BCC was directed in July 2017 to produce a Local Clean Air Plan to address the air quality Limit Value exceedances within Bristol to achieve compliance with the NO₂ legal limit in the shortest possible time and reduce human exposure as quickly as possible. There are both public health and regulatory imperatives for improving air quality in Bristol City.

Initial modelling and analysis available at the time of submitting the Outline Business Case to the Joint Air Quality Team (JAQU) identified that a Hybrid scheme (a medium CAZ C including a diesel car ban in the smaller zone) would achieve compliance with the legal NO₂ targets in line with the legal tests. In particular, the Hybrid would achieve compliance in the shortest possible time, earlier than the benchmark option known as medium CAZ D. It would have also achieved the greatest reduction in emissions in the long term, as well as reducing human exposure earlier than all other options. In particular, for the majority of sites, exposure would have been reduced sooner than 2025.

On 5 November 2019 Cabinet approved the submission of an Outline Business Case (OBC) for the Hybrid option to Government (DEFRA).

Some changes were subsequently made to the diesel ban zone boundary following consideration of the wider impacts and consultation. The movement from the A370 to the A4 and vice versa, to provide better management of through traffic; and access to Cabot Circus Car Park from the M32 to ensure support for the city centre retail offer were both allowed and a new model run carried out. This model run also included removal of the weight restriction on Upper Maudlin St as this was felt to be undeliverable and unenforceable. The revised modelling indicated that while air quality declined slightly from the original Hybrid scheme, the change was limited and the compliance year remained the same.

Following submission of the OBC in November 2019, further modelling and evaluation work continued and there were regular discussions between Bristol City Council and JAQU. The main discussions included:

³ Royal College of Physicians (2016) 'Every breath we take: the lifelong impact of air pollution', 2016 www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution

1. Technical questions relating to the diesel ban, in particular the area of the ban and assumptions around behaviour change
2. Additional technical work that was carried out at that time showed a compliance date for the hybrid scheme of 2023
3. Matters relating to the commitment of the government in delivery of a diesel ban zone due to the need to pass secondary legislation to provide Bristol City Council with the appropriate powers to be able to implement and enforce a diesel ban zone.
4. Further modelling work to ensure that other viable options were being considered should they be required. This included modelling a medium CAZ C together with a small CAZ D, and that of a Medium CAZ D (which is the benchmark option).

The most important aspect to note with this option was that the compliance year for the Hybrid option moved from 2025 to 2023.

In response to the submission of the OBC and the ongoing work that had been undertaken as set out above, the Government then formally Directed Bristol City Council on the 13 March 2020, in summary:

Duty to implement the local plan for NO2 compliance.—(1) *The authority must take steps to implement the local plan for NO2 compliance for the areas for which it is responsible. (2) The authority must ensure that the local plan for NO2 compliance is implemented so that— (a) compliance with the legal limit value for nitrogen dioxide is achieved in the shortest possible time, and by 2023 at the latest; (b) exposure to levels above the legal limit for nitrogen dioxide are reduced as quickly as possible.*

Duty to submit additional documentation

4.—(1) *The authority must submit to the Secretary of State further options appraisal (including transport, air quality and economic modelling and must include consideration of the financial and delivery detail of any options modelled) by 10 April 2020 at the latest, in order to provide assurance that the local plan for NO2 compliance will deliver compliance in the shortest possible time and by 2023 at the latest. (2) The revised air quality modelling provided under paragraph (1) must demonstrate the applicable class of charging Clean Air Zone, appropriate behavioural assumptions, and what (if any) additional measures, or adjustments to the local plan for NO2 compliance would need to be implemented by the authority to deliver compliance in the shortest possible time.*

Duty to prepare and submit a full business cases

5.—(1) *The authority must as part of its feasibility study continue with the work necessary to prepare a full business case for the area for which it is responsible. (2) The full business case must be submitted to the Secretary of State as soon as possible and by 18 September 2020 at the latest.'*

In addition to the formal Direction received, the Rt. Hon Rebecca Pow MP wrote to Mayor Rees on the 13 March 2020 stating the following:

To ensure delivery of NO2 compliance in the shortest possible time, I attach to this letter a Ministerial Direction requiring Bristol City Council to:

- *Implement a charging Clean Air Zone Class C with additional measures as soon as possible and at least in time to bring forward compliance to 2023. I expect this to begin to be in place by 1 April 2021 at the latest; and*
- *Submit to JAQU a Full Business Case by 18 September 2020 at the latest.*

'In the event that your preferred option of a medium CAZ C with additional measures, which could be either a diesel ban or small area CAZ D, is either not deliverable or is shown through further modelling to not deliver compliance in the shortest possible time, I expect you to pursue an alternative option for compliance, including a medium size class D CAZ.'

COVID-19:

Following submission of the OBC and receipt of the Direction on the 13 March 2020 the situation changed dramatically, without warning, due to the global pandemic caused by Covid-19.

The council reviewed the impact of the pandemic and the inevitable change to the project baseline that this presented, in the form of reduced levels of traffic and vastly altered working patterns. As such, consideration needed to be given to how we could move forward in a way that improved air quality and improved health benefits to Bristol, recognising the unprecedented times we were in while also supporting economic recovery.

Officers have been in continual dialogue with JAQU to consider the most suitable manner in which Bristol can respond to the pandemic and take into account the new environment. Our bold plans to reallocate through traffic away from the city centre in response to Covid-19 is testament to the level of ambition we hold in transforming how people get around the city. In a short space of time, and with the help of enabling legislation from Government, we accelerated radical changes to some of the most polluted areas in Bristol. We closed Baldwin Street to through traffic to help insulate and promote local bus services and ensure that residents are encouraged to adopt public transport and active modes of travel. Other measures include the closure of Bristol Bridge to through traffic other than buses, motorbikes, taxis and cyclists, new segregated cycle routes on Park Row, Upper Maudlin St and Lewin's Mead and the pedestrianisation of the Old City. Access to the central hospital and Bristol University has also been improved with new segregated cycle routes. Our plans for the autumn and winter will expand the area of focus to our local neighbourhoods, improving livability and air quality in several neighbourhoods while protecting local businesses.

The proposals sought to build on these measures and develop further schemes to ensure we are successful in improving air quality on our most polluted corridors, also making schemes permanent or extended as required.

In April 2020 JAQU issued a statement from the Joint Heads of Department confirming that no Clean Air Zones would be implemented before January 2021. This was in recognition of the challenges and unknown entities that the situation presented.

Despite the challenges that the first lockdown (which commenced on the 23 March 2020) presented, council officers made significant progress in continuing with the additional required modelling and technical assessments as set out in the letter from Minister Pow on the 13th March 2020. These were all submitted in line with the requirements placed upon us.

Following the submission of the required information and subsequent discussions with JAQU officers, the Council was issued with a new [Direction](#) on 20 August 2020 which required the Council to:

'Implement the local plan for nitrogen dioxide (NO₂) compliance, specifying a Medium Charging Clean Air Zone Class C with small Charging Clean Air Zone Class D and additional measures, subject to provision of further evidence to be submitted to the Secretary of State in accordance with Article 5 '.

'To be implemented as soon as possible and at least in time to bring forward compliance to 2023.'

This new Direction was as a direct result of intense engagement with JAQU which has continued in order to satisfy both parties that the Bristol Clean Air Zone is the right strategic fit for Bristol and that it will meet the legal requirements.

Taking into account the changing environment, the diesel ban element of the proposal was no longer pursued as an option given the uncertainty about the ability to secure relevant legislation and this position was supported by government.

The need to take account of the changes that have occurred since Covid-19 inevitably meant that the baseline data changed as a result of changes to traffic patterns and altered travel behaviours. These changes needed to be factored where possible into the evidence base for future decision making. In order to do this a new modelling approach was agreed with JAQU, to update the baseline and provide an analysis of the most recent evidence available to facilitate decision makers in agreeing a way forward.

A methodology was adopted that carried out modelling and sensitivity testing (reports that test the modelling results against different scenarios), as well as capturing real time information from existing air quality monitoring units and automatic number plate recognition (ANPR) data.

Street Space Schemes and Fast Track measures

The Street Space schemes and Fast Track measures are being implemented to open up road space usually reserved for parking and movement of general traffic to cyclists and pedestrians to:

- Enable better social distancing, especially in local shopping areas;
- Encourage people to travel by bike or walk; and
- Reduce air pollution.

It must be noted that the Street Space scheme and Fast Track measures are two different schemes, albeit modelled in combination in this assessment so that the Small CAZ D impacts can be identified.

BCC is monitoring the impacts of the changes and will liaise with local residents, businesses and ward councillors before making any changes permanent. However, it is hoped that the measures will be permanent, as the administration is committed to the Street Space schemes, some of which have been part of the council's transport strategy for a number of years and would likely have been implemented in the fullness of time without the pandemic having happened. Where problems have emerged, changes have been made but the main elements of the schemes have been retained. We are confident that the schemes as a whole work for the City's transport network and will be retained long term having captured the benefits. The council are fully committed to not only enabling social distancing but also to making the city more accessible for all as part of our liveable neighbourhoods aspirations. There is more chance of the schemes being retained than there is of them being removed so it was agreed that they should be included in the modelling as part of the Baseline.

Changes to the old city have been made sooner than planned because of Covid-19 in part to:

- Allow for social distancing
- Enable businesses to make use of the outdoor space

The overview of the Street Space schemes is shown FBC 04 Strategic Case 2.5.2 and a summary of the individual schemes included are shown in Table 8.1 of FBC 16 Options Appraisal.

The specific measures identified as Fast Track measures are as follows:

- Cumberland Rd closure inbound;
- Cycle scheme
- Additional air quality monitors; and
- Traffic Signal management.

A further summary of the Fast Track Measures is provided in Section 8.3 of FBC 16 Options Appraisal.

It should be noted that although the Fast Track measures are classified as CAZ measures, they were initially incorporated into the Baseline to assess the impact of a charging zone.

The inclusion of the Street Space schemes and Fast Track measures now provides an updated Baseline model against which the Clean Air Zone scheme requirements can be assessed. Following this technical report, the Baseline was once again remodelled but this time with the Fast Track measures removed. This was aimed at seeing the current picture with what had actually been implemented; the Fast Track measures have not begun to be implemented yet. The aim of this was to understand the true baseline, i.e. the position without the Small CAZ D scheme or any Fast Track measures.

Preferred Option

The preferred outcome would be to not have a charging zone, if the evidence supported this. The Mayor has made a call to action to the city, to encourage a continuation of the travel and traffic behaviors experienced during lockdown which led to less pollution and cleaner air.

On 8 October 2020, the Mayor stated:

It has been an immensely challenging year but we have moved quickly to try and capture the benefits that lockdown brought to our environment and air quality by accelerating major transport improvements, such as the pedestrianisation of the Old City. We need all of Bristol's help if we are to protect each other from dangerous pollution and toxic fumes. Everyone faces their own unique set of obstacles in tackling the environmental challenges we all face so we would encourage everyone to look at the changes they can make to their own lifestyles. No matter how big or small the change is, it will make a difference if we all work together, and the council is here to help people along their journey. If we unite we can make our city a healthier place for everyone to live.

This statement was accompanied by suggestions for and advice about how people can minimise their contribution to air pollution. People were encouraged to:

- Change how they get around, by walking, cycling or scooting for short journeys
- Reduce stove or fire impact by minimising usage and switching to cleaner fuel.
- Recycle waste and recycle more
- Turn off vehicle engines when stopped, especially around air pollution and idling hotspots, such as schools and hospitals
- Respond to the council's consultation on a charging zone for vehicles that was live at the time

Since the beginning of the pandemic, there has been a great deal of behavioural, lifestyle and working changes, such as working from home and therefore less need to travel into the city centre. Organisations have also quickly adapted to new technology, allowing people to work and operate in different, more flexible ways.

Modelling of the Street Space schemes indicated that while there were significant improvements to air quality throughout the central area, far sooner than would have been achieved with a CAZ, the most problematic area of Upper Maudlin St and Marlborough St in particular did not see any improvements. Traffic flows remained largely the same and therefore the schemes did not achieve all of the objectives required. It should be noted that this is based on pre-Covid-19 traffic flow data. There is not enough evidence at present to justify changing this flow data to what might be expected post-pandemic. For the duration of the Street Space programme there has been limited capacity on public transport due to the Covid-19 pandemic. This has restricted the ability of the public to make changes to their mode choice and therefore further inhibited the ability to realise and model a significant change in behaviour following the Mayor's call to action.

In addition to this, assessment of the Medium CAZ C/Small CAZ D indicated that the majority of the air quality receptors driving compliance are situated within the Small CAZ D zone. The council anticipated that the Street Space schemes may not fully resolve the air quality issues on the most difficult corridors. Approval was therefore sought and granted from JAQU to also model a small CAZ D as a standalone scheme on top of the Street Space measures. This would test whether the impact of the Street Space schemes was sufficient to enable reduction in size of the C zone to match that of the D zone, this is explained fully in FBC 16 – Options Appraisal Table 8.2.

Modelling of the Small CAZ D zone with the Medium CAZ C effectively reduced to the size of the small D, with the Fast Track Measures, also indicated a compliance year of 2023. This scheme therefore achieves the same compliance year as the Medium CAZ C/Small CAZ D Option, without the wider economic impacts associated with a Medium CAZ C zone. Therefore, the Small CAZ D Option is being recommended as the preferred option in this report.

The Small CAZ D Option involves a charging element – the scheme would charge non-compliant buses, coaches, taxis, HGVs, LGVs and private cars across the small zone. However, there are mitigations that will exempt low paid households, allow for hospital access and disabled drivers. FBC 17 CAF Bid.

The Small CAZ D Option includes the following measures:

- Small Area Class D (charging non-compliant private cars, buses, coaches, taxis, HGVs and LGVs);
- Fast Track Measures:
 - Closure of Cumberland Road inbound to general traffic; and
 - Holding back traffic to the city centre through the use of existing signals.

Bristol City Council is currently under legal direction to implement a scheme before 29 October 2021. This will be fully assessed by JAQU following receipt of the full business case on or before the 26 February 2021.

DEFRA's Clean Air Zone Framework (May 2017 and subsequently revised a number of times) prevents Local Authorities from setting a charge as a revenue raising measure, but any charging scheme will need to be set at a level to produce a change in behaviour. As a result, the Plan may produce revenue in excess of the operational costs of running the scheme. In accordance with the Transport Act 2000 this revenue will be re-invested to facilitate the achievement of local transport policies which aim to improve air quality and support the delivery of the ambitions of the Plan. In this way, the Plan may realise additional benefits through supporting further measures with any excess revenue. Excess revenue from the Plan may be used to help develop and deliver Liveable Neighbourhoods across the city. Liveable Neighbourhoods aim to improve the local environment by addressing levels of through traffic in residential areas. The anticipated revenue from the Plan has been calculated alongside the operational costs to understand the potential for excess revenue – see Financial Case for further details, FBC 07.

It is considered that the Small CAZ D, whilst not initially being the preferred approach of the Council, offers a balance between meeting our legal duties and plans to improve air quality which is responsible for so many deaths per year in Bristol with the need to support businesses as much as possible by not having 2 charging zones.

To ensure that this balance is maintained, alongside the FBC Bristol will also be submitting a bid to the Clean Air Fund (CAF Bid). The CAF is funding allocated to authorities for the implementation of measures to mitigate the impact of a charging zone. CAF measures have been discussed with stakeholders, included in both full public consultations and have been through many iterations as the project measures have evolved. The final bid consists of 4 main packages;

- Financial Support packages for commercial vehicles, businesses and non-compliant private car owners
- Sustainable Travel Team – offering business engagement and public support including Mobility Credits
- Freight support – focussing on only mile and last mile deliveries in the central area
- Sustainable Travel Infrastructure – Legible City signage

A summary finance table including CAF bid can be found in appendix G.

Cabinet Member / Officer Recommendations:

That Cabinet:

1. Note the results from the public consultation on Traffic Clean Air Zone options and Equalities impact assessment;
2. Approve the Full Business Case for submission to the Joint Air Quality Commission (JAQU) by the 26th February 2021;
3. Approve the necessary resources, as set out in FBC 33 Scheme Costs and FBC 17 CAF Bid, required to deliver the Full Business Case and following submission, implement the preferred option if approved by the Joint Air Quality Unit and the Minister.
4. Authorise the Chief Executive in consultation with the Cabinet Member for Finance, Governance & Performance, and S151 officer, to apply for further funding for implementation of the Clean Air Zone and submit the Clean Air Fund (CAF) bid
5. Authorise the Chief Executive, in consultation with the S151 officer, to make amendments to the existing Clean Air Fund (CAF) bid if required, whilst ensuring no changes are made that would impact on legal compliance being achieved

6. Authorise officers to continue to work with JAQU to agree implementation plans for the Clean Air Zone and resource allocation in line with the existing scheme of delegation
7. Authorise the Chief Executive) to make and approve further minor amendments to the Full Business Case if required to enable implementation
8. Authorise the Chief Executive to make any necessary amendments to the Exemptions in order to ensure that implementation in line with legal compliance is achieved

Corporate Strategy alignment:

The key strategic themes and principles of the existing policies overlap with several of critical success factors used in the economic assessment, including those related to air quality improvements, benefits to the economy, social inclusion and public health benefits.

The Corporate Strategy 2018-2023 commits the City Council to: “Keep Bristol on course to be run entirely on clean energy by 2050 whilst improving our environment to ensure people enjoy cleaner air, cleaner streets and access to parks and green spaces.”

This project also supports the Council’s vision; “we play a leading role in driving a city of hope and aspiration where everyone can share in its success.....We are committed to building a better Bristol that includes everyone in the city’s success. We are here to take care of the economic, social and environmental wellbeing of Bristol alongside many other local, regional and national organisations”.

A draft Bristol Transport Strategy⁴ was prepared in 2018 to fill the gap in transport policy for Bristol between the West of England level (JLTP4) and individual transport strategies, such as walking and cycling. The Transport Strategy was consulted on at the end of 2018 and was adopted in July 2019⁵. The vision is for Bristol to be ‘*a well-connected city that enables people to move around efficiently with increased transport options that are accessible and inclusive to all*’. It focuses on how we can get people from all areas of the city to be able to access jobs, training, education and everyday facilities by many different transport options, such as buses, trains, cycling and walking. The aim is to reduce congestion and address wider challenges by exploring, enabling and delivering actions with neighbouring councils and other groups and partners across the city. The Transport Strategy is supported by a number of mode specific plans that will support the wider air quality objection some of which are complete others are in the process of being drawn up. This includes work on options for mass transit, park and ride, the development of a Parking Strategy, the LCWIP, Liveable Neighbourhoods and the WECA Bus Strategy. The key strategic themes and principles of the existing strategy documents are set out in FBC -4 Strategic Case Table 2.1

City Benefits:

This proposal will improve public health by achieving legal nitrogen dioxide objectives and reducing particulate pollution in accordance with the Clean Air Plan.

The Bristol One City Plan outlines how the city will become an inclusive and sustainable city by 2050. The aim of the One City Plan is to bring together the ideas and goals of many stakeholders across Bristol and combine these into a focused long-term plan for the city. The vision is to make Bristol “*a fair, healthy and sustainable city. A city of hope and aspiration, where everyone can share in its success*”.

The key strategic themes and principles of the existing strategy documents are set out in FBC -4 Strategic Case Table 2.1

Consultation Details:

Bristol City Council undertook a six-week consultation from 1 July to 12 August 2019 on the original options 1 and 2. Engagement as part of the consultation included:

- six drop-in sessions across the city
- Communications Toolkits distributed to partner organisations to help them publicise the consultation

⁴ <https://www.bristol.gov.uk/documents/20182/3641895/Bristol+Transport+Strategy+-+adopted+2019.pdf/383a996e-2219-dbbb-dc75-3a270bfce26c>

⁵ <https://www.bristol.gov.uk/documents/20182/3641895/Bristol+Transport+Strategy+-+adopted+2019.pdf/383a996e-2219-dbbb-dc75-3a270bfce26c>

- public events such as the Harbour Festival
- media engagement
- social media posts
- bus shelter and variable message road side advertisements.

Data was collected via online and paper copies of the questionnaire, interview surveys with under-represented groups, meetings with specific stakeholder groups and letters and emails received by the Council. As a result, the Council received 5,034 responses to the consultation. 70% of these responses were from within the BCC area, 7% were from South Gloucestershire, 3% were from North Somerset, and 1% were from Bath & North East Somerset (B&NES).

Second CAZ Consultation (October to December 2020)

The second public CAZ consultation ran from the 8 Oct 2020 to 13 December 2020 on the new options 1 and 2. Due to the limitations caused by the COVID-19 Pandemic, drop-in sessions and face-to-face activities were much reduced. To boost response rates and to target low-responding parts of Bristol, 20,000 paper surveys were delivered direct to addresses in areas which have historically low response rates to consultations and high levels of deprivation.

The Traffic Clean Air Zones Consultation survey received 4,225 responses. A summary of responses from groups with protected characteristics and income deciles is contained within the report. More than half of respondents (54%; 2,250 respondents) agree or strongly agree that Option 1 is a good way to improve air quality (20% strongly agree and 34% agree). A higher proportion of respondents (60%; 2,466 respondents) agree or strongly agree that Option 2 is a good way to improve air quality (32% strongly agree and 28% agree).

Briefings were held with several groups including Business West (with 55 businesses joining), University Hospital Bristol NHS Trust, Southmead Hospital, University of Bristol, University of West of England, Bristol Workplace Travel Network, waste contractors, and neighbouring councils. We also contacted 1,385 businesses about the consultation.

Further information and analysis is contained in FBC- 37 Consultation Report.

Attendance at Scrutiny:

- Growth and Regeneration Scrutiny Commission – 26th July 2018
- Growth and Regeneration Scrutiny Commission - 21st February 2019
- OSMB – 17th July 2019
- OSMB - 30th October 2019
- OSMB – 30th January 2020
- OSMB – 24th April 2020
- OSMB – 26th August 2020
- OSMB – 5th October 2020
- OSMB – 30th November 2020
- OSMB – 2nd February 2020

Background Documents

- Air quality: clean air zone framework for England; Principles which local authorities should follow when setting up Clean Air Zones in England.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612592/clean-air-zone-framework.pdf
- Clean Air Zone Outline Business Case – 5 November 2019 <https://democracy.bristol.gov.uk/mgAi.aspx?ID=17389>

Revenue Cost	£2.9m p.a.	Source of Revenue Funding	New CAZ Revenue budget (Fully funded from CAZ Charges)
Capital Cost	£45.5m (one-off)	Source of Capital Funding	JAQU Grant

One off cost <input type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>
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Required information to be completed by Financial/Legal/ICT/ HR partners:

For Finance comments refer to appendix G

Finance Business Partner: Kayode Olagundoye, Interim Finance Business Partner, Growth and Regeneration, 17/02/2021.

2. Legal Advice:

The submission of a Full Business Case (FBC) to DEFRA by the 26th February is required to meet the Direction given to the Council on the 20th August 2020. In the FBC the Council must demonstrate that the option it selects meets the three legal tests of (1) achieving compliance with the NO2 limits in the shortest period of time (2) reduces human exposure as quickly as possible (3) ensures that compliance is not just possible but likely. Once DEFRA has assessed the Council’s preferred option the Council will be issued with a further Direction to require implementation of the preferred option within a designated period of time.

Consultation has taken place in relation to the decision that is to be taken. The responses to consultation must be taken into account by Cabinet when taking the decision. Cabinet should be satisfied that a proper consultation has taken place in that (i) the proposals were consulted upon at a formative stage (ii) sufficient reasons have been given for the proposals and (iii) adequate time has been allowed for considerations and response. Appendix FBC 37 and this report clearly sets out the process that was undertaken and how responses have been taken into account by officers when developing the proposals for final recommendation and decision by Cabinet.

The Council must comply with the requirements of the Public Sector Equality duty when making any decision. The duty requires the decision maker to consider the need to promote equality for persons with “protected characteristics” and to have due regard to the need to i) eliminate discrimination, harassment, and victimisation; ii) advance equality of opportunity; and iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it. In order to do this the decision maker must have sufficient information about the effects of the proposed decision on the aims of the Duty. The Equalities Impact Check/Assessment is designed to assist with compliance with this duty. Its purpose is to assess whether there are any barriers in place that may prevent people with a protected characteristic using a service or benefiting from a policy. Cabinet must take into consideration the information in the check/assessment alongside the general public sector equality duty before taking the decision.

Legal Team Leader: Joanne Mansfield : Advice given 16th February 2021

3. Implications on IT:

The report does not amend previous IT Services guidance to this project. The submission plans to use CCTV as a key part of the project to monitor traffic movements. This will be a standalone system and while an integrated approach to the CCTV and storage/usage across the Council would have had benefits, doing so would have unacceptably impacted the timescales of clean air compliance.

IT Team Leader: Simon Oliver : Director – Digital Transformation - 17 February 2021

4. HR Advice:

To ensure continuity of service, early communication of the proposed changes to all staff and service providers is required. In particular, to those employees who are required to travel through the planned CAZ and currently use a private motor vehicle to do so.

Services will be asked to consider what changes they could/should make to their delivery models, including replacing the expectation for employees to use their own transport with provision from the BCC fleet.

Employees using private vehicles for in-work travel is recognised as a health and safety and insurance risk to the authority. If the Council chooses to retain this as an option then those employees will either be encouraged or required to ensure their vehicle complies with the CAZ standards.

Employees who are Bristol citizens will be encouraged to access the support programmes that will be made available.

Changes will be required to the Council's Expenses, Benefits and Travel Policy, which will be the subject of consultation with leaders, managers, affected staff and the trade unions.

Data analysis is underway to establish which BCC fleet vehicles will enter the planned CAZ. Some reallocation of vehicles may be necessary to ensure that non-compliant fleet vehicles do not enter the CAZ. Some additional capital investment may be required in order to augment the fleet vehicle renewal programme.

HR Partner: Mark Williams : Head of Human Resources - 17 February 2021

EDM Sign-off	Mike Jackson, Chief Executive	17.02.2021
Cabinet Member sign-off	Councillor Kye Dudd	17.02.2021
For Key Decisions - Mayor's Office sign-off	Mayor's Office	17.02.2021

The Full Business Case forms the appendices to this report. Highlighted below are key documents for ease of reference. Please note these documents are set out in the required templates by JAQU.

Appendix FBC 2 – Executive Summary – Further essential background / detail on the proposal <i>Use this section to provide more details to expand upon the points made in this report.</i>	YES
Appendix FBC 37 – Details of consultation carried out - internal and external	YES
Appendix FBC 35 – Risk management <i>(template available by following the link on the Decision Pathway page on The Source)</i>	YES
Appendix FBC 42 – Equalities screening / impact assessment of proposal	YES
Appendix FBC 21 – Environmental Assessment - impact assessment of proposal	YES
Appendix FBC 7 – Financial Case <i>(Financial officer must be the author of the advice)</i>	YES
Appendix FBC 8 – Management Case <i>(Legal Services must be the author of the advice)</i>	YES
Appendix I – Exempt Information <i>(Legal Services must confirm that information is to be exempt in accordance with the constitution)</i> Exempt on the basis of schedule 12a(3) of the Local Government Act 1972 – information relating to the financial or business affairs of any particular person (including the authority holding that information). FBC 33- Sections including full scheme costs breakdowns FBC 41 – Sections of the financial model report pertaining to the full scheme costs FBC 35 – Sections of the QRA relating to costings	YES