

ITEM: 9

REPORT TO: WECA SCRUTINY COMMITTEE

DATE: 31 JANUARY 2018

REPORT TITLE: AIR QUALITY

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1 Purpose of Report

- 1.1 The West of England is regularly recognised as one of best places to live, visit and invest in the UK, and is supported by a community that is passionate about improving the attractiveness of the region. The prosperity of the region is very much dependent on the quality of life of residents and the natural and built environment for visitors. However, a risk to our continued attractiveness is the long-standing problem of air pollution, particularly in areas of Bath and Bristol.
- 1.2 Alongside 22 other Local Authorities, the Department of Food, Environment and Public Affairs (Defra) has directed Bristol City Council (BCC) and Bath & North Somerset Council (BANES) to produce local clean air plans that can deliver air quality compliance in the shortest time possible. The Government has requested that early consideration of options, and preferred options, need to be identified by the end of March and by end of 2018 respectively.
- 1.3 This paper outlines: the impacts of local air pollution and the contribution of traffic; progress to date in tackling roadside pollution; current Government strategy; requirements of local authorities; and, emerging proposals for Clean Air Zones and links to transport proposals for the region. It then outlines the steps involved to confirm the proposals for the region.

2 Issues for Consideration

2.1 Why is action needed?

- 2.1.1 The urgent need to prevent long-term problems related to public health and air quality is increasingly being recognised. Exposure to poor air quality seriously affects the most vulnerable such as the very young, very old and people with cardio-respiratory problems. An estimated 300 premature deaths a year in Bristol are attributable to poor air quality. Poor air quality is also damaging the natural environment across the region, risks holding back economic growth due to the impacts of poor health on productivity, and negatively impacts on quality and the perceived quality of life of the region.

2.2 Air quality and transport

- 2.2.1 A key traffic pollutant is Nitrogen Dioxide (NO₂) which is produced both directly from vehicle

tailpipes and from Nitrogen Oxides (NO_x) vehicle emissions that react in the air and turn into NO₂. Road transport is responsible for around one third of NO_x emissions overall, rising to 80% of NO_x concentrations at the roadside, with diesel vehicles being the largest source.

- 2.2.2 Levels of NO₂ have started to fall in recent years, however despite newer vehicles replacing dirtier older ones, the contribution from road vehicles has fallen at a lower rate due to an increased share in diesel vehicles, including a significant increase in light passenger and commercial diesel vehicles. The switch to diesel, rather than petrol, was previously encouraged by Central Government as a measure to reduce carbon emissions.

2.3 What has been done and what further is required?

- 2.3.1 Air Quality Management Areas (AQMAs) have been in place for a number of years in Bath, Bristol and South Gloucestershire, focusing on city centres and main traffic routes. Also, AQMAs are in place in five other locations where NO₂ levels remain above the national objective: central/east Salford, centres of Keynsham, Kingswood-Warmley and Staple Hill and near Junction 17 of the M5 at Cribbs Causeway). However since the Cribbs Causeway AQMA was declared, the NO₂ levels have been below the annual mean objective so revocation of this AQMA is being considered.

- 2.3.2 While there have been localised improvements in air quality at some locations, these tend to fluctuate on an annual basis, and the overall trend in the urban areas of Bath and Bristol is no significant improvement. NO₂ at all areas remain above the Government's objective, hence the AQMAs remain in place.

- 2.3.3 The Government's National Air Quality Plan for NO₂ (July 2017) includes a requirement for 24 local authorities, including BCC and BANES, to produce Clean Air Plans. Whilst NO₂ levels on the A4 London Road in Bath and M32 in Bristol are forecast by Defra to remain non-compliant in 2021 and therefore requiring action, local monitoring and analysis suggests that the locations of noncompliance will be far wider than estimated by Defra in both cities. The Government has asked the 24 local authorities to:

- By 31 March 2018 – undertake a feasibility study and consider a wide range of options (including changing road layouts at congestion and air pollution pinch points, encouraging public and private uptake of Ultra-Low Emission Vehicles (ULEVs), using innovative retrofitting technologies and new fuels and encouraging the use of public transport) to identify a shortlist of options that deliver compliance with legal limits for NO₂ in the shortest possible time. Following a successful legal challenge by the environmental lawyers Client Earth scheme costs can only be considered for options which are expected to deliver compliance in the shortest time possible (i.e. quicker than all other options). If these alone are not sufficient in achieving legal limits for NO₂ in the shortest possible time, Clean Air Zones (CAZs) can be established. These would set access restrictions on vehicles, such as charging zones or measures to prevent certain vehicles using particular roads at particular times. Government suggests that these may only be necessary for a limited period and could be lifted once legal compliance is achieved and there is no risk of legal limits being breached again.
- By 31 December 2018 – identify a preferred option in the form of an approved local Clean Air Plan by the end of 2018, including implementation arrangements for air quality initiatives to comply with national standards by 2021. If this is not achieved there is a risk that the Government will impose measures directly to ensure that requirements are met.

2.4 Emerging Clean Air Plans in Bristol and Bath

- 2.4.1 Emerging work (led by Bristol but working with South Gloucestershire) on the Bristol Clean Air Plan includes consideration of non-charging initiatives (traffic management, excluding

diesel cars from polluted areas, support for retrofitting, encouraging uptake of electric vehicles, cleaning up the bus and taxi fleet, encouraging public transport and cycle usage), which will complement measures set out in transport and other relevant plans as well as a feasibility study on CAZs.

2.4.2 An engagement and consultation strategy is in place to raise awareness and build an understanding of the collective responsibility for air quality, comprising:

- Stated Preference survey (late January 2018) to 1,100 selected drivers (including some freight vehicles) to provide evidence of the likely responses to a charging CAZ in Bristol and inform the appropriate level of charge;
- Engagement with public and key stakeholders (late January to August 2018) covering politicians, local government, transport operators, user groups, business groups, key service providers. These have been split into decision makers, delivery partners, engagement partners and influencers; and,
- Formal scheme consultation (October to December 2018) on a preferred scheme. Note that this will focus on identifying mitigation measures, defining exemptions/discounts and tweaking the boundaries within the available limits.

2.4.3 BANES has been preparing a replacement Air Quality Action Plan for the city; consultation on the draft document closed in November 2017. It sets out the actions proposed to improve air quality in Bath, between 2017 and 2022. Policy measures (in existing strategies) include undertaking a feasibility study into a CAZ for the city. The consultation response to this will inform the next stage of work as required by Government.

2.4.4 An early CAZ scoping study is also underway by BANES to develop a Strategic Outline Business Case by March 2018 to establish the funding required from the Government's Joint Air Quality Unit, and to identify possible schemes/options to consider. They then expect to take a similar approach to some stated preference surveys, engagement and consultation as Bristol. This will allow the establishment of a preferred option by the end of 2018 to meet Government timescales.

2.4.5 The initial assessment will consider charging CAZs which include all vehicle types to understand what level of intervention is required to achieve compliance. A scheme covering A4 London Road only (the only location highlighted by Defra as being non-compliant in 2021) is likely to be insufficient as modelling based on local monitoring data has suggested that much more of the city would also remain non-compliant without action.

2.5 **A Regional Approach**

2.5.1 Whilst the Mayor and the Mayoral Combined Authority has the power to create CAZs (with the affected highway authority(ies) consent), CAZ option development in Bath and Bristol is being led from within the respective Local Authorities as part of their consideration of wider options. Provisions for charging vehicles in these would remain a function for the individual authority(ies), who would be responsible for managing and operating such schemes.

2.5.2 The impacts of any option will be felt by road users across the wider region since many journeys are to or from locations outside these areas. A regional approach is therefore required to:

- Share knowledge and understanding of emerging air quality challenges, options and plans for implementation (such as consistent hours of operation, vehicle classes affected, payment systems etc);

- Support authorities in lobbying the Government to support investment and to fostering a consistent approach across the country;
- Ensure the measures emanating from CAZs are integrated with, and support, the longer-term spatial planning and transport strategies for the area which, in addition to improved air quality, will continue to focus on tackling congestion, climate change, health and accessibility. This includes the Joint Spatial Plan, Joint Local Transport Plan and Energy Strategy; and,
- Support engagement activities of the respective councils to help ensure that the residents and businesses understand, and are therefore supportive of, the need for such measures, and start considering how they can prepare themselves to best reduce the impacts.

2.6 Next steps

2.6.1 Through the course of 2018:

- WECA will facilitate monthly progress meetings with the BCC and BANES officers leading on the development of the respective proposals along with the monitoring offices of the all three authorities to be kept aware of latest developments and discuss emerging issues, including those relating to powers;
- Interim updates will be provided to the WoE Mayor; in recognition of the Mayoral powers relating to CAZs, it has been agreed with BANES and BCC that approval of schemes be given by the Mayor once they have been endorsed by the constituent councils;
- Consideration will be given in due course to how the establishment of the national Major Road Network and regional Key Route Network may impact on the declaration, management and operation of a CAZ charging zone; and,
- An update on CAZ proposals in the region will be provided at ongoing relevant Chief Executive and Joint Committee meetings.

3 Consultation:

3.1 As noted above, Bristol City Council is now commencing engagement with the public and key stakeholders, including the launch of stated preference surveys with a selection of drivers. Formal public consultation will take place on the autumn. Bath & North East Somerset are expected to undertake similar engagement.

4 Other Options Considered:

4.1 The Government has directed Bristol City Council and Bath & North Somerset Council to produce local Clean Air Plans, and to consider the establishment of Clean Air Zones to deliver air quality compliance in the shortest time possible.

5 Risk Management/Assessment:

5.1 There are no direct financial implications arising from this report.

6 Public Sector Equality Duties:

6.1 The impacts on, and benefits arising to, low income households and other community groups is being assessed as part of the feasibility studies. Feedback will be sought from affected communities as part of the respective council's engagement and consultation strategies to meet their duties under the Equality Act 2010.

7 Economic Impact Assessment:

7.1 The feasibility studies will include an assessment of the economic impact on the respective areas.

8 Finance Implications:

8.1 There will be an ongoing need to resource meetings and related activities.

9 Legal Implications:

9.1 There are no immediate legal implications arising from this report. The proposed monthly meetings with Bristol City Council and Bath & North East Somerset Council officers (including monitoring officers) will determine any emerging issues relating to legal powers.

10 Land/Property Implications;

10.1 None arising from this report.

11 Human Resources Implications:

11.1 There will be an ongoing need to resource meetings and related activities.

12 Chief Executive Comments:

12.1 None.

13 Recommendation:

13.1 The recommendation is to approve the proposed approach to WECA supporting the ongoing Clean Air Plans work in the region and next steps, as set out in sections 2.5 and 2.6 above.

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Background Papers

None.