

Cabinet

Date: Tuesday, 5th March, 2019
Time: 10.00 am
Venue: Council Chamber - Guildhall, Bath

Agenda

To: All Members of the Cabinet

Councillor Tim Warren (Leader of the Council and Conservative Group Leader), Councillor Charles Gerrish (Cabinet Member for Finance and Efficiency, Conservative Deputy Group Leader North East Somerset), Councillor Vic Pritchard (Cabinet Member for Adult Care, Health and Wellbeing), Councillor Paul Myers (Cabinet Member for Economic and Community Regeneration), Councillor Karen Warrington (Cabinet Member for Transformation and Customer Services), Councillor Paul May (Cabinet member for Children and Young People), Councillor Bob Goodman (Cabinet Member for Development and Neighbourhoods) and Councillor Mark Shelford (Cabinet Member for Transport and Environment, Conservative Deputy Group Leader Bath)

Chief Executive and other appropriate officers
Press and Public

The agenda is set out overleaf.



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NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the **Public Access points:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control. Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

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4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. They may also ask a question to which a written answer will be given. **Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.** Further details of the scheme:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

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Special Cabinet - Tuesday, 5th March, 2019

in the Council Chamber - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out in the Notes

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

*(c) Whether their interest is **a disclosable pecuniary interest** or an **other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)*

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. QUESTIONS FROM PUBLIC AND COUNCILLORS

Questions submitted before the deadline will receive a reply from an appropriate Cabinet member or a promise to respond within 5 days of the meeting. Councillors may ask one supplementary question for each question they submitted, up to a maximum of two per Councillor.

7. STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Councillors and members of the public may register their intention to make a statement if they notify the subject matter of their statement before the deadline. Statements are limited to 3 minutes each. The speaker may then be asked by Cabinet members to answer factual questions arising out of their statement.

8. MINUTES OF PREVIOUS CABINET MEETING (Pages 7 - 22)

To be confirmed as a correct record and signed by the Chair

9. CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

This is a standard agenda item, to cover any reports originally placed on the Weekly

list for single Member decision making, which have subsequently been the subject of a Cabinet Member requisition to the full Cabinet, under the Council's procedural rules

10. MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

This is a standing agenda item (Constitution rule 14, part 4D – Executive Procedure Rules) for matters referred by Policy Development and Scrutiny bodies. The Chair of the relevant PDS Panel will have the right to attend and to introduce the Panel's recommendations to Cabinet.

11. BATH'S CLEAN AIR PLAN- OUTLINE BUSINESS CASE (Pages 23 - 164)

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 Bath and North East Somerset Council (B&NES). B&NES has monitored and endeavoured to address air quality in Bath, and the wider B&NES area, since 2002. Despite this, Bath has ongoing exceedances of the legal limits for Nitrogen Dioxide (NO₂) and these are predicted to continue until 2025 without intervention.

This report provides an update on the actions undertaken following the Cabinet meeting in December 2018 and sets out the decisions required to submit the final Outline Business Case (OBC) to Central Government containing the preferred final Clean Air Plan (CAP) to discharge the requirements within the Ministerial Direction served on the Council in July 2017.

A draft OBC was subject to public consultation on 16 October 2018 for a period of six weeks based on the preferred option of a charging Class D Clean Air Zone (CAZ) charging all vehicles. Since then work has been undertaken to process the outcome of the consultation and prepare a revised, final OBC for the delivery of the CAP. The revised OBC further assesses the shortlist of options set out in the Strategic Outline Business Case (SOC), and proposes a revised package of measures, including a revised class of CAZ which will still bring about compliance in the shortest time possible in Bath. The final OBC also includes further details about how the scheme will be implemented and the revised funding bid to central government to ensure successful implementation of the CAP.

The consideration of options for a CAZ, comprises three main elements:

- The charging mechanism (class of zone);
- The boundary of the zone; and
- The details of the bid to be submitted to government to implement the zone, along with mitigation measures for those households and businesses that are expected to be disproportionately impacted by the scheme.

All of the above should be considered in light of:

- the public consultation outcomes and the further technical and financial modelling done;
- having due regard to the council's legal obligations in respect of air quality (AQ), public consultation, equalities and the Ministerial Direction; and
- the risks associated with each option.

12. CONSULTATION, COMMUNICATIONS AND COMMUNITY ENGAGEMENT (Pages 165 - 176)

This report updates the Cabinet on work undertaken with members of our Connecting

Communities Forums on Consultation, Community Engagement and Communications. The report sets out the learning from recent consultation processes, ideas for building on good practice and suggested new approaches. The report also sets out the outcome of a detailed engagement process on this work so far and proposes next steps.

The Committee Administrator for this meeting is Jack Latkovic who can be contacted on 01225 394452.

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BATH AND NORTH EAST SOMERSET

CABINET

These minutes are draft until confirmed as a correct record at the next meeting.

Wednesday, 6th February, 2019

Present:

Councillor Tim Warren	Leader of the Council and Conservative Group Leader
Councillor Charles Gerrish	Cabinet Member for Finance and Efficiency, Conservative Deputy Group Leader North East Somerset
Councillor Vic Pritchard	Cabinet Member for Adult Care, Health and Wellbeing
Councillor Paul Myers	Cabinet Member for Economic and Community Regeneration
Councillor Karen Warrington	Cabinet Member for Transformation and Customer Services
Councillor Bob Goodman	Cabinet Member for Development and Neighbourhoods
Councillor Mark Shelford	Cabinet Member for Transport and Environment, Conservative Deputy Group Leader Bath

71 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

72 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer drew attention to the evacuation procedure as set out in the Agenda.

73 APOLOGIES FOR ABSENCE

Councillor Paul May had sent his apologies for this meeting.

74 DECLARATIONS OF INTEREST

Councillor Charles Gerrish declared an other interest on item 13 'Budget & Council Tax 2019/20 and Financial Outlook' as the Chair of the ADL Board.

Councillor Paul Myers declared an other interest on item 16 'Community Asset Transfer Policy' as he was a part of the Asset Transfer Programme.

75 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

The Chair used this opportunity to inform the meeting that the Special meeting of the Cabinet will take place on 5th March at 10am in the Guildhall.

76 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 9 questions from Councillors and 2 questions from members of the public.

[Copies of the questions and responses, including supplementary questions and responses if any, have been placed on the Minute book and are available on the Council's website.]

77 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Councillor Karen Walker in a statement [*a copy of which available on the Council's website*] presented budget requests for Peasedown St John.

Councillor Lisa O'Brien read out a statement where she gave her full support for the Keynsham High Street Public Realm. The scheme would benefit the environment, health and economy of Keynsham and it would contribute to local employment. The pollution in High Street has gone down since one way traffic was introduced. Councillor O'Brien endorsed the proposals and asked the Cabinet to support the report.

78 MINUTES OF PREVIOUS CABINET MEETING

RESOLVED that the minutes of the meeting held on Wednesday 18th December 2018 be confirmed as a correct record and signed by the Chair.

79 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

80 MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

Councillor Sarah Bevan, in her capacity as the Chair of Resources PDS Panel, read out the following statement:

'At Resources PDS Panel on Monday 4th February we discussed the proposed budget after receiving an overview from Donna Parham and David Trethewey.

No resolutions were passed, but members did raise some queries, as Cllr Gerrish will recall.

Whilst the Panel listens to views put forward, it's for political groups to raise those views which are necessarily party political, with their own groups, with Cabinet and at Full Council.

The Resources Panel noted the comments from other PDS Panels on budget proposals within their remits. The PDS Panel comments have been circulated to Cabinet Members.

These notes reflect that the panels considered the risk of delivery of the proposals and questioned cabinet members and officers on the robustness of the proposals. The panels specifically considered the impacts of the proposals on the Councils Public Sector Equality Duty.

The Resources Panel looked at the budget proposals within their remit and were reassured that high and medium risk savings would be closely monitored. They were reassured that our Council Tax is still third lowest in the region despite the increase. The Panel noted that the Core Offer is clear on what the authority can afford to deliver and offered a framework for an open discussion with partners and residents on what the Council should focus its resources on in the future.'

81 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report.

82 BUDGET & COUNCIL TAX 2019/20 AND FINANCIAL OUTLOOK

Councillor Dine Romero made an ad-hoc statement by saying that there was not much that could be amended to the proposed Budget due to continuous cuts from Central Government. Councillor Romero also said that the future budget proposal was suggesting more involvement from volunteers and businesses which may not be sustainable in the long term. Councillor Romero also questioned if the previous budget had helped communities and people with greater need for help. Councillor Romero concluded her statement by suggesting that local businesses have not been helped by the Council and they have complained to her how margins were small and rents were high.

Councillor Richard Samuel made an ad-hoc statement by saying that all Local Authorities would be in difficult situation as the funding for the Budget would shift from Central Government to Local Tax. Councillor Samuel also said that many frontline services provided by the Council would be affected with future cuts and whoever runs the Council after local elections in May 2019 would be in difficult situation.

Councillor Charles Gerrish introduced the report by saying that the Budget would be challenging considering that most of the Budget would be allocated to Adults and Children services and that the Council would have to look into ways of becoming self-sufficient.

The Medium Term Financial Strategy (MTFS) has been approved in October 2018 and did outline how the budget would be delivered over the medium to long-term. The MTFS for B&NES spans two years with a further three added to show the likely longer-term picture.

The Council would need to deliver a balanced budget over the term of the plan. A balanced budget would mean that balances or reserves should not be used to meet on-going expenditure commitments. The MTFS has shown a projected budget gap for 2020/21 and beyond. The figures have included all estimates for pay awards, pension costs, Council Tax, business rates, Government grant, and inflation. The budget would focus on protecting frontline services at a time when the authority was facing cuts in funding whilst facing unprecedented increases in demand in

Adults and Children's Services. An increase of 1% in the Adult Social Care Precept has been included in this budget to help meet the pressures in Adult Social Care. The Council has had a good track record in savings delivery with £55.4m delivered between 2013/14 to 2017/18 and, a further £17m expected in this (2018/19) financial year – a total of £72.4m over six years.

The current plan has identified, delivered, and would continue to deliver a high number of efficiency savings and therefore the scope for delivering further large savings from efficiencies was limited. The agreed approach would be:

- To review Council priorities to understand scope for further savings;
- To rationalise our corporate estate;
- To review the conditions of service of our workforce and ensure they are fit for the future;
- To review the scope for shared services;
- To review and target capital spend to priority areas and reduce the costs of funding the programme and the capacity demands for delivery;
- To review our contracts to reduce expenditure; and
- To establish a "core offer" which the council is able to sustain into the future, including through managing demand.

The proposed net revenue budget for Bath and North East Somerset for 2019/20 would be £113.10m.

An Organisational Plan has been developed across portfolios in 2019/20 outlining the Core Service Offer which would prioritise resources to the following:

- Protect and care for our most vulnerable;
- Nurture our residents' health, safety, and wellbeing;
- Provide ways for everyone in the community to reach their full potential.

The Organisational Plan has outlined key targets for service provision as well as outlining proposals for budget savings. The Organisational Plan proposed by Cabinet would translate the Council's overarching Corporate Strategy and vision for the future, setting out the key activities and projects that the Council has planned to deliver to achieve this in 2019/20. The Organisational Plan was considered by the Policy and Scrutiny Panels in January 2019 to inform the budget process.

Councillor Gerrish took the Cabinet through the Revenue Budget for 2019/20 as introduced in the report.

In terms of the Government Settlement the Council has agreed to accept the four-year settlement as did 97% of all local authorities – 2019/20 was the last year of this agreement.

The Provisional Settlement was received on the 13th December 2018 but has not yet been finalised. MPs were unlikely to decide on the final settlement until mid to late February and therefore there was a small chance that the figures for B&NES would change. The figures outlined in the report have reflected the provisional figures. The final settlement details would be reflected within the report to Council, if they were published before the report deadline.

The Council has asked Central Government to recognise the challenges it faces and the solutions that might help, and have identified 20 key areas where a shift in approach or legislation could help address pressures or mitigate additional future

costs. These have been included as part of the Council's response to the Government's Fairer Funding Review and four of the key areas were as follows:

- Council funding for students
- Ability to introduce a Local Tourism Levy
- Special Education Needs and Disabilities (SEND)
- Removal of non-domestic rate exemption for listed buildings

Councillor Gerrish took the Cabinet through the rest of the report by highlighting savings and income generation, Council Tax increase by 2.95% in 2019/20 to ease pressures within front line services but specifically Children's Services, West of England Combined Authority investment in the area, revenue balances, contingencies and reserves.

Councillor Charles Gerrish moved the recommendations.

Councillor Tim Warren seconded the motion by saying that the Council would face significant financial pressures over the next couple of years. The Council has made a number of representations to the Central Government in terms of the self-funding, as presented in the report. The Council would invest in the Bath Quays North which would, attract more businesses, create more jobs and generate more business rates. Councillor Warren said that the Council have tried to help high street retailers and small businesses in the area to keep on going but due to national trend a lot of businesses were struggling. There were only a few vacant shops and business premises in Bath and the Council would work hard to reduce that number. Councillor Warren also said that he would champion for the Council to become self-sufficient and not rely on Government funding. Councillor Warren added that despite enormous pressures, our children services were the best in the South West region. Councillor Warren concluded his statement by saying that this was an honest and transparent budget and thanked all officers and Cabinet Members for their contribution.

Councillor Mark Shelford agreed with the comments made by Councillors Gerrish and Warren and thanked Donna Parham and her team for the hard work they had put in in setting the Budget.

Councillor Charles Gerrish summed up by highlighting improvements to Keynsham over the next year or so.

RESOLVED (unanimously) that:

2.1 The Cabinet recommends Council approves:-

- a) The General Fund net revenue budget for 2019/20 of **£113.10m** and the individual service cash limits for 2019/20 as outlined in Annex 1.
- b) The savings and income generation plans outlined in Annex 2 in conjunction with the Equalities Impact Assessment Report in Annex 3 and thereby agrees to implement the Council's draft Organisational Plan which has been presented to each of the relevant PDS Panels.

- c) To help protect front line services and meet additional pressures in Children's Services, the budget includes a recommendation that Council Tax is increased by 2.95% in 2019/20 (an increase of £39.76 per Band D).
 - d) An increase of 1% to Council Tax for the Adult Social Care Precept is approved in recognition of the current demands and financial pressures on this service. This is equivalent to an increase of £13.47 on a Band D property.
 - e) The adequacy of Un-earmarked Reserves at £12.2m within a risk assessed range requirement of £11.9m - £13.1m.
 - f) The Efficiency Strategy attached at Annex 4.
 - g) The Capital Programme for 2019/20 of £78.591m including new and emerging capital bids outlined in Annex 5(i), planned sources of funding in 5.7.2, and notes the programme for 2020/21 to 2023/24 and that any wholly funded projects coming forward during the year will be added to the Capital Programme in line with the Budget Management Scheme.
 - h) The delegation of implementation, subject to consultation where appropriate, of the capital programmes set out in Annex 5(ii) to Annex 5(iv) to the relevant Director in Consultation with the appropriate Portfolio Holder.
 - i) The Community Infrastructure Levy (CIL) allocations and amendments outlined in Annex 5(v) and the addition of Alternative Education Provision to the Regulation 123 list.
 - j) The Capital & Investment Strategy attached at Annex 6.
 - k) The MRP Policy attached at Annex 7.
 - l) The Capital Prudential Indicators outlined in 5.7.8
 - m) The Annual Pay Policy Statement at Annex 9.
 - n) The Council's Organisational Plan at Annex 10
 - o) The Council Tax Support Scheme for 2019/20 shown in the following link:
http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Council-Tax-Benefits-and-Grants/CouncilTax/draft_bath_ne_someset_s13a_201920.pdf and referred to in 5.3.4.
- 2.2 That the Council include in its Council Tax setting, the precepts set and approved by other bodies including the local precepts of Town Councils, Parish Councils, and Charter Trustees of the City of Bath, and those of the Fire and Police Authorities.
- 2.3 That Cabinet note the S151 Officer's report on the robustness of the proposed budget and the adequacy of the Council's reserves outlined in 5.6.

- 2.4 Authorise the Council's S151 Officer, in consultation with the Portfolio Holder for Finance and Efficiency, to make any necessary changes to the draft budget proposal for submission to Council.

83 REVENUE & CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS – APRIL TO DECEMBER 2018

Councillor Richard Samuel made an ad-hoc statement by expressing his disappointment in the report as he felt that there was even more overspend by the Council, and that it would be for the next administration to deal with this issue.

Councillor Charles Gerrish responded by saying that additional overspend was due to continued pressures on Children Services. There were 168 children in care in March and 191 in December this year. Councillor Gerrish also said that he would make no apology for spending for those in need.

Councillor Gerrish introduced the report by saying the Revenue budget outturn was currently forecast to be £3.2m over budget. This was an improvement of £0.9m compared to the £4.1m reported previously. The areas over budget have continued to be mainly due to additional demand in Children's Services £2.2m and a c£1m shortfall in income from Commercial Estate; in addition there has been some slippage in savings delivery which were part mitigated through service underspends and improved income performance. The position within Children's Services had in effect worsened as the figures shown include a transfer of £0.86m funding from Adult Social Care. However, there were a number of mitigations that were currently being reviewed as well as a recruitment freeze and Managers have been requested to minimise spend wherever possible which would further improve the year-end position.

The capital budget was currently showing an expected under budget position of £18.3m mainly due to slippage and re-phasing.

The Capital Programme now reflects the review that was completed in October 2018 and agreed as part of the previous budget monitoring report and £19.1m of projects were deferred or removed resulting in revenue saving of £0.6m.

The current forecast Council's share of the year end Collection Fund position was:

- Council Tax – Surplus of £0.719m (2017/18 Deficit £0.154m)
- Business Rates – Deficit of £0.275m (2017/18 Deficit £1.473m)

Business rates collection has improved over the last quarter but still remains slightly lower than target and would continue to be monitored closely.

Council reserves would be required to mitigate the current position if the actions being put in place were not successful. The current position would require use of £2.0m of the Budget Contingency Reserve (which was set up to mitigate budget risk) but the improved position would not require use of Un-earmarked Reserves. Provision has been made within the 2019/20 budget to replenish the Budget Contingency Reserve.

Councillor Charles Gerrish moved the recommendations.

Councillor Vic Pritchard seconded the motion by saying that the figures were within the Budget.

Councillor Tim Warren said that the main pressures were within Children services due to an increase in number of children in care.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) To note the 2018/19 forecast over budget of £3.21m (as at the end of December 2018) and the recovery plan actions outlined in Appendix 1;
- 2) To note the mitigations that will be required shown in paragraph 5.6, if the over budget position cannot be reduced by the end of the financial year
- 3) To note the capital year-end forecast detailed in paragraph 5.16 of this report;
- 4) To note the revenue virements listed for information in Appendix 3(i);
- 5) To note the changes in the capital programme including capital schemes that have been agreed for full approval under delegation listed in Appendix 4(i)
- 6) To note the capital schemes listed in Annex 4(i) for removal / deferment from the current capital programme as approved at 18th December Cabinet.

84 TREASURY MANAGEMENT MONITORING REPORT TO 31ST DECEMBER 2018

Councillor Charles Gerrish introduced the report by saying that this was a routine report which detailed performance against the Council's Treasury Management Strategy and Annual Investment Plan 2018/19 for nine months of 2018/19.

The average rate of investment return for the first six months of 2018/19 was 0.68%, which is 0.15% above the benchmark rate. The Council's external borrowing as at 31st December 2018 totalled £206.7 million.

New PWLB annuity borrowing for £25 million was arranged during the quarter in response to a reduction in borrowing rates arising from the political and economic uncertainty being experienced in the UK and Europe.

The Council's Capital Financing Requirement (CFR) as at 31st March 2018 was £247.1 million with a projected total of £434 million by the end of 2018/19 from self-investment and re-phasing of the capital programme.

The current revenue forecast was for an underspend of £495k, mainly related to external interest savings from re-phasing of capital spend.

Councillor Charles Gerrish moved the recommendations.

Councillor Karen Warrington seconded the motion by saying that this was a routine report and thanked Donna Parham and her staff their work on treasury management.

RESOLVED (unanimously) that the Cabinet agreed that:

- 1) The Treasury Management Report to 31st December 2018, prepared in accordance with the CIPFA Treasury Code of Practice, is noted

2) The Treasury Management Indicators to 31st December 2018 are noted.

85 TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY 2019/20

Councillor Charles Gerrish introduced the report by saying that the report presented the Council's Annual Treasury Management Strategy for 2019/20 which under the CIPFA Code of Practice requires Council Approval before the start of each financial year.

The report has set out the strategy for borrowing and investments and for giving priority to the security and liquidity of those investments ahead of yield.

The Council's Audit Committee would also scrutinise the Strategy at its meeting on 7th February and any comments would be verbally reported to the Council meeting on 19th February.

The Council's chief objective when borrowing money was to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds were required. . The Council would continue to consider investment in the CCLA Property Fund and other longer term pooled funds with a view to providing further diversification of its commercial property and investment portfolios and the potential for earning a higher investment yield whilst maintaining regards to security through investment in these higher yielding asset classes.

Councillor Charles Gerrish moved the recommendations.

Councillor Paul Myers seconded the motion by saying that the Strategy would fulfil Council's obligation for the next three years.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Recommend the actions proposed within the Treasury Management Strategy Statement (Appendix 1) to February Council.
- 2) Recommend the Investment Strategy as detailed in Appendix 2 to February Council.
- 3) Note the Treasury Management Indicators detailed in Appendix 1 and delegate authority for updating the indicators prior to approval at Full Council on 19th February 2019 to the Chief Finance Officer and Cabinet Member for Finance & Efficiency, in light of any changes to the recommended budget as set out in the Budget Report elsewhere on the agenda for this meeting.
- 4) Note that any comments made by the Corporate Audit Committee at their meeting on the 7th February 2019 will be reported to Full Council on the 19th February.

86 COMMUNITY ASSET TRANSFER POLICY

Councillor Dine Romero made an ad-hoc statement by highlighting two points. Firstly, if the land had a planning permission attached would that drive the value to £2m; and secondly, for those assets that were already transferred, such as Bath City Farm, having a 25 year lease would not always be helpful as a longer lease would enable the asset holder to apply for grants.

Councillor Paul Myers introduced the report by saying that he was particularly pleased to see this new 'Community Asset Transfer Policy and Guidance' come before Cabinet for consideration.

As the Council faces financial pressures and evolves its role, working in partnership with the community and the third sector has become increasingly important. The community would need infrastructure to play its role and so he passionately believed that the Council had a duty to release the key operational assets with a duty under the Local Government Act 1972 to ensure that 'best consideration' was obtained. The Community Asset Transfer Policy would provide a detailed framework and criteria for organisations wishing to apply, which was outlined in the report. To achieve this, the Policy has set up a four stage process for each project.

A consultation on the draft policy did take place between 17th December and the 25th January and the report was presented to the CTE Panel on the 21st January. Overall the feedback has been fully considered and was positive and the introduction of the Policy was welcomed. Some of the feedback received has been noted whilst, as appropriate, amendments and additions have been proposed in the document. The key point was that the 'Assets' which might be considered for transfer cover a huge spectrum and so in order to provide an overarching policy, the policy needs to provide sufficient breadth in its wording; the policy was for everyone and the whole district.

Councillor Myers said that he was satisfied that a necessary balance has been achieved by Officers and that he would like to thank them for their hard work in developing this policy.

Councillor Paul Myers moved the recommendations.

Councillor Karen Warrington seconded the motion by saying that the policy would set what would be required for Community Asset Transfer. Councillor Warrington also said that this policy would be clear guidance for partnership working and how the community would be involved, and that was a great opportunity for involvement of the community.

Councillor Charles Gerrish supported the request from Councillor Romero for longer lease terms. In terms of any planning permission attached to the land the Council would retain the overage– this was done to protect the Council's position.

Councillor Tim Warren also welcomed the report and praised the work of Bath City Farm.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Note the outcomes of the consultation on the draft document as set out in Appendix 3.
- 2) Confirm that the feedback received through the consultation process has been accurately reflected and is now incorporated into the current draft of the Community Asset Transfer Policy and Guidance (attached at Appendix 1), and agree the new document.
- 3) Thank those who responded to the consultation and agree to circulate the outcomes of the process and next steps.
- 4) Approve that the implementation of the policy be reviewed within twelve months of operation to make any further refinements required.

Councillor Paul Myers introduced the report by saying that high streets across the UK were struggling and rethinking the High Street offer and public realm improvements could help to stem the national trend towards online retailing with a consequent decline in town centre vitality.

If the project was not implemented then the current issues of poor image, poor public realm, and a Conservation Area 'at risk' (as assessed by Historic England) would remain and the Council would not have fulfilled its obligations arising from the Corporate Strategy, Placemaking Plan or Keynsham Transport Strategy.

The Council was legally directed to produce a Clean Air Plan to achieve compliance with European Limit Values. Keynsham has been declared an Air Quality Management Area for high nitrogen dioxide levels. Air Quality monitoring was carried out before the one-way trial (baseline) and during the project to evidence the positive change the one way scheme has delivered.

Cabinet & Keynsham Ward Members, stakeholders, interest groups and members of the public have been consulted throughout the project development phase.

Keynsham Town Council in particular welcomed early engagement with the project and input to the design of the scheme.

The public realm project was part of the Keynsham Town Centre Programme and further public realm improvements in the town would be undertaken when funding is available.

If the funding is approved on 31st May 2019 then work would start in spring 2020 and would be complete by March 2021.

Councillor Paul Myers moved the recommendations.

Councillor Tim Warren seconded the motion by saying that there was a mixed reaction initially with the Keynsham High Street one way trial, though it has been proved to be successful as the air quality has improved. Councillor Warren also said that the roundabout and access to Tesco supermarket would require more work.

Councillor Charles Gerrish said that Tesco junction would be one of the priorities for the public in Keynsham.

RESOLVED (unanimously) that the Cabinet agreed to:

2.1 Note the draft concept design, which will be submitted as part of the Full Business Case to the Local Enterprise Partnership for funding of £1.5m to deliver the scheme, alongside £193k S106;

2.2 Approve, subject to LEP funding approval on 31 May:

- (1) the preparation of detailed design (including further consultation) up to tender stage
- (2) the procurement of a project manager & contractor; and
- (3) the construction of the scheme

88 HERITAGE SERVICES BUSINESS PLAN 2019-2024

Councillor Paul Myers introduced the report by saying that this was the Heritage Services Business Plan update for the five-year period 2019/20 to 2023/24.

Key issues addressed in the Business Plan 2019-2024 were:

- increased profit returned to the Council to support corporate finances;
- a new tiered pricing structure at the Roman Baths;

- reducing congestion and attrition caused by high visitor numbers;
- a new strategy to manage groups;
- ongoing marketing to continue to promote the shoulder months;
- benchmarking the Roman Baths' performance with other leading attractions;
- ongoing investment in conservation, the visitor experience, commercial activity and staff development.

The Business Plan would aim to grow annual profit by £2.2 Million (28%) by 2024, by increasing income, reducing the revenue cost base after inflation and efficiently managing the staff establishment. By 2024 profit returned to the Council would be £10 Million p.a.

The Roman Baths was the only local authority-run member of the Association of Leading Visitor Attractions.

To maintain this level of performance and achieve the forecast levels of profit to support the Council's financial position would require:

- keeping Roman Baths visitor numbers at very high levels;
- implementing a new Roman Baths pricing strategy to maximise revenue whilst ensuring that price does not become a barrier to entry;
- sustaining staffing and investment levels to support large price increases and improve visitor satisfaction.

School groups would continue to enjoy preferential rates in off-peak months when most of them visit. The Service would continue to invest to protect and conserve the Council's heritage assets, improve the visitor experience, enhance commercial performance and develop its staff, in order to deliver these outcomes.

Councillor Paul Myers moved the recommendations.

Councillor Charles Gerrish seconded the motion by saying that this was an ongoing success for the Heritage Services Team. Ticket price restructuring would address the visitors' numbers, especially during peak times.

Councillor Tim Warren said that he was really proud of the work done by Heritage Services.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Approve the Heritage Services Business Plan 2019-2024 ("The Plan");
- 2) Confirm that it wishes Heritage Services to continue to work to the business principles agreed by the Council Executive in 2004, as amended.

89 BATH QUAYS NORTH, APPOINTMENT OF DEVELOPMENT PARTNER

Councillor Tim Warren informed the meeting that the wording for recommendation 2.3 would read as:

'Approve the uplift to the provisional Innovation Quay - Economic Development Funding Enabling Infrastructure budget to £30.8m to bring in line with the additional grant funding WECA have provisionally allocated through the EDF and LGF funding programmes.'

Councillor Warren explained that word 'provisionally' has been included because WECA meeting where the additional grant funding would be approved has not happened (due to adverse weather), and the meeting has been postponed for 15th February 2019.

Councillor Paul Myers introduced the report by saying that over the past three decades, the market has failed to develop sufficient modern office accommodation within the City. This has had a significant effect on the economy and the City now faced a tipping point in terms of maintaining a viable and attractive office sector. The city would need to maintain a broad mixed economic base and a range of jobs in the local economy across key wealth growth and wealth creating sectors such as finance, digital and technology. Also, as a World Heritage Site, the replacement of the old and ugly Avon St car park would repair a scar on the city and reconnect the city back to its riverside.

The Council would therefore propose to exercise its public function to revitalise the city and overcome the longstanding market failure in the provision of office space by utilising its strategic land asset at Bath Quays North to enable delivery of a new Business District in the heart of the city.

The Council were successful in achieving Outline Planning Consent in August last year for the comprehensive redevelopment of the Avon Street multi-storey carpark & Riverside coach park.

The planning permission could deliver a total combined floor space of up to 38,000sqm gross investment area (GIA) and critical infrastructure (basement carpark & highway improvements) and demolition of the existing multi storey car park.

WECA funding has been applied for to overcome the viability hurdle by the provision of economic development funding required to de-risk & unlock the Bath Quays North site in line with the Council's planning permission.

Through provision of front-end public investment in development infrastructure the scheme was able to leverage substantial private investment and make an office-led development viable.

As part of the West of England Combined Authority (WECA), B&NES shares its combined Authorities' ambitions for promoting sustainable growth across the sub-region. The LEP's Strategic Economic Plan has set an ambitious baseline for delivering 65,000 jobs and 2.6% GVA growth in the West of England by 2030. Bath plays a crucial role in the B&NES economy, providing 70% of the area's employment and 75% of knowledge based and priority sector employment. The principal constraint to further future growth in the City's knowledge economy was the lack of appropriate office stock and workspace. Adopted policy defines the need for provision of some 40,000sqm of centrally located office space to facilitate growth and drive inward investment. The Economic Strategy emphasises that delivering the Bath EZ was central to achieving the City's economic potential. Enabling development of BQN and the creation of a new Central Business District for the city was the principal underpinning intervention to deliver this strategy

The Council commenced a procurement process in July 2017 to procure a development partner via a formal OJEU tender process.

The Council has undertaken a thorough public procurement process to engage the private sector and has reached a conclusion to this with three outstanding propositions to become the Councils development partner. Through the final selection and award process the Council would secure the replacement of the Avon St carpark in a modern basement, a minimum first phase of offices and commercial uses and capital income to maintain a balanced financial position for the Council.

Councillor Myers concluded his statement by thanking officers across the Economic & Community Regeneration and Finance & Efficiency teams for all their hard work in progressing this scheme to date.

Councillor Paul Myers moved the recommendations.

Councillor Charles Gerrish seconded the motion by saying that this was Council's most significant investment to date.

The forecast total Project cost of BQN was currently estimated at £191m funded from the sources as per below:

- B&NES short term Council funding (borrowing) £13,101,000
- WECA - LGF £8,313,00
- WECA - EDF £23,878,000
- Developer funding £145,727,000

Councillor Tim Warren said that the scheme would be great for the city in terms of jobs and with a positive impact on the community.

Councillor Bob Goodman said that the area has lost many jobs due to recession, and that Bath could not rely only on tourism and universities to generate income for the city. The creation of jobs and office spaces would keep young people in the city.

RESOLVED (unanimously) that the Cabinet agreed to:

- 1) Review the Full Business Case and approve the recommendations to award the contract to the preferred bidder as the Council's development partner for the Bath Quays North site (the Site) (as shown edged red on the indicative plan at Appendix 4) having submitted the most economically advantageous bid in accordance with the Council's evaluation criteria as explained in the exempt Appendix 3, and in the event the Council is not able to conclude final negotiations with the preferred bidder it appoints the reserve bidder as the Council's development partner.
- 2) Delegate authority to the Director of Economy & Growth in consultation with the Leader, Chief Executive, the Council's S.151 Officer and Monitoring Officer to take all necessary acts to:
 - a. Agree final terms with the Council's development partner including entering into the Development Agreement and all other ancillary documents to facilitate the carrying out of the redevelopment of the Site.
 - b. Appropriate for planning purposes the Site under section 122 of the Local Government Act 1972 and to exercise the power (refer Section 4 of this report), if required, under Section 203 of the Housing and Planning Act 2016 ("Section 203") to facilitate the carrying out of the redevelopment of the Site.
 - c. Dispose of the Site to the appointed development partner under the terms of the Development Agreement.
 - d. Complete contemporaneously, with the Development Agreement, a grant funding agreement with the West of England Combined Authority.
- 3) Approve the uplift to the provisional Innovation Quay - Economic Development Funding Enabling Infrastructure budget to £30.8m to bring in

line with the additional grant funding WECA have provisionally allocated through the EDF and LGF funding programmes.

- 4) Fully approve Capital of £6.647m from the provisionally approved Bath Quays Delivery capital budget as set out in Section 3.3 of the report.
- 5) Fully approve Capital of £30.8m from the provisionally approved Innovation Quay - Economic Development Funding Enabling Infrastructure capital budget as set out in Section 3.3 of the report.

The meeting ended at 5.40 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

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Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cabinet	
MEETING/ DECISION DATE:	5 March 2019	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3132
TITLE:	Bath Clean Air Plan	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1: Response to CTE Panel requests Appendix 2: Financial assessment of the Outline Business Case Appendix 3: Equalities Impact Assessment [Revised March 2019] Appendix 4 Queen Square traffic management scheme: Appendix 5: Revised CAZ boundary plan Appendix 6: Consultation Response Report and associated appendices		

1 THE ISSUE

- 1.1 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 Bath and North East Somerset Council (B&NES). B&NES has monitored and endeavoured to address air quality in Bath, and the wider B&NES area, since 2002. Despite this, Bath has ongoing exceedances of the legal limits for Nitrogen Dioxide (NO₂) and these are predicted to continue until 2025 without intervention.
- 1.2 This report provides an update on the actions undertaken following the Cabinet meeting in December 2018 and sets out the decisions required to submit the final Outline Business Case (OBC) to Central Government containing the preferred final Clean Air Plan (CAP) to discharge the requirements within the Ministerial Direction served on the Council in July 2017.
- 1.3 A draft OBC was subject to public consultation on 16 October 2018 for a period of six weeks based on the preferred option of a charging Class D Clean Air Zone (CAZ) charging all vehicles. Since then work has been undertaken to process the outcome of the consultation and prepare a revised, final OBC for the delivery of the CAP. The revised OBC further assesses the shortlist of options set out in the

Strategic Outline Business Case (SOC), and proposes a revised package of measures, including a revised class of CAZ which will still bring about compliance in the shortest time possible in Bath. The final OBC also includes further details about how the scheme will be implemented and the revised funding bid to central government to ensure successful implementation of the CAP.

1.4 The consideration of options for a CAZ, comprises three main elements:

- The charging mechanism (class of zone);
- The boundary of the zone; and
- The details of the bid to be submitted to government to implement the zone, along with mitigation measures for those households and businesses that are expected to be disproportionately impacted by the scheme.

All of the above should be considered in light of:

- the public consultation outcomes and the further technical and financial modelling done;
- having due regard to the council's legal obligations in respect of air quality (AQ), public consultation, equalities and the Ministerial Direction; and
- the risks associated with each option.

2 RECOMMENDATION

The Cabinet is recommended to;

- 2.1 Consider and accept the revised OBC as the final plan as set out within the Ministerial Direction and to support this final plan to be submitted for approval.
- 2.2 Subject to confirmation of funding implement a charging Class C CAZ charging all vehicles except cars, along with targeted traffic management in Queen Square.
- 2.3 Subject to confirmation of funding implement an enhanced package of supporting measures as set out in paragraph 3.6, including grants and interest free loans for residents and businesses, in order to achieve sufficient improvements in air quality and public health.
- 2.4 Have due regard to the Equalities Impact Assessment and the community impacts of the decision being taken in line with the requirements under the Equalities Act 2010.
- 2.5 Note the recommendations from the CTE panel and the responses provided in Appendix 1.
- 2.6 Note the Consultation Report and Consultation Response Report (as published on <http://www.bathnes.gov.uk/bath-breathes-2021>) setting out the views of the respondents to the public consultation and analysis of these views.

- 2.7 Agree the concessions and exemptions as set out within the Proposed System Design Features and Payment Exemptions report (as published on <http://www.bathnes.gov.uk/bath-breathes-2021>).
- 2.8 Agree a charge of £9 per 24 hour period for non-compliant taxis (Hackney Carriages and Private Hire Vehicles) and LGVs/vans and £100 per 24 hour period for non-compliant coaches, buses and HGVs.
- 2.9 Agree a Penalty Charge Notice rate of £120 (plus the CAZ charge), which will be reduced by 50% to £60 (plus the CAZ charge) if paid within 14 days in line with the requirements of the appropriate legislation.
- 2.10 Note the revision to the zone boundary so that it now includes the Pulteney Estate area, and agree the revisions to the zone boundary so that it also now includes the Bathwick Estate and Sydney Place areas and the Oldfield Road junction with the A367 within the zone boundary.
- 2.11 Agree the proposed monitoring arrangements for AQ and traffic flows in Bathampton as specified in section 5.9 of the report.
- 2.12 Agree an amendment to the Council's Event Policy to restrict any event which will have a detrimental impact on AQ.
- 2.13 Agree that the decision to submit the Full Business Case (FBC) and make the Charging Order is delegated to the Chief Executive in consultation with the Council's s151 Officer, Monitoring Officer, Leader and Cabinet member for Development and Neighbourhoods.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 An economic assessment is required to be undertaken for any packages of measures that are likely to lead to compliance in the shortest time possible. The technical modelling has identified that either a charging Class C CAZ with traffic management or a charging Class D CAZ will achieve compliance by 2021.
- 3.2 As part of the project, an economic assessment has been undertaken in accordance with Joint Air Quality Unit (JAQU) guidance and the HM Treasury Green Book principles. The assessment shows that over the life of either scheme, the overall economic impact is forecast to be a change of approximately 0.17% of GVA (Gross Value Added) within B&NES.
- 3.3 Funding for the implementation of the preferred CAZ option is being sought from the Government's Implementation Fund which is designed to support local authorities in the planning and delivery of targeted action to improve AQ. Additional funding is also being sought from the Government's Clean Air Fund. This allows local authorities to implement additional measures designed to mitigate the negative impacts of introducing a CAZ by providing direct support to those impacted. This fund is a competitive bid process and focusses on the impacts described in the Distribution and Equalities Impact Analysis within the Outline Business Case (OBC). The Council is advised that funding will only be made available to schemes that achieve the critical success factors as set out within JAQU Guidance.

3.4 The mechanism of charging for driving through a CAZ is intended to act as a disincentive for driving non-compliant vehicles, and to therefore encourage the acquisition of compliant vehicles and a shift to more sustainable modes of travel such as walking, cycling and public transport.

3.5 It is a requirement of the Transport Act 2000 that a general plan outlining the use of the net proceeds from the CAZ for a period of 10 years and a detailed programme for the application of the net proceeds during the opening five year period is developed. This will be incorporated in the Charging Order at FBC stage.

3.6 Appendix 2 provides details of the financial assessment for the (OBC). This covers the total grant request and forecast revenue and both the capital and revenue expenditure for charging Class C and Class D schemes. There is also a breakdown of the following:

- a) the core scheme
- b) the supporting measures for households
- c) the supporting measures for business

It also sets out the surplus revenue reinvestment reserve from both schemes to be reinvested into sustainable transport policies. As set out in the attached Appendix the total grant funding request to government (both capital and revenue) is £43,500,463 for Class C and £40,256,062 for a Class D scheme.

Please note that all capital and revenue funding is subject to available grant funding and the scheme will need incorporating into the Councils capital programme once the grant is confirmed.

3.7 The difference in revenue between the two options is a direct result of cars being excluded from the Class C CAZ. With less non-compliant vehicle classes being subject to the charge, the potential revenue generated from the scheme reduces significantly. There is also a risk around the full realisation of the CAZ income as this is based on modelling assumptions. This risk will be mitigated in the first two years of operation through revenue grant funding.

3.8 With revenue grant funding from central Government, the CAP is forecast to generate a significant positive cash flow over the appraisal period of 10 years.

3.9 Any cash flow surplus associated with the scheme will be ring fenced for the following purposes, in order of priority:

- Creation of a Sinking Fund to safeguard ongoing and long-term operational expenditure, particularly in years 2029-2030 when the scheme is anticipated to face an operational deficit, as well as decommissioning;
- Creation of a Clean Air Revenue Re-Investment Reserve, where any residual revenue surplus will be used by B&NES to:
 - Support and extend the non-charging measures identified to supplement the Clean Air Plan;

- Support programmes and policies both in Bath and the wider Council area that are aligned with the aspirations of the Clean Air Plan (i.e. wider air quality and transport priorities including investment in public and school transport solutions);
- Mitigate any negative impacts on the Councils budget that arises from the implementation of the CAZ.

3.10 In contrast to the charging Class C CAZ scheme a charging Class D CAZ is forecast to generate extra revenue (as set out in Appendix 2) which would provide the authority with additional funds to support programmes and policies aligned with the aspirations of the Council in regard to sustainable transport solutions.

3.11 The Council will align, where possible, the infrastructure works associated with the CAZ implementation with other highway and transportation work programmes, to minimise disruption and ensure value for money.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 In 2010 the formal deadline passed for EU Member States to comply with legal limits for nitrogen dioxide concentration levels set under the Directive to protect human health. Where a breach of the limits takes place after the relevant deadline, air quality plans must be prepared to achieve compliance "in the shortest time possible". Eight years on from the deadline, the UK continues to breach legal limits.

4.2 The European Commission has referred the United Kingdom to the European Court of Justice (ECJ) for failing to respect agreed air quality limit values and for failing to take appropriate measures to keep exceedance periods as short as possible. This action has been taken as the Commission considers that the UK has not presented credible, effective and timely measures to reduce pollution, within the agreed limits and as soon as possible, as required under EU law. The Commission is understood to have decided to proceed with legal action.

4.3 The ECJ may impose both a periodic penalty payment and a lump sum on a Member State, and the Commission's current position is to seek both a penalty payment and a lump sum in every case it refers to the ECJ. It is too early to quantify the potential financial sanction with any accuracy, but it would be calculated taking into account:

- a) the importance of the rules breached and the impact of the infringement on general and particular interests,
- b) the period the EU law has not been applied,
- c) the country's ability to pay, ensuring that the fines have a deterrent effect.

4.4 Given the nature of the non-compliance, its duration and its impact on the wider population, the penalty could potentially be substantial. Whilst any financial penalty imposed by the ECJ would be imposed upon the UK government, Part 2 of the Localism Act 2011 empowers the government to require local authorities to make payments of amounts, as determined by the government, in respect of an EU financial sanction.

- 4.5 In effect, this allows UK central government to pass on all, or a proportion of, any fines imposed by the ECJ to local authorities in England which the government considers have contributed to the failings that have led to the above proceedings. As one of the local authorities involved, the Council could be at risk of having a large fine imposed on it by the UK government, depending upon the exact amount of the penalty imposed by the ECJ. This is an important risk to the Council. At present the impact of Brexit is unclear with regard to this process and the threat of fines.
- 4.6 Under the general power of competence per Section 1 of the Localism Act 2011, the Council has the power to enter into the arrangements set out in this report and are within the boundaries and limits of the general power of competence Section 2 and 4 of the Localism Act 2011.
- 4.7 It is not known how UK Government would exercise this power if at all, but it underscores the critical importance of the proposed measures to secure air quality compliance with UK and EU statutory NO₂ limits in the shortest time possible consistent with the constraints of the relevant legislation, its legal obligations and public law considerations. The obligation to address compliance within the shortest time possible imposes a particularly onerous burden upon the Council, but it does not mean that all other considerations are rendered worthless, for example it should continue to have regard to the consequences of the project which it would not be rational to disregard.
- 4.8 Under the Environment Act 1995, a Ministerial Direction was issued to Bath and North East Somerset Council and many other UK cities including Derby, Leeds, Nottingham and Southampton in July 2017. The Direction stipulates that Bath and North East Somerset shall prepare a final plan for a scheme to deliver compliance with legal limits by 31st December 2018 in line with the UK Air Quality Plan (AQP). The Council had a statutory duty to comply with this direction, however in light of the significant response to the public consultation the Cabinet agreed to take more time to effectively consider responses in line with the public law duty.
- 4.9 Failing to take action towards achieving compliance within the shortest possible time would leave the Council exposed to legal challenge, not only for a failure to comply with its statutory duty to comply with the Ministerial direction, but also its obligation under air quality legislation to achieve compliance with legal nitrogen dioxide limits in the shortest possible time.
- 4.10 The Client Earth No. 2 judgment gave a robust ruling on the interpretation of the obligations flowing from the Directive and, in particular, the requirement that air quality plans must be prepared to achieve compliance "in the shortest time possible". The ruling set out a three-part test for assessing air quality plans. This test requires that plans must:
1. Aim to achieve compliance as soon as possible;
 2. Choose a route to compliance which reduces human exposure as quickly as possible; and
 3. Ensure that compliance with the limit values is not just possible but likely.

The risk of challenge to the Council is increased in the context of the wide response to the consultation and the level of interest. The Council must be satisfied that it has undertaken:

- A fair, transparent and open consultation; and
- Whether the proposed decision is fundamentally different to that consulted upon in October/November 2018.

Evidence to support the Council's position includes:

- Key questions included in the public consultation, including the seeking of views on the CAZ boundary and size and the inclusion of an open ended question inviting alternative suggestions and proposals; and
- The consultation responses included feedback about the importance of getting the details of the CAZ right. There was a general theme of people wanting an overall less impactful scheme and concern on the level of charge. People recognised that there were only two exceedances within the technical assessment and challenged the Council on whether more could be done to achieve an alternative solution.

4.11 Achieving compliance with air quality standards across Bath will result in widespread public health improvements. Specific health impacts for nitrogen dioxide include:

- Long-term exposure to air pollution is linked to increases in premature death, associated with 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.
- Other adverse health effects including diabetes, cognitive decline and dementia, and effects on the unborn child are also linked to air pollution exposure.

4.12 The Council has a public sector equality duty to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people carrying out their activities. An Equalities Impact Assessment (EIA) was drafted in September 2018 so that the Council could fulfil this duty.

4.13 As the proposals for the CAZ have developed, the Equalities Impact Assessment has been updated to reflect any implications for communities that could be disproportionately affected by the introduction of a CAZ in Bath and North East Somerset (See Appendix 3).

4.14 An important part of developing the EIA since the SOC stage has been the public consultation in October/November 2018 in which the public were asked to provide their views and comments. A specific question was asked on the particular groups of people which could be affected (both positively and negatively) by the introduction of a CAZ. The responses to the public

consultation can be found in the Consultation Response Report (as published on <http://www.bathnes.gov.uk/bath-breathes-2021>).

- 4.15 The updated EIA considers the impacts of introducing either a charging Class C or Class D CAZ. Both schemes provide improvements to air quality that are likely to bring positive benefits to those people with the protected characteristic groups of age, disability and pregnancy and maternity, who may be vulnerable to the health effects of poor air quality. Under a charging Class C CAZ the number of negative benefits is reduced primarily because cars will not be charged to enter the CAZ area and this in turn reduces the financial impact on low income households, rural communities and residents living and working in the city.
- 4.16 The introduction of traffic management as part of the charging Class C CAZ is predicted to result in a small net decrease in air quality around the location of Whiteway Road/Rush Hill, an area which has a higher concentration of children. However, it is not anticipated that the national objective for nitrogen dioxide will be exceeded in this location, it will be monitored and corrective action taken if needed and in any event it is proposed to remove the traffic management scheme as soon as compliance has been achieved. Taken overall, a charging Class C CAZ provides a greater number of positive impacts for a wider group of people within the protected characteristic groups.
- 4.17 The EIA should be read in conjunction with the Distribution and Equalities Impact Analysis (as published on <http://www.bathnes.gov.uk/bath-breathes-2021>). It will continue to be updated as the FBC is progressed.
- 4.18 Bath is recognised as a regional shopping destination. It also has a strong visitor economy which is key to Bath as an international destination. The Council continues to work with partners to maintain and enhance the city centre as a retail, cultural, leisure and sporting destination. Examples of this include our work with the Bath Business Improvement District, Visit Bath, Bath Independent Business Group and the WECA funded 'Love our High Streets' initiative.
- 4.19 Transport is widely acknowledged as a key driver of air quality issues. It is estimated in B&NES that around 92% of all Nitrogen Oxide (NOx) emissions are attributable to road traffic. Consequently, the Bath CAP has been developed with an understanding of the wider transport, business and air quality strategies in B&NES and beyond, in order to accord with these policies (for example the Getting Around Bath Strategy and Joint Local Transport Plan) wherever possible. Whilst the objectives of the CAP overlap with other local and regional strategies, and its delivery could be beneficial to achieving the objectives within these strategies, the CAP has its own specific objectives (resulting from the legal direction on B&NES) and therefore does not seek to achieve all other local transport objectives.
- 4.20 Section 8 of the report sets out the level of consultation, communication and engagement which has been carried out on Bath's proposed Clean Air Plan. As well as the period of formal consultation on specific proposals for the Clean Air Zone, this included a high level of engagement on the full range of issues relating to clean air. Following on from decisions taken by Cabinet, the intention is to build on the engagement which has been undertaken through this process and to continue to communicate clearly and openly with local residents,

businesses and visitors. In addition, the learning from our consultation on the CAP – including the high level of interest and engagement – will be fed into future consultations.

4.21 Timeline and Next Steps –

Revised draft OBC submitted to JAQU setting out the preferred option following formal consultation	February 2019
Cabinet Meeting to decide on the preferred option	March 2019
Final OBC submitted to JAQU setting out the preferred option	March 2019
Letter of Direction from JAQU instructing the Council to develop the Full Business Case and implement the preferred option	March 2019
Final FBC to JAQU setting out the detailed commercial and contractual arrangements to implement the scheme	July 2019
CAZ commences operation	December 2020
Compliance with EU Limit Values	December 2021

As part of monitoring and evaluation of the proposed scheme, the latest traffic and AQ data will be monitored and regularly reviewed, to ensure that the predicted levels are in line with actual data. Data will be obtained from across Bath, with particular attention being given to areas such as Whiteway Road/Rush Hill and Bathampton. Regular reports will be provided to Cabinet and if appropriate the CAZ arrangements will be reviewed in line with Government guidance.

5 THE REPORT

- 5.1 An initial option identification and selection process was undertaken in the Strategic Outline Case (SOC) in April 2018 which identified a shortlist of packages including both charging and non-charging measures. The shortlist was developed by assessing each of the potential options against a list of Critical Success Factors (CSFs), which were defined in accordance with the JAQU guidance. The Primary Critical Success Factor is to deliver a scheme which delivers compliance with NO₂ air quality Limit Values and Air Quality Objectives in the shortest possible timescales. In addition, there are secondary CSF's which include mitigating financial impacts and maximising health improvement for low income groups, improving general public health and ensuring public acceptability of the scheme.
- 5.2 After applying these CSF's a short-list of options were provided in the SOC which were subject to public engagement from April 2018. These were:

- **Small charging Class B CAZ** with complementary non-charging measures (including walking/cycling priority schemes, cycle parking, public transport route improvements, increased use of variable message signs, targeted traffic management, some concessions and promotion of low emission vehicles).
- **Small charging Class C CAZ** with complementary non-charging measures (as listed above).
- **Small charging Class D CAZ** with complementary non-charging measures (as listed above, plus expanded Go Ultra Low packages, car sharing priority parking, car club expansion)

5.3 These options were subject to further technical modelling and assessment which concluded that only a charging Class D CAZ would be sufficient to achieve compliance by 2021. Therefore the charging Class B and Class C CAZ options were not taken forward for further analysis at that time, in accordance with the CAZ Framework requirement that non-compliant schemes were not developed further.

5.4 A formal, 6 week public consultation period was held in October/November 2018 based on the option of a charging Class D CAZ. Further details of the results of this consultation are set out in section 8 of this report.

5.5 In parallel with the public consultation further refinements to the baseline air quality modelling improved how gradients were represented. Subsequently a revised assessment of a charging C Class CAZ would now result in a single exceedance at Gay St, caused by localised traffic issues. Full details on how this outcome was derived are published within the Options Appraisal Report (as published on <http://www.bathnes.gov.uk/bath-breathes-2021>).

5.6 As a result of this change, a new option comprising a charging Class C CAZ combined with a traffic management scheme at Queen Square was developed and found to achieve the required compliance by 2021. Due to the ongoing improvements in fleet composition, the traffic management scheme would only need to be in place until such time as compliance (or other strategic objectives) is achieved. This was made possible by adapting a traffic management scheme that was already in development and could be delivered in the time available. Technical modelling has shown a charging Class C CAZ without the proposed traffic management scheme will not achieve compliance.

5.7 The traffic management scheme proposed features new traffic lights at the junctions with the A367 Chapel Row/Princes Street, and at Queen Square Place. Where possible the scheme would provide enhanced public space and new traffic light crossings. Appendix 4 shows an indicative layout of the proposed scheme.

5.8 Feedback from engagement on the SOC and the public consultation on the draft OBC resulted in a number of changes to the original boundary for the following reasons:

- The need to reduce the potential impact of ‘rat-running’;

- The need to provide safe opportunities for vehicles to turn-around before they enter the CAZ area;
- The need to rationalise the boundary in order to minimise the impact of additional street clutter (primarily signage and cameras); and
- Where alterations could be accommodated to improve the acceptability of the measures proposed to the communities that will be affected by the implementation of a new CAZ scheme.

5.9 These proposed changes are confirmed as:

- The inclusion of Pulteney Estates Residents Association area (including St Johns Road Residents Association) in recognition of the impact of vehicles changing behaviours to gain access to city centre locations;
- The inclusion of Bathwick Estates Residents Association area and Sydney Gardens Residents Association area in recognition of the strong community support to be within the CAZ area, although inclusion is not technically necessary to achieve compliance; and
- The inclusion of the area around the junction of Oldfield Road and the A367 in recognition of submitted concerns from the local community and Cabinet Member for Transport and Environment around potential 'rat running'.

Appendix 5 shows the proposed revised boundary. It should be noted that all of the proposed boundary changes listed above are likely to have less impacts under a charging Class C CAZ scheme as cars would be exempt. The boundary changes are set out in full in the Clean Air Zone Boundary Updates report (as published on <http://www.bathnes.gov.uk/bath-breathes-2021>).

5.10 Residents of Bathampton submitted strong representations to be included within the CAZ boundary. However, the modelling indicates that this is not technically necessary and to include Bathampton would require the formation of a separate 'sub-zone' which would have a significant economic and community impact. Therefore, it is proposed to agree an action plan to implement permanent Automatic Number Plate Recognition (ANPR) and AQ monitoring equipment to assess changes in the area and to understand any impacts from the baseline data.

5.11 Due to the growth in events and in particular those which might be in direct conflict with the Clean Air Zone proposals, it is recommended that the Events Policy should be amended to restrict any event which is deemed detrimental to the Council's ambitions to achieve its Air Quality objectives. The Council's Events Policy was agreed by Cabinet in 2011, with further revisions in March 2015 and November 2017.

6 RATIONALE

6.1 The Council has received formal instruction from the Government to achieve compliance with the legal limit in the shortest time possible, in accordance with the High Court Order in November 2016. Therefore, an

intervention is required to alleviate air quality issues that contribute to significant public health and environmental problems within Bath. The Council is considering implementation of a CAZ, including both charging and non-charging measures, in order to achieve the required improvement in air quality and public health.

- 6.2 Such a scheme represents the best intervention mechanism for achieving compliance, because it will directly facilitate changes in travel patterns and travel behaviour, thus reducing the influence of the primary cause of air quality problems - highway traffic. The rationale for a CAZ-led intervention is predicated on the ability of a CAZ scheme to quickly reduce the contribution of highway traffic to air quality pollution, consequently leading to reduced air quality pollution and compliance with National and European exceedance limits for NO₂.
- 6.3 The possibility of choosing a charging Class C CAZ scheme with traffic management measures which delivers compliance means that impacts on low income households, local residents and businesses are minimised as private car owners would not be charged to enter the CAZ area.
- 6.4 A charging Class C CAZ scheme can also help to minimise the impacts on economic growth and development in Bath, thus helping to accelerate the transition to a low emission economy and creating a healthy place to live, visit and work.

7 OTHER OPTIONS CONSIDERED

- 7.1 Do nothing and fail to achieve compliance with the Ministerial Direction. This was rejected due to the legal requirements set out in Section 4 of this report.
- 7.2 The preferred option put forward prior to consultation was a charging Class D CAZ. This option achieves compliance but has been rejected as the preferred option of a charging Class C CAZ provides a greater number of positive impacts for a wider group of people within the protected characteristic groups.
- 7.3 A further option was also assessed comprising an alternative charging Class D CAZ, with the same traffic management measures as the charging Class C CAZ option, and offering a concession to Euro 4 and 5 standard diesel cars. This option would also achieve compliance but has been rejected due to relatively lower impact of a charging Class C CAZ.

8 CONSULTATION

- 8.1 As set out within the report, failing to fully understand the outcomes from the public consultation when making a significant decision which could affect the travel choices of a large number of people within Bath & North East Somerset and across the wider area, would leave the Authority at risk of legal challenge.
- 8.2 The principles adopted to ensure fair consultation are detailed below:
- (i) consultation must take place when the proposal is still at a formative stage;

- (ii) sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response;
- (iii) adequate time must be given for consideration and response; and
- (iv) the product of consultation must be conscientiously taken into account.

8.3 Engagement has been a critical part of the development of the proposals to improve AQ in Bath. The Council has a legal duty to consult, engage and consider the equality impacts of the proposals taken forward. It has made a commitment to communicate with both the public and stakeholders throughout the various stages, whilst both developing the plan and once agreed, the implementation of the measures to reduce nitrogen dioxide emissions.

8.4 The engagement process began in February 2018 and is ongoing. A wide range of engagement activities have been carried out at both SOC stage and as part of the development of the proposed OBC. The Council recognises that the proposals put forward will directly or indirectly affect a wide range of people, groups and organisations and the feedback received at key stages has helped to shape the final OBC.

8.5 A 6 week formal public consultation period was held between 16th October and 26th November 2018. A total of 8,421 responses were received, 7,854 from members of the public and 567 from those who represent businesses or organisations.

8.6 The outcomes of this formal public consultation are contained in the Consultation Report and Consultation Response Report (as published on <http://www.bathnes.gov.uk/bath-breathes-2021>). The Consultation Response Report is attached to this report for reference in Appendix 6.

8.7 During the consultation period a range of meetings were held; drop in sessions, 1:1 surgery sessions, Area Forums, resident's meetings and business and organisational meetings totalling 59 separate events attended by in excess of 700 people to help inform members of the public before they completed the questionnaire. These were vital in understanding the issues that were important to individuals and groups and to help develop the final proposals.

8.8 Specific sessions have been held with groups and representatives from hard to reach sectors to help develop the Equalities Impact Assessment for the implementation of the proposed CAZ. These include Age UK, BEMSCA (Black and Ethnic Minorities Senior Citizen Association), Off the Record charity, 3SG (a group for 3rd sector organisations in B&NES), Bath Christian Action Network and Bath Food Bank. Additional work will be undertaken for the duration of the project to ensure that any disbenefits for specific groups are assessed as appropriate to ensure that the Council's legal duties under the Equality Act 2010 are fulfilled.

9 RISK MANAGEMENT

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance. Specific information can be found in the [add] (as published on <http://www.bathnes.gov.uk/bath-breathes-2021>).
- 9.2 The delivery and success of the Plan is linked to a range of national, sub-regional and local stakeholders and statutory bodies, whose activities, programmes and policies could have significant implications on the transport and air quality context in B&NES.
- 9.3 The s.151 officer has been involved in the formation of the financial case of the OBC and has signed this report off for publication.

Contact person	<i>Chris Major, Group Manager- Transport and Parking 01225 394231</i>
Background papers	<ul style="list-style-type: none"> • Cabinet paper of 18 December 2018 https://democracy.bathnes.gov.uk/documents/g4661/Public%20reports%20pack%2018th-Dec-2018%2010.00%20Cabinet.pdf?T=10 • Letters from the Department for Environment, Food & Rural Affairs to Bath & North East Somerset Council dated 20 December 2018, 15 January 2019 and 6 February 2019 • Documents published on the council website - Full OBC papers including Consultation Report, Equalities Impact Assessment http://www.bathnes.gov.uk/bath-breathes-2021-overview
Please contact the report author if you need to access this report in an alternative format	

Response to the Community, Transport and Environment Panel recommendations (29 October 2018)

“To Members of the Cabinet

The Communities, Transport and Environment PDS Panel considered the ‘Clean Air Zone’ item at their meeting on 29th October 2018. They received a presentation from officers and had a long and detailed discussion. Please see below their recommendations to the Cabinet for your meeting on 18th December. The Chair of the CTE Panel Councillor John Bull will address you at this meeting to report the recommendations below.

Extract from the draft minutes of Communities, Transport and Environment PDS Panel held on 29th October 2018

It was RESOLVED that:

The Panel welcomed the opportunity to comment on the Clean Air Zone (CAZ) Outline Business case (OBC) and thanked officers for their work on this difficult project. However the Panel considered that insufficient action had been taken in a number of areas to mitigate the impact of the CAZ. The Panel therefore calls on the Cabinet to:

- 1. Publish more clearly the evidence and reasoning to justify the selection of a Class D CAZ over a Class C CAZ as this currently is not well expressed in the OBC.**

Response:

We recognise this point. Therefore the revised, published Outline Business Case further develops the rationale behind the choice of Clean Air Zone scheme and the class of vehicles affected by the restrictions. The revised Outline Business Case, and in particular the revised Options Appraisal Report, now fully make the case for the preferred option and the reasons why this option was progressed. This has also been further developed and refined following input from independent experts in the Joint Air Quality Unit and its Technical Review Panel.

- 2. Prepare detailed proposals to prevent and mitigate traffic displacement around the CAZ alongside the OBC to ensure that local communities are not adversely affected by rat-running.**

Response:

The revised Outline Business Case fully considers the feedback from the public consultation and engagement events to propose a revised boundary which identifies and resolves a number of the specific issues raised. The changes within the class of the CAZ proposed as the preferred option also significantly reduces the volume of traffic that may try to “rat-run”. The monitoring and evaluation plan gives details on how the traffic and air quality monitoring will be benchmarked and monitoring undertaken to ensure that we have data on which to make future changes to the city to resolve issues if they arise.

Response to the Community, Transport and Environment Panel recommendations (29 October 2018)

- 3. Develop in greater detail the proposed financial assistance scheme for residents and businesses owning non-compliant vehicles requiring replacement, to provide greater clarity on who will benefit from such a scheme.**

Response:

The financial schemes have been further developed in light of the engagement and consultation processes to ensure that they are in line with the expectations of the residents and businesses who will be affected and are published as part of the Outline Business Case. It should be noted however that the details and value are still subject to confirmation from Central Government and cannot be confirmed until the bid is accepted.

- 4. In respect of 3. above, ensure that bids to DEFRA are sufficient to fully fund the scheme.**

Response:

The request from Central Government is to fully fund the financial schemes. However, as noted above, this is still subject to agreement.

- 5. Ensure that proposals are developed alongside the CAZ that ensure that the B&NES public bus network is able to provide a viable alternative to urban and rural residents seeking to minimise their use of private vehicles. The Panel also calls on the Cabinet to ensure that the WECA Mayor fully supports this request and allocates funds to support it.**

Response:

Although the preferred option does not directly affect private car drivers, funding is being requested to further enhance our Park & Ride provision to support those residents seeking to minimise their use of private vehicles in the Clean Air Zone. In addition, supporting bus services to encourage modal shift is included within the list as part of the revenue reinvestment fund. This fund will be allocated by the steering group to the priorities as agreed.

WECA has provided funding of £600k over 2 years to help support subsidised bus routes.

- 6. Raise concern with DEFRA that its proposed deduction of 10% from the CAZ charges will reduce the Council's ability to fund sustainable transport initiatives to maintain the CAZ benefits long term and that this proposal should be withdrawn."**

Response:

The concerns regarding the development programme and costs of the centralised payment system continue to be raised with Central Government. At this time confirmation has still not been received on the final 'transaction fee' to be charged so allowance has been made within the financial planning to cover the worst case scenario. It should be noted that there

Response to the Community, Transport and Environment Panel recommendations (29 October 2018)

is a cost to develop the system which Government are simply intending to recover via, in effect, a 'transaction fee'. As such there is no proposed 'clawback' and any reduction to the 'transaction fee' will increase the surplus available to reinvest into the revenue reinvestment fund.

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	Class C CAZ		Class D CAZ	
	CAPEX	OPEX	CAPEX	OPEX
Income				
Requested capital grant from government	£ 23,848,480		£ 21,853,478	
Requested revenue grant from government		£ 19,156,983		£ -
Forecast revenue from the scheme		£ 18,402,582		£ 55,026,496
Total income	£ 23,848,480	£ 37,559,565	£ 21,853,478	£ 55,026,496
Expenditure				
Core scheme				
ANPR cameras and associated signage, communications infrastructure, etc.	£ 3,627,278		£ 3,627,278	
Retrofitting of older buses	£ 4,659,375	£ 65,639	£ 4,659,375	£ 65,638
Queen Square traffic management scheme - public realm enhancements	£ 1,323,000			
Queen Square traffic management scheme - core scheme	£ 672,000	£ 105,000		
Review and update of resident's parking zones	£ 288,750	£ 155,590	£ 288,750	£ 155,589
Improved variable message signage	£ 168,000		£ 168,000	
Improved P&R signage	£ 22,050		£ 22,050	
Weight restriction enforcement	£ 10,500	£ 397,420	£ 10,500	£ 397,415
Anti-idling enforcement	£ 10,500	£ 276,329	£ 10,500	£ 276,329
Operations		£ 4,510,658		£ 9,019,356
Power, communications and maintenance		£ 1,362,280		£ 1,362,270
Travel advisors, including non-financial support for E4/5 diesel car owners		£ 559,644		£ 559,642
Supporting measures management		£ 437,590		£ 437,588
Supporting measures for households				
Financial (grant) support for pre-E4 car owners to upgrade to compliant vehicles		£ 6,661,824		£ 6,661,822
Additional and improved EV charging points, including the development of an on-street charging policy	£ 4,383,750		£ 4,383,750	
Free park and ride concession, prioritised for non compliant vehicles & to encourage increased usage in the morning peak period	£ 2,415,000		£ 2,415,000	
Extended opening hours at the park and ride sites, including secure overnight parking	£ 1,144,500	£ 1,575,000	£ 1,144,500	£ 1,575,000
Improvements to walking and cycling routes	£ 1,007,484		£ 1,007,483	
Additional and improved cycle parking, including secure cycle parking/electric cycle charging	£ 578,340	£ 204,750	£ 578,340	£ 204,750
Walk/scoot/cycle-to-school initiative, including no driving zones by schools	£ 186,533	£ 31,500	£ 186,533	£ 31,500
Traffic signal control optimisation to prioritise public transport	£ 210,000		£ 210,000	
Mobility as a Service (MaaS) pilot	£ 745,920	£ 5,250	£ 745,920	£ 5,250
Supporting measures for businesses				
Financial (interest free loan) support for pre-E6 commercial vehicle owners to upgrade to compliant vehicles	£ -	£ 5,457,482	£ -	£ 5,457,479
Delivery and servicing plans for businesses	£ 535,500	£ 155,590	£ 535,500	£ 155,589
Other, including ongoing monitoring and evaluation		£ 2,009,628		£ 2,325,115
Council overheads		£ 861,263		£ 1,060,216
Risk allowances	£ 1,860,000	£ 1,211,000	£ 1,860,000	£ 1,211,000
Total expenditure	£ 23,848,480	£ 26,043,437	£ 21,853,479	£ 30,961,546
Surplus/(deficit)	£ -	£ 11,516,128	£ (1)	£ 24,064,950
Notes				
The grant and interest free loan schemes also include a provision for travel advisors				
The grant scheme also includes a provision for a Mobility as a Service pilot				
The value for the loan scheme ignores the capital to be provided via prudential or other third party borrowing				

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Equality Impact Assessment / Equality Analysis

Title of service or policy	Introduction of a Clean Air Zone in Bath and North East Somerset
Team	Development and Public Protection
Officer leading the completion of the EqlA	Cathryn Brown, Team Manager
Date of assessment	March 2019

The Public Sector Equality Duty (Section 149 of the Equality Act 2010) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people carrying out their activities.

Equality Impact Assessment (or 'Equality Analysis') is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The primary concern is to identify any discriminatory or negative consequences for a particular group or sector of the community and help the Council to better understand the potential impact of any proposals and consider mitigating actions. Equality Impact Assessments (EqIAs) can be carried out in relation to service delivery as well as employment policies and strategies.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EqIA) or Equality Analysis on a policy, service or function. It is intended that this is used as a working document throughout the process, with a final version including the action plan section being published on the Council's and NHS Bath and North East Somerset's websites.

This document has been updated following the public consultation on proposals for a Clean Air Zone in Bath in October and November 2018, and will remain an evolving document to ensure that all equality issues are properly considered.

Further information on the proposals can be found at <http://www.bathnes.gov.uk/bath-breathes-2021>.

1.	The aims of the policy or service
1.1	<p>Background</p> <ul style="list-style-type: none"> • Poor air quality is recognised as a major public health issue in Bath and North East Somerset and is identified as a corporate priority by the Council. • In the report 'Every breath we take' published by the Royal College of Physicians and the Royal College of Paediatrics and Child Health in 2016, it states that some people will suffer more from air pollution because they live in deprived areas which often have higher levels of air pollution, they live, learn or work near busy roads or they may be more vulnerable because of pre-existing medical conditions. • Nitrogen dioxide and particulate matter are the pollutants which are identified as presenting the highest risk and these are monitored throughout the authority. Exposure to high levels of NO₂ can make existing heart and lung conditions such as asthma worse; particulates are now known to contribute to heart disease and lung cancer (Air Quality - a briefing for Directors of Public Health, DEFRA, 2017) • As a pollutant, nitrogen dioxide has been assigned a national air quality objective, requiring compliance by the Council to reduce levels below the objective limit. The main source of nitrogen dioxide is from vehicle emissions, with diesel vehicles being the major contributing source of pollution.

	<ul style="list-style-type: none"> The Council is responsible for monitoring and achieving compliance under Part IV of the Environment Act 1995. In 2002 Bath city centre and the main roads leading into it, was declared as an Air Quality Management Area. An Air Quality Action Plan was developed and has been reviewed several times, the latest being in 2017. The opportunity was taken to feed comments from this review into the consultation and engagement for the National Air Quality Plan. The updated Action Plan will be published following the completion of the project to achieve compliance with the National Air Quality Plan.
1.2	<i>Briefly describe purpose of the service/policy including: how the service/policy is delivered and by whom; if responsibility for its implementation is shared with other departments or organisations and intended outcomes</i>
1.3	<ul style="list-style-type: none"> The implementation of this policy must be delivered through engagement with communities within B&NES. This will be completed by teams across the Council, with support from external organisations such as the Joint Air Quality Unit, Highways England and transport operators. The intended outcome of this policy is to achieve compliance with the Ministerial Direction served on the Council by DEFRA and DfT (known as the Joint Air Quality Unit). This Direction is served under the Environment Act 1995 (Feasibility for Nitrogen Dioxide Compliance) Air Quality Direction 2017.
1.4	<i>Provide brief details of the scope of the policy or service being reviewed, for example: is it a new service/policy or review of an existing one? Is it a national requirement? How much room for review is there?</i>
1.5	<ul style="list-style-type: none"> This is the introduction of a new policy which is required following the service of a Ministerial Direction referred to in 1.2 above. The Council is one of a number of local authorities served with such a Direction, as part of the National Air Quality Plan, to deliver compliance with the national air quality objective for nitrogen dioxide in the shortest time possible and by 2021 at the latest. Technical assessment and modelling carried out to date, confirms that in order to achieve the required reduction in concentrations, a Clean Air Zone (CAZ) is required where drivers of certain higher emission vehicles will be charged for entering a defined geographical zone in the city. In addition to this charging measure, a suite of non-charging measures are being proposed to support the necessary behaviour change from the public and businesses. The Council is also considering possible exemptions and concessions to mitigate any negative impacts for particular groups which maybe created by the introduction of a CAZ. The Strategic Outline Business Case (SOBC) established that, only a charging Class D CAZ would achieve compliance by 2021. This was subject to public consultation in 2018. Following further review, assessment showed that a charging Class

	<p>C resulted in a single exceedance at Gay St caused by localised traffic issues. As such, traffic management measures at this location were investigated and a feasible scheme developed. When assessed, a second option comprising a charging Class C CAZ with a traffic management scheme in place at Queen Square, was found to achieve the required compliance by 2021.</p> <ul style="list-style-type: none"> The Ministerial Direction requires the Council to identify a preferred option that will deliver the necessary compliance in the shortest time possible. The Council's Cabinet will decide the preferred option in March 2019 and assuming one of the above options is chosen, a charging CAZ will be formally introduced by a Charging Order later in 2019.
1.6	<i>Do the aims of this policy link to or conflict with any other policies of the Council?</i>
1.7	<p>This policy has links at both the sub-regional and local level:</p> <p>Sub-regional:</p> <ul style="list-style-type: none"> The West of England LEP's Strategic Economic Plan (2015-30), which establishes the economic vision for the sub-region. The West of England Joint Local Transport Plan (2011-26), which sets out the transport priorities for the sub-region. The West of England Joint Spatial Plan (JSP), which identifies the economic development and growth projections for the sub-region. The West of England Joint Transport Strategy (JTS), which provides a clear direction for the long-term development of the transport system in the West of England to 2036 and beyond. <p>Local:</p> <ul style="list-style-type: none"> B&NES Placemaking Plan (PMP), which aims to guide development up until 2029 and ensure that any developments within this timeframe are high quality, sustainable, well located and supported by appropriate infrastructure. B&NES Getting Around Bath (GAB) Transport Strategy, which aims to 'enhance Bath's unique status by adopting measures that promote sustainable transport and reduce the intrusion of vehicles, particularly in the historic core. This will enable more economic activity and growth, while enhancing its special character and environment and improving the quality of life for local people'. The B&NES Parking Strategy, which sets out the need to reduce the intrusion of vehicles into urban centres, reflecting concerns surrounding the impact of high numbers of vehicle movements on air quality. The B&NES Public Realm and Movement Strategy for Bath City Centre 'is designed to give pedestrians, cyclists and public transport vehicles priority over cars, and deliver a network of beautiful, refashioned streets and public spaces'.

- Our Customer Services Transformation programme could result in less face to face interaction with customers at our One Stop Shops as we encourage those who are able to access information and services online.

2. Consideration of available data, research and information

Key questions		Data, research and information that you can refer to
2.1	What is the equality profile of the team delivering the service/policy?	The size of the Environmental Monitoring Team is too small to provide any meaningful equality profile information.
2.2	What equality training have team members received?	Team members in Environmental Monitoring have received equalities training and are regularly updated on equalities issues.
2.3	What is the equality profile of service users?	Information about the equalities profile of people in Bath and North East Somerset can be found at http://www.bathnes.gov.uk/services/your-council-and-democracy/local-research-and-statistics/census-and-population
2.4	What other data do you have?	As part of the Outline Business Case (OBC) for the CAZ, a Distribution and Equality Impact Analysis has been carried out. This provides more detailed information on the groups which could be impacted by the introduction of a charging CAZ and is appended to the OBC. This has been updated to reflect the option of a charging Class C CAZ.
2.5	What engagement or consultation has been undertaken?	The Council has been engaging with the public since April 2018 on the introduction of a CAZ in Bath and a summary of the outcomes of this work can be found in the Engagement and Consultation reports which are appended to the draft Outline Business Case. This has been updated to reflect the option of a charging Class C CAZ.
2.6	If you are planning to undertake any consultation in the future regarding	<ul style="list-style-type: none"> • A formal period of public consultation took place in October/November 2018. Following the initial equalities screening, contacts have been made with specific organisations to better understand both the positive and negative impacts of introducing a charging CAZ and these were explored further during the consultation period.

	<p>this service or policy, how will you include equalities considerations within this?</p>	<ul style="list-style-type: none"> • Such organisations include Age UK, BEMSCA (Bath Ethnic Minority Senior Citizen Association), 3SG (a membership network for third sector organisations in B&NES), head teacher forums and religious groups (this is not intended to be an exhaustive list). • Consultation documents were accessible via the Council's website, One Stop Shops and libraries. During the consultation 300 paper surveys were completed and over 8000 surveys were completed on line. The survey developed for the public consultation contained a specific question, designed to capture concerns and comments from everyone by having an open text box/available space for comments. The formal report on the public consultation is appended to the OBC. • Communication regarding any decision and implementation process relating to the charging CAZ, will be designed to meet the communication needs of our diverse community (i.e. we will use a variety of methods to make sure that everyone is kept informed and make information available in different formats).
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3	Assessment of impact: <i>Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy meets any particular needs of equalities groups or helps promote equality in some way. Could have a negative or adverse impact for any of the equalities groups</i>
3.1	An initial screening process for each of the protected characteristics was carried out and has been updated following the public consultation in 2018. A separate equality impact assessment will be developed for the proposed traffic management measures in Queen Square if a charging Class C CAZ scheme is chosen.
3.2	Potential positive impacts:
3.3	<p>Although air pollution can be harmful to everyone, some people are more affected than others because they are exposed to higher levels of air pollution in their day to day lives, live in a polluted area, or are more susceptible to health problems caused by air pollution. The most vulnerable people face all of these disadvantages. Overall, the introduction of a charging Class D CAZ, which brings about compliance with legal levels for nitrogen dioxide, will have positive health benefits for all and in particular for those people in the following protected characteristic groups:</p> <ul style="list-style-type: none"> • Age • Disability • Pregnancy and Maternity <p>The introduction of a charging Class C CAZ will also bring similar benefits. There is a location in Whiteway, Bath where small increases in traffic flow, due to the additional traffic management measures in Queen Square, will result in a small net decrease in air quality for this area, where there is a higher concentration of children. However, irrespective of this, it is not anticipated that the national objective for nitrogen dioxide will be exceeded in this location.</p> <p>Other positive impacts are likely to include small scale public transport accessibility benefits due to a reduction in traffic volumes within the CAZ area and impacts of the supporting abatement measures, particularly for the charging CAZ C option. These benefits are likely to be concentrated on existing bus users who are typically more likely to be from lower income groups, older people, and households without a car than the background population. Park & Ride measures are likely to benefit existing park & ride users, and may also attract new users. Existing park & ride users are more likely to be women, aged over 60, and from middle income groups.</p>

3.4	Potential negative impacts:
3.5	<p>The analysis demonstrates that some groups of people could be adversely affected by the Council's proposal to implement a charging Class D CAZ.</p> <p>In particular, there could be negative impacts relating to accessibility and affordability for the following protected characteristic groups and specific groups identified with the context of B&NES:</p> <ul style="list-style-type: none"> • Gender • Pregnancy and maternity • Age • Disability • Race • Religion • Rural communities • Socio-economically disadvantaged • Residents living both inside and outside of the proposed CAZ • Businesses <p>For a charging Class C CAZ, the following groups could be negatively impacted for reasons of accessibility and affordability:</p> <ul style="list-style-type: none"> • Age • Disability • Race • Residents living outside of the proposed CAZ • Businesses

4	<i>Gender – identify the impact/potential impact of the policy on women and men.</i>
4.1	<i>Details of the impact</i>
4.2	<ul style="list-style-type: none"> • Data from the 2011 Census suggests that 57% of people residing in households without access to a car in B&NES are female and females form 51% of the B&NES population. The Distribution and Equality Impact Analysis demonstrates that women are disproportionately located on the periphery of the CAZ area. • Therefore, it is possible that women are more likely to lack access to a car relative to their male counterparts and maybe more reliant on public transport to access locations within the CAZ. • Any change in accessibility associated with the introduction of a charging Class D CAZ could impact on connectivity for women. • There is no evidence to show that there would be a negative impact on gender for the introduction of a charging Class C CAZ.
4.3	<i>What steps have been or could be taken to address the impacts?</i>
4.4	<p>Ongoing consultation with the Council's Independent Equality Advisory Group (this is the Council's forum for equality issues).</p> <p>Relevant mitigation measures funded from the Clean Air Fund which would be eligible under a charging Class D CAZ:</p> <ul style="list-style-type: none"> • Provision of additional cycle parking across the city centre in visible locations and pilot a management scheme to improve proper usage of cycle parking • Provision of 24hr secure parking (including CCTV) at all three P&R sites to encourage overnight use and facilitate extended operating hours • Provision of a free park and ride concession which will benefit existing users as well as attracting new users. Existing park & ride users are more likely to be women, aged over 60, and from middle income groups. • Financial support for replacing uncompliant vehicles with compliant ones and electric charging points on private land <p>Relevant local exemptions:</p> <p>In addition to national exemptions, the following vehicles will be granted a local exemption providing they are registered under the relevant tax class on the day they enter the CAZ:</p> <ul style="list-style-type: none"> • Gas (LPG/CNG) or hybrid electric vehicles in the Alternative Fuel Car Vehicle tax class

- Vehicle in the Motorcycle tax class not already exempt under the CAZ Framework.

Relevant local concessions:

Concessions are under consideration for the following vehicle types until 01/01/2023:

CAZ C and D:

Euro 4/5 diesel registered community transport providers - to maintain access for communities to schools, medical and community centres and religious establishments.

5	<i>Pregnancy and maternity</i>
5.1	<i>Details of the impact</i>
5.2	<ul style="list-style-type: none"> Emerging evidence suggests that air pollution can affect the growth of the unborn baby and may be linked to premature birth (<i>Impact of London's road traffic air and noise pollution on birth weight: retrospective population based cohort study, British Medical Journal 2017.</i>) (RCPCH and RCP Report Every Breath We Take). Therefore the reduction in nitrogen dioxide levels brought about by compliance with the Ministerial Direction should have a positive impact on people within this protective characteristic group. Under a charging Class D CAZ, it is possible that some people may experience problems in accessing medical appointments, toddler groups or other support networks for parents, particularly if they travel by car. These impacts could also be experienced under a charging Class C CAZ because of impacts on community transport providers.
5.3	<i>What steps have been or could be taken to address the impacts?</i>
5.4	<p>Ongoing consultation with the Council's Independent Equality Advisory Group (this is the Council's forum for equality issues).</p> <p>Relevant mitigation measures funded from the Clean Air Fund which would be eligible under a charging Class D scheme :</p> <ul style="list-style-type: none"> Provision of 24hr secure parking (including CCTV) at all three P&R sites to encourage overnight use and facilitate extended operating hours Provision of a free park and ride concession which will benefit existing users as well as attracting new users. Existing park & ride users are more likely to be women, aged over 60, and from middle income groups. Financial support for replacing uncompliant vehicles with compliant ones and electric charging points on private land <p>Relevant local exemptions:</p> <p>In addition to national exemptions, the following vehicles will be granted a local exemption providing they are registered under the relevant tax class on the day they enter the CAZ:</p> <ul style="list-style-type: none"> Gas (LPG/CNG) or hybrid electric vehicles in the Alternative Fuel Car Vehicle tax class

Relevant local concessions:

Concessions are under consideration for the following vehicle types until 01/01/2023:

CAZ C and D:

- Euro 4/5 diesel registered community transport providers - to maintain access for communities to schools, medical and community centres and religious establishments.

CAZ D Only:

- Euro 4/5 vehicles registered to healthcare providers - would provide benefits particularly to those who are pregnant, ill and/or disabled, who will have continued access to their healthcare providers.

6	Disability															
6.1	Details of the impact															
6.2	<p>Some disabled people have chronic conditions which can be made worse by air pollution:</p> <table><tr><td>Disease</td><td>No. of people</td><td>Proportion of B&NES population</td></tr><tr><td>Chronic heart disease</td><td>5737</td><td>2.8%</td></tr><tr><td>Stroke/TIA*</td><td>3656</td><td>1.8%</td></tr><tr><td>Asthma</td><td>12912</td><td>6.2%</td></tr><tr><td>COPD**</td><td>2939</td><td>1.4%</td></tr></table> <p>Source: QOF indicators 2017/2018 available from: https://digital.nhs.uk/data-and-information/publications/statistical/quality-and-outcomes-framework-achievement-prevalence-and-exceptions-data/2017-18 *transient ischemic attack, ** Chronic Obstructive Pulmonary Disease</p> <p>Therefore, improvements in air quality will benefit this group.</p> <ul style="list-style-type: none">• Disabled people are likely to have concerns over access to a range of key amenities (e.g. health facilities), so any change in accessibility could hinder their ability to reach such facilities.• The Distribution and Equality Impact Analysis indicates that areas with higher proportions of disabled people will benefit from decreased motor traffic flows under a charging Class D CAZ.• The Distribution and Equality Impact Analysis also indicates that communities with a high disability ratio are located throughout the CAZ area and are particularly concentrated in central Bath and on the western periphery. Therefore, the disabled population in central Bath may suffer from reduced accessibility with the implementation of either of the proposed CAZ schemes, due to more limited choices on modes of compliant transport.• In the charging Class C CAZ, larger increases in motor traffic flows will occur in areas with higher than average concentrations of disabled people, and the larger decreases in motor traffic will occur in areas with the highest average concentrations of disabled people. As such, disabled people will see the greatest share of both the benefits and disbenefits in terms of severance.	Disease	No. of people	Proportion of B&NES population	Chronic heart disease	5737	2.8%	Stroke/TIA*	3656	1.8%	Asthma	12912	6.2%	COPD**	2939	1.4%
Disease	No. of people	Proportion of B&NES population														
Chronic heart disease	5737	2.8%														
Stroke/TIA*	3656	1.8%														
Asthma	12912	6.2%														
COPD**	2939	1.4%														
6.3	What steps have been or could be taken to address the impacts?															
6.4	Ongoing consultation with the Council’s Independent Equality Advisory Group (this is the Council’s forum for equality issues).															

Relevant mitigation measures funded from the Clean Air Fund which would be eligible under a charging Class D scheme:

- Provision of 24hr secure parking (including CCTV) at all three P&R sites to encourage overnight use and facilitate extended operating hours
- Provision of a free park and ride concession
- Financial support for replacing uncompliant vehicles with compliant ones and electric charging points on private land

Relevant local exemptions:

In addition to national exemptions, the following vehicles will be granted a local exemption providing they are registered under the relevant tax class on the day they enter the CAZ:

- Gas (LPG/CNG) or hybrid electric vehicles in the Alternative Fuel Car Vehicle tax class
- Other vehicles in the Exempt Vehicles tax class not already exempt under the CAZ Framework including:
 - vehicles used by a disabled person (disabled tax class);
 - National Health Service vehicles;

Relevant local concessions:

Concessions are under consideration for the following vehicle types until 01/01/2023:

CAZ C and D:

- Euro 4/5 wheelchair accessible vehicles used as taxis - to maintain access opportunities for disabled persons.
- Euro 4/5 diesel registered community transport providers - to maintain access for communities to schools, medical and community centres and religious establishments.

CAZ D Only:

- Euro 4/5 diesel (vans & cars) registered blue badge holders - due to the difficulty in switching to an alternative transport modes and their possible lower socio-economic group, leading to difficulty in upgrading vehicles.
- Euro 4/5 vehicles registered to healthcare providers - would provide benefits to all key local groups, but particularly those who are pregnant, ill and/or disabled, who will have continued access to their healthcare providers.

7	Age																								
7.1	Details of the impact																								
7.2	<p>Children and young people may be more vulnerable to the health impacts of air pollution (<i>World Health Organization (2013) Review of evidence on health aspects of air pollution</i>).</p> <p>There is good evidence for the association between the development of asthma in childhood and traffic-related air pollution https://www.sciencedirect.com/science/article/pii/S0160412016307838?via%3Dihub</p> <p>Further, there is evidence to suggest that the elderly are disproportionately affected by the public health impacts of air pollution (<i>Simoni et al., Adverse effects of outdoor pollution in the elderly, Journal of Thoracic Disease, January 2015</i>)’.</p> <p>The number and proportion of older people in B&NES is projected to increase over the coming years. Between 2016 and 2029 the number of over 75's in the population is projected to increase by 36% (approximately 6,000 people). Over the same time period the numbers of people over 90 are projected to increase by 25%. (<i>Source: B&NES JSNA</i>)</p> <table><tr><td></td><td>2016</td><td>2022</td><td>2029</td><td>2016-2029</td><td>Change 2016-2029</td></tr><tr><td>75+</td><td>16,600</td><td>19,300</td><td>22,600</td><td>6,000</td><td>36%</td></tr><tr><td>85+</td><td>5,300</td><td>5,500</td><td>6,700</td><td>1,400</td><td>26%</td></tr><tr><td>90+</td><td>2,000</td><td>2,100</td><td>2,500</td><td>500</td><td>25%</td></tr></table> <p>Therefore the reduction in nitrogen dioxide levels brought about by compliance with the Ministerial Direction should have an overall positive impact on people within this protective characteristic group.</p> <ul style="list-style-type: none">There are likely to be small scale public transport accessibility benefits due to a reduction in traffic volumes within the CAZ area and impacts of the supporting abatement measures, particularly for the charging CAZ C option. These benefits are likely to be concentrated on existing bus users who are typically likely to include older people.Children and elderly people require access to a range of key amenities (e.g. schools and health facilities), so any change in accessibility could hinder their ability to reach such facilities. This is likely to be a significant impact under a charging Class D CAZ and also under a charging Class C CAZ because of impacts on community transport providers.		2016	2022	2029	2016-2029	Change 2016-2029	75+	16,600	19,300	22,600	6,000	36%	85+	5,300	5,500	6,700	1,400	26%	90+	2,000	2,100	2,500	500	25%
	2016	2022	2029	2016-2029	Change 2016-2029																				
75+	16,600	19,300	22,600	6,000	36%																				
85+	5,300	5,500	6,700	1,400	26%																				
90+	2,000	2,100	2,500	500	25%																				

	<ul style="list-style-type: none"> • The charging Class D CAZ results in motor traffic flow decreases, predominately across the charging CAZ area, but also along key radial routes in to Bath. As there are areas with fewer children within the charging area, this is a group likely to benefit the most from noise, accident, and severance impacts as a result of the charging Class D CAZ. • The charging Class C CAZ results in both motor traffic flow increases and decreases in central Bath due to the CAZ charge and traffic management scheme on Queen Square. As there are areas with fewer children within the charging area, this is a group likely to experience the most benefits and disbenefits from noise, accident, and severance impacts as a result of the charging Class C CAZ. • The charging Class C Clean Air Zone small increases in traffic flow due to the additional traffic management measures in Queen Square, will result in a small net decrease in air quality for the area of Whiteway Road/Rush Hill where there is a high concentration of children. However, irrespective of this, it is not anticipated that the national objective for nitrogen dioxide will be exceeded in this location.
7.2	<i>What steps have been or could be taken to address the impacts?</i>
7.3	<p>Ongoing consultation with the Council's Independent Equality Advisory Group (this is the Council's forum for equality issues).</p> <p>Relevant mitigation measures funded from the Clean Air Fund which would be eligible under a charging Class D scheme:</p> <ul style="list-style-type: none"> • Provision of additional cycle parking across the city centre in visible locations and pilot a management scheme to improve proper usage of cycle parking, together with the development of cycle priority schemes. • Scoot/Cycle to School Initiative • Provision of 24hr secure parking (including CCTV) at all three P&R sites to encourage overnight use and facilitate extended operating hours • Provision of a free park and ride concession Park & Ride measures are likely to benefit existing park & ride users, and may also attract new users. Existing park & ride users are more likely to include people aged over 60. • Financial support for replacing uncompliant vehicles with compliant ones and electric charging points on private land

Relevant local exemptions:

In addition to national exemptions, the following vehicles will be granted a local exemption providing they are registered under the relevant tax class on the day they enter the CAZ:

- Gas (LPG/CNG) or hybrid electric vehicles in the Alternative Fuel Car Vehicle tax class
- Vehicle in the Motorcycle tax class not already exempt under the CAZ Framework.

Relevant local concessions:

Concessions are under consideration for the following vehicle types until 01/01/2023:

CAZ C and D:

Euro 4/5 diesel registered community transport providers - to maintain access for communities to schools, medical and community centres and religious establishments.

CAZ D Only:

- Euro 4/5 diesel registered blue badge holders - due to the difficulty in switching to an alternative transport modes and their possible lower socio-economic group, leading to difficulty in upgrading vehicles.
- Euro 4/5 vehicles registered to healthcare providers - would provide benefits to all key local groups, but particularly those who are pregnant, the ill and/or disabled, who will have continued access to their healthcare providers.

Additional measures:

- Ongoing monitoring of air quality levels across the authority, including Whiteway, to monitor any increases in nitrogen dioxide levels under the scheme, so that corrective action can be taken.
- Ongoing monitoring of traffic flows and road traffic accident data across the authority to assess any unforeseen changes so that corrective action can be taken.

8	Race
8.1	<i>Details of the impact</i>
8.2	<p>The B&NES population contains fewer than the national average of black and minority ethnic people (5.4% as opposed to 14.03% nationally).</p> <p>The Joint Strategic Needs Assessment identifies that in the Bath area only Bathwick (14.70%) had a higher proportion of black and minority ethnic people in 2011 than the England & Wales average (14.03%). However, only two of the wards, Lyncombe (4.21%) and Lambridge (5.32%) had a lower proportion of black and minority ethnic people than the B&NES average (5.42%).</p> <p>It is possible that this group of people may be affected by any changes in accessibility in reaching facilities such as community and medical centres under both schemes.</p> <p>We are currently assessing what proportion of our licenced taxi drivers are from BME groups.</p>
8.3	<i>What steps have been or could be taken to address the impacts?</i>
8.4	<p>Ongoing consultation with the Council's Independent Equality Advisory Group (this is the Council's forum for equality issues).</p> <p>Relevant mitigation measures funded from the Clean Air Fund which would be eligible under a charging Class D scheme:</p> <ul style="list-style-type: none"> • Provision of additional cycle parking across the city centre in visible locations and pilot a management scheme to improve proper usage of cycle parking • Provision of 24hr secure parking (including CCTV) at all three P&R sites to encourage overnight use and facilitate extended operating hours • Provision of a free park and ride concession • Financial support for replacing uncompliant vehicles with compliant ones and electric charging points on private land <p>Relevant local exemptions:</p> <p>In addition to national exemptions, the following vehicles will be granted a local exemption providing they are registered under the relevant tax class on the day they enter the CAZ:</p> <ul style="list-style-type: none"> • Gas (LPG/CNG) or hybrid electric vehicles in the Alternative Fuel Car Vehicle tax class

	<ul style="list-style-type: none"> • Vehicle in the Motorcycle tax class not already exempt under the CAZ Framework. • Other vehicles in the Exempt Vehicles tax class not already exempt under the CAZ Framework including: <ul style="list-style-type: none"> ○ vehicles used by a disabled person (disabled tax class); ○ National Health Service vehicles; <p>Relevant local concessions: Concessions are under consideration for the following vehicle types until 01/01/2023:</p> <p>CAZ C and D:</p> <ul style="list-style-type: none"> • Euro 4/5 diesel registered community transport providers - to maintain access for communities to schools, medical and community centres and religious establishments. <p>CAZ D Only:</p> <ul style="list-style-type: none"> • Euro 4/5 diesel registered blue badge holders - due to the difficulty in switching to an alternative transport modes and their possible lower socio-economic group, leading to difficulty in upgrading vehicles. • Euro 4/5 vehicles registered to healthcare providers - would provide benefits to all key local groups, but particularly the ill and/or disabled, who will have continued access to their healthcare providers.
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9	<i>Religion/belief</i>
9.1	<i>Details of the impact</i>
9.2	<p>A number of faith based venues are located within the proposed boundary of the CAZ, e.g. Bath City Church, Elim Church and Bath Islamic Centre. Attendees to these venues maybe disadvantaged if they do not have alternative, compliant methods of transport.</p> <p>This is likely to be a significant impact under a charging Class D CAZ and to a lesser extent under a charging Class C CAZ if community transport providers are impacted.</p>
9.3	<i>What steps have been or could be taken to address the impacts?</i>
9.4	<p>Ongoing consultation with the Council's Independent Equality Advisory Group (this is the Council's forum for equality issues).</p> <p>Relevant mitigation measures funded from the Clean Air Fund which would be eligible under a charging Class D scheme:</p> <ul style="list-style-type: none"> • Provision of additional cycle parking across the city centre in visible locations and pilot a management scheme to improve proper usage of cycle parking, together with the development of cycle priority schemes. • Provision of 24hr secure parking (including CCTV) at all three P&R sites to encourage overnight use and facilitate extended operating hours • Provision of a free park and ride concession • Financial support for replacing uncompliant vehicles with compliant ones and electric charging points on private land <p>Relevant local exemptions:</p> <p>In addition to national exemptions, the following vehicles will be granted a local exemption providing they are registered under the relevant tax class on the day they enter the CAZ:</p> <ul style="list-style-type: none"> • Gas (LPG/CNG) or hybrid electric vehicles in the Alternative Fuel Car Vehicle tax class • Vehicle in the Motorcycle tax class not already exempt under the CAZ Framework. • Other vehicles in the Exempt Vehicles tax class not already exempt under the CAZ Framework including: <ul style="list-style-type: none"> ○ vehicles used by a disabled person (disabled tax class); ○ National Health Service vehicles;

	<p>Relevant local concessions:</p> <p>Concessions are under consideration for the following vehicle types until 01/01/2023:</p> <p>CAZ C and D:</p> <ul style="list-style-type: none"> • Euro 4/5 diesel registered community transport providers - to maintain access for communities to schools, medical and community centres and religious establishments. <p>CAZ D Only:</p> <ul style="list-style-type: none"> • Euro 4/5 diesel registered blue badge holders - due to the difficulty in switching to an alternative transport modes and their possible lower socio-economic group, leading to difficulty in upgrading vehicles.
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10	<i>Sexual orientation; marriage and civil partnership and transgender people</i>
10.1	<i>Details of the impact</i>
10.2	No impact identified under either a charging Class C or a charging Class D CAZ

11	<i>Whilst not protected characteristics, the Council has chosen to include the following issues because of the distinctive context of B&NES.</i>
11.1	<i>Socio-economically disadvantaged</i> –factors like family background, educational attainment, neighbourhood, employment status can influence life chances
11.2	<i>Details of the impact</i>
11.3	<ul style="list-style-type: none"> • The Distribution and Equality Impact Analysis indicates that the most acute concentrations of low income households are located in and around Twerton on the western outskirts of Bath. Under a charging Class D CAZ these communities should experience a decline in nitrogen dioxide concentrations of between 0 and 5 micrograms. • Under a charging Class C CAZ, small increases in traffic flow on Whiteway Road, due to the additional traffic management measures in Queen Square, result in a small net increase in nitrogen dioxide concentrations in this location; all other locations will benefit from a decline in nitrogen dioxide concentrations. • There are also areas of income deprivation in central Bath too (albeit less severe than on the western periphery). Under both schemes it is anticipated that there will be a more significant reduction in nitrogen dioxide concentrations in these communities, contributing to a notable beneficial air quality impact. • There are likely to be small scale public transport accessibility benefits due to a reduction in traffic volumes within the CAZ area and impacts of the supporting abatement measures, particularly for the charging CAZ C option. These benefits are likely to be concentrated on existing bus users who are typically more likely to include lower income groups. • It is possible that people within this group may find it difficult to access and afford alternative, compliant methods of transport, particularly if they are low paid and work antisocial or flexible shifts. This is likely to be a significant impact under a charging Class D CAZ. • In addition, sole traders who own non-compliant LGV's will experience affordability impacts under both CAZ schemes.
11.4	<i>What steps have been or could be taken to address the impacts?</i>
11.5	Ongoing consultation with the Council's Independent Equality Advisory Group (this is the Council's forum for equality issues).

Relevant mitigation measures funded from the Clean Air Fund which would be eligible under a charging Class D scheme:

- Provision of additional cycle parking across the city centre in visible locations and pilot a management scheme to improve proper usage of cycle parking
- Provision of 24hr secure parking at all three P&R sites to encourage overnight use and facilitate extended operating hours
- Provision of a free park and ride concession
- Financial support for replacing uncompliant vehicles with compliant ones and electric charging points on private land

Relevant local exemptions:

In addition to national exemptions, the following vehicles will be granted a local exemption providing they are registered under the relevant tax class on the day they enter the CAZ:

- Gas (LPG/CNG) or hybrid electric vehicles in the Alternative Fuel Car Vehicle tax class
- Vehicle in the Motorcycle tax class not already exempt under the CAZ Framework.

Relevant local concessions:

Concessions are under consideration for the following vehicle types until 01/01/2023:

CAZ C and D:

- Euro 4/5 diesel registered community transport providers - to maintain access for communities to schools, medical and community centres and religious establishments.
- Euro 4/5 diesel commercial vehicles subject to a failed loan application.

CAZ D Only:

- Euro 4/5 diesel registered blue badge holders - due to the difficulty in switching to an alternative transport modes and their possible lower socio-economic group, leading to difficulty in upgrading vehicles.
- Euro 4/5 vehicles registered to healthcare providers - would provide benefits to all key local groups, but particularly the ill and/or disabled, who will have continued access to their healthcare providers.

	<p>Additional measures:</p> <ul style="list-style-type: none">• Ongoing monitoring of air quality levels across the authority, including Whiteway, to monitor any increases in nitrogen dioxide levels under the scheme, so that corrective action can be taken.• Ongoing monitoring of traffic flows and road traffic accident data across the authority to assess any unforeseen changes so that corrective action can be taken.
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12	<i>Rural communities – identify the impact/ potential impact on people living in rural communities</i>
12.1	<i>Details of the impact</i>
12.2	<p>Those people living in rural communities may have less access to public transport options to get to their place of work or for accessing leisure and social activities.</p> <p>This is likely to be a significant impact under a charging Class D CAZ and also under a charging Class C CAZ if community transport and taxis are impacted.</p>
12.3	<i>What steps have been or could be taken to address the impacts?</i>
12.4	<p>Ongoing dialogue with the relevant Area Forums.</p> <p>Relevant mitigation measures funded from the Clean Air Fund which would be eligible under a charging Class D scheme:</p> <ul style="list-style-type: none"> • Provision of 24hr secure parking (including CCTV) at all three P&R sites to encourage overnight use and facilitate extended operating hours • Provision of a free park and ride concession • Financial support for replacing uncompliant vehicles with compliant ones and electric charging points on private land <p>Relevant local exemptions:</p> <p>In addition to national exemptions, the following vehicles will be granted a local exemption providing they are registered under the relevant tax class on the day they enter the CAZ:</p> <ul style="list-style-type: none"> • Gas (LPG/CNG) or hybrid electric vehicles in the Alternative Fuel Car Vehicle tax class • Vehicle in the Motorcycle tax class not already exempt under the CAZ Framework. <p>Relevant local concessions:</p> <p>Concessions are under consideration for the following vehicle types until 01/01/2023:</p> <p>CAZ C and D:</p> <ul style="list-style-type: none"> • Euro 4/5 diesel registered community transport providers - to maintain access for communities to schools, medical and community centres and religious establishments. • Euro 4/5 diesel commercial vehicles subject to a failed loan application.

	<p>CAZ D Only:</p> <ul style="list-style-type: none">• Euro 4/5 diesel registered blue badge holders - due to the difficulty in switching to an alternative transport modes and their possible lower socio-economic group, leading to difficulty in upgrading vehicles.• Euro 4/5 vehicles registered to healthcare providers - would provide benefits to all key local groups, but particularly the ill and/or disabled, who will have continued access to their healthcare providers.
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13	Residents living in Bath
13.1	<i>Details of the impact</i>
13.2	<p>This group of people benefit from improvements to air quality from reductions in circulating traffic through modal shift and avoidance.</p> <p>Under both a charging Class D and a charging Class C CAZ there could be:</p> <ul style="list-style-type: none"> • Increased availability of on street parking spaces for permit holders from greater car park and park and ride usage. • Reduction in circulating traffic looking for a free space and decreased congestion from greater car park and park and ride usage. • Increased costs for entering the CAZ if either residents or contractors do not own a compliant vehicle. Contractors could pass these costs onto customers.
13.3	<p>Ongoing consultation with the Council's Independent Equality Advisory Group (this is the Council's forum for equality issues) and Residents Associations within the city.</p> <p>Relevant mitigation measures funded from the Clean Air Fund which would be eligible under a charging Class D scheme:</p> <ul style="list-style-type: none"> • Provision of additional cycle parking across the city centre in visible locations and pilot a management scheme to improve proper usage of cycle parking together with the development of cycle priority schemes • Provision of 24hr secure parking at all three P&R sites to encourage overnight use and facilitate extended operating hours • Provision of a free park and ride concession • Financial support for replacing uncompliant vehicles with compliant ones and electric charging points on private land <p>Relevant local exemptions:</p> <p>In addition to national exemptions, the following vehicles will be granted a local exemption providing they are registered under the relevant tax class on the day they enter the CAZ:</p> <ul style="list-style-type: none"> • Gas (LPG/CNG) or hybrid electric vehicles in the Alternative Fuel Car Vehicle tax class • Vehicle in the Motorcycle tax class not already exempt under the CAZ Framework. • Other vehicles in the Exempt Vehicles tax class not already exempt under the CAZ Framework including:

- vehicles used by a disabled person (disabled tax class);
- National Health Service vehicles;

Relevant local concessions:

Concessions are under consideration for the following vehicle types until 01/01/2023:

CAZ C and D:

- Euro 4/5 diesel registered community transport providers - to maintain access for communities to schools, medical and community centres and religious establishments.
- Euro 4/5 diesel commercial vehicles subject to a failed loan application.

CAZ D Only:

- Euro 4/5 diesel registered blue badge holders - due to the difficulty in switching to an alternative transport modes and their possible lower socio-economic group, leading to difficulty in upgrading vehicles.
- Euro 4/5 vehicles registered to healthcare providers - would provide benefits to all key local groups, but particularly the ill and/or disabled, who will have continued access to their healthcare providers.

14	Residents living outside of the proposed zone
14.1	<i>Details of the impact</i>
14.2	Increased potential for non-compliant vehicles to enter residential areas, looking for a diversion route or parking outside of the CAZ.
14.3	<i>What steps have been or could be taken to address the impacts?</i>
14.4	<p>Attendance at Residents Association and Area Forum meetings to explain the purpose of the Clean Air Zone and encourage feedback.</p> <p>Possible mitigations:</p> <ul style="list-style-type: none"> • Proposed amendment of the CAZ boundary to inclusion of the Pulteney Estates Area, Bathwick and Oldfield Park areas. • Review and extension of Resident's Parking Zones.

15	Businesses
15.1	<i>Details of the impact</i>
15.2	<p>The introduction of a CAZ could bring positive impacts:</p> <ul style="list-style-type: none"> • Increased availability of on street parking spaces for customers with compliant vehicles looking for short term 'pop and shop' parking. • Reduction in circulating traffic looking for a free space and decreased congestion • Improvements to air quality from reduction in circulating traffic resulting in longer dwell times. <p>There could also be negative impacts including:</p> <ul style="list-style-type: none"> • The perception that the CAZ could deter footfall in central Bath as consumers and tourists opt to visit alternative locations. This is more significant under a charging Class D CAZ. • Increased charges for deliveries to/from businesses located in the central area, providing additional costs that would either need to be absorbed by the business (affecting profitability) or passed on to consumers (increasing prices and potentially deterring custom). This is relevant under both CAZ schemes. • Impacts on a range of businesses located outside the CAZ that require routeing of LGVs/HGVs through the CAZ as part of their day-to-day activities (e.g. for trades people or for suppliers/deliveries). Although these businesses are not directly affected by the CAZ based on their geographical location within the CAZ, their business practices may mean regular entry to the CAZ, potentially resulting in charges being imposed. This is relevant under both CAZ schemes. • Impacts on businesses which rely on employment sourced from a wide geographic labour market; imposing a charge on non-compliant vehicles could cause a contraction of this market as labour located in the wider geographic area choose to work in other locations that are unaffected by a CAZ. This is more significant under a charging Class D CAZ.
15.3	<i>What steps have been or could be taken to address the impacts?</i>
15.4	<p>Engagement with:</p> <ul style="list-style-type: none"> • Various Council departments including the Heritage Services and Economic Regeneration teams, • Bath Business Improvement District, • Bus, coach and taxi operators • Major employers e.g. Royal Mail

Relevant mitigation measures funded from the Clean Air Fund which would be eligible under a charging Class D scheme:

- Provision of additional cycle parking across the city centre in visible locations and pilot a management scheme to improve proper usage of cycle parking
- Provision of 24hr secure parking at all three P&R sites to encourage overnight use and facilitate extended operating hours
- Provision of a free park and ride concession
- Financial support for replacing uncompliant vehicles with compliant ones and electric charging points on private land
- Delivery and servicing plans for businesses

Relevant local concessions:

Concessions are under consideration for the following vehicle types until 01/01/2023:

CAZ C and D:

- Euro 4/5 diesel registered community transport providers - to maintain access for communities to schools, medical and community centres and religious establishments.
- Euro 4/5 diesel commercial vehicles subject to a failed loan application.

4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

Issues identified	Actions required	Progress milestones	Officer responsible	By when	Completion Date
<p>More information is needed about the potential impacts on people in the following protected characteristic groups:</p> <ul style="list-style-type: none"> • Religious groups • Black and Ethnic Minority Groups • Rural Communities • Pregnancy and Maternity 	Targeted consultation and further liaison with the Council's Research and Intelligence Team	By the end of the public consultation period (26 November 2018)	Cathryn Brown	26 November 2018	26 November 2018
Are there possible mitigations which have been missed?	Development of ideas through feedback received during the public consultation	By the end of the public consultation period (26 November 2018)	Cathryn Brown	26 November 2018	Ongoing
Disproportionate impact on disabled people who do not use a specific vehicle but are	Work with Central Government to ensure that a system is in place	To be developed and peer group tested by July 2019	Chris Major	July 2019	

transported by others in their vehicle	to allow a blue badge to be registered to any vehicle the holder is travelling in				
Specific impact on those in the lowest socio economic groups	Targeted financial assistance for those who need it most to be developed in consultation with groups affected	To be defined through the engagement and consultation processes and be in place in advance of the zone going live in late 2020	Ashley Beighton	First milestone FBC delivery c.Aug 2019	
Specific impact on businesses, particularly small businesses	Targeted financial assistance for those who need it most to be developed in consultation with groups affected	To be defined through the engagement and consultation processes and be in place in advance of the zone going live in late 2020	Ashley Beighton	First milestone FBC delivery c.Aug 2019	

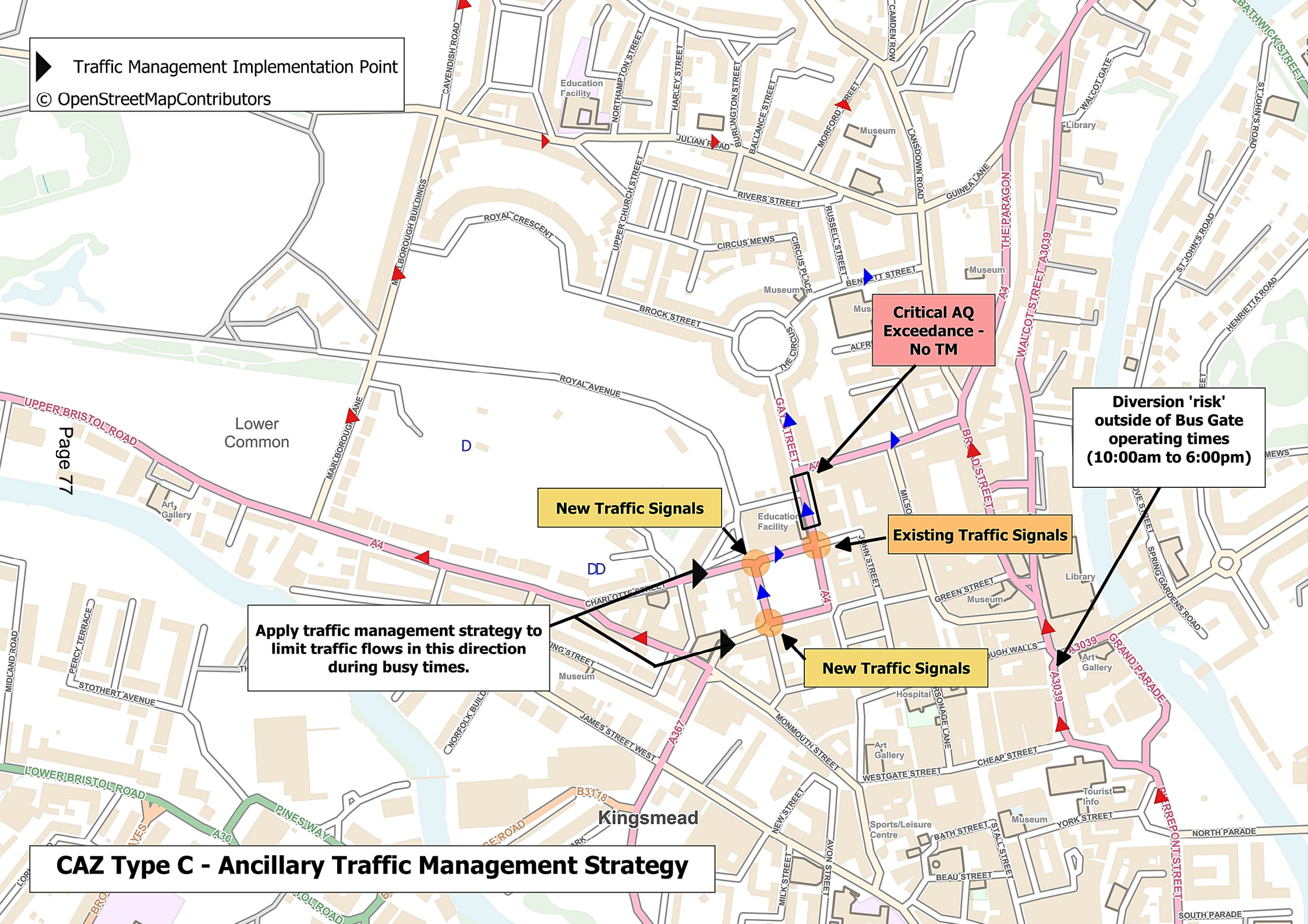
5. Signed

Signed off by: Chris Major (Senior Responsible Project Officer)

Date: 20 February 2019

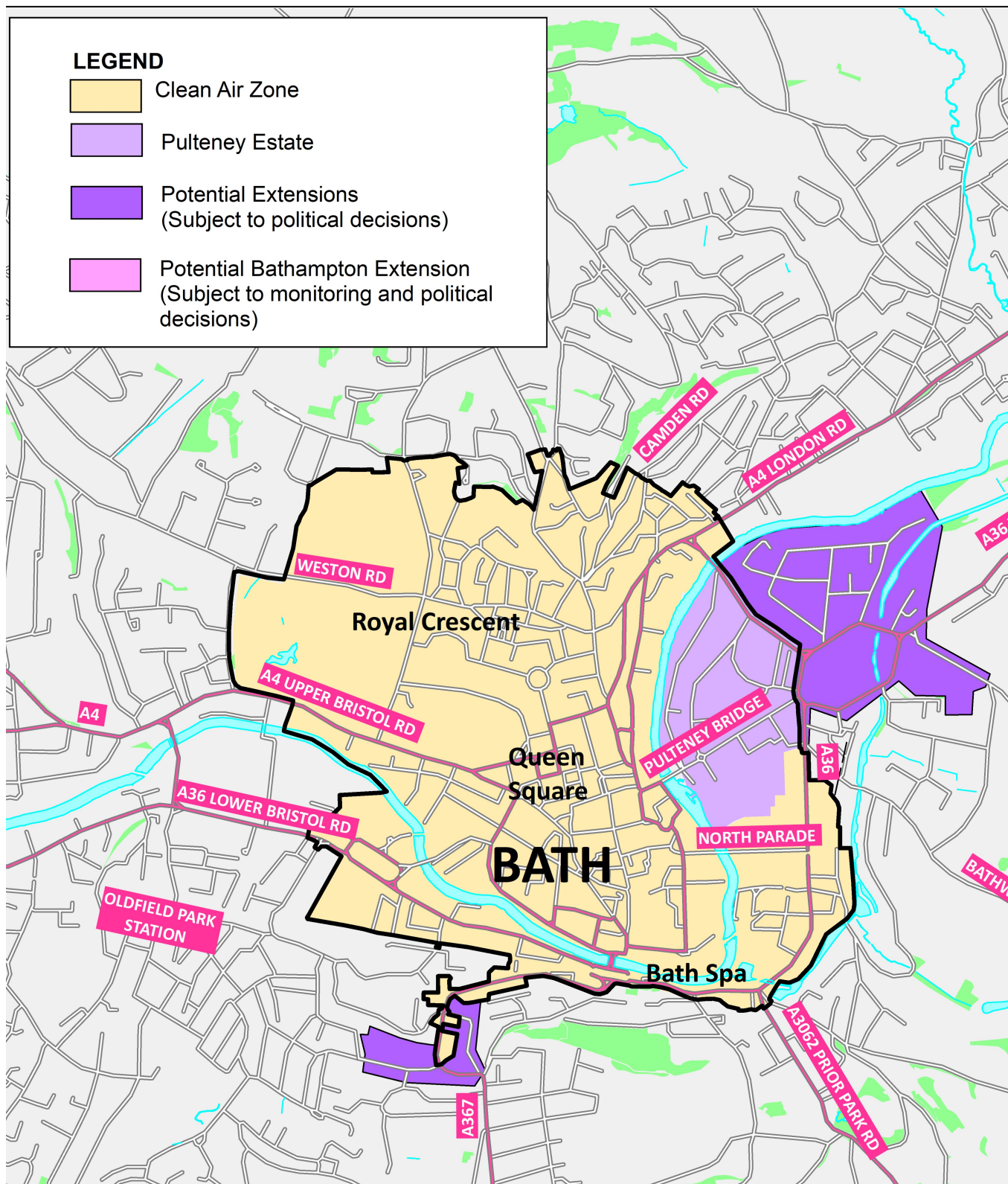
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► Traffic Management Implementation Point
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CAZ Type C - Ancillary Traffic Management Strategy

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Bath Clean Air Plan

Bath and North East Somerset Council

Consultation Response Report

674726.BR.042.OBC-25b | 1

February 2019

DRAFT

Bath Clean Air Plan

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Acronyms and Abbreviations

B&NES	Bath and North East Somerset Council
CAP	Clean Air Plan
CAZ	Clean Air Zone
DEFRA	Department of Food and Rural Affairs
DfT	Department for Transport
FBC	Full Business Case
HGV	Heavy Goods Vehicle
JAQU	Joint Air Quality Unit
LGV	Light Goods Vehicle
NO ₂	Nitrogen Dioxide
OBC	Outline Business Case
PRMS	Public Realm and Movement Strategy
RPZ	Residents Parking Zones
UK	United Kingdom

1. Introduction

Poor air quality is the largest known environmental risk to public health in the UK¹. Investing in cleaner air and doing more to tackle air pollution are priorities for the EU and UK governments, as well as for Bath and North East Somerset Council (B&NES). B&NES has monitored and endeavoured to address air quality in Bath, and wider B&NES, since 2002. Despite this, Bath has ongoing exceedances of the legal limits for Nitrogen Dioxide (NO₂) and these are predicted to continue until 2025 without intervention.

In 2017 the government published a UK Air Quality Plan for Nitrogen Dioxide² setting out how compliance with the EU Limit Value for annual mean NO₂ will be reached across the UK in the shortest possible time. Due to forecast air quality exceedances, B&NES, along with 27 other Local Authorities, was directed by Minister Therese Coffey (Defra) and Minister Jesse Norman (DfT) in 2017 to produce a Clean Air Plan (CAP). The Plan must set out how B&NES will achieve sufficient air quality improvements in the shortest possible time. In line with Government guidance B&NES is considering implementation of a Clean Air Zone (CAZ), including both charging and non-charging measures, in order to achieve sufficient improvement in air quality and public health.

Jacobs has been commissioned by B&NES to produce an Outline Business Case (OBC) for the delivery of the CAP; a package of measures which will bring about compliance with the Limit Value for annual mean NO₂ in the shortest time possible in Bath. The OBC assesses the shortlist of options set out in the Strategic Outline Case³, and proposes a preferred option including details of delivery. The OBC forms a bid to central government for funding to implement the CAP.

1.1 Context

Between 16th October and 26th November 2018 Bath and North East Somerset Council (B&NES) consulted on a proposal to implement a Class D charging Clean Air Zone (CAZ) as a means to urgently reduce harmful levels of Nitrogen Dioxide (NO₂) across the city, as outlined in an Outline Business Case (OBC).

This consultation was undertaken in the context of a complex project within which there are a number of key constraints. These govern the actions of the Council and therefore what is negotiable and its ability to act on feedback. These include the following:

- B&NES is mandated by central Government to take action on air quality and to bring concentrations of NO₂ to below 40 µg/m³ as an annual mean, in the shortest possible time,
- and by 2021 at the latest. The Council is committed to taking proactive action to improve air quality.
- The Council may face potential fines or legal action if they do not put into place a package of measures to address air quality within this time frame.
- Technical work undertaken prior to the start of the consultation process showed that a charging CAZ is the only mechanism capable of reducing emissions to appropriate levels. Based on the evidence available at the time of the consultation, a Class D CAZ was identified as the option most likely to achieve compliance in the required timeframe.

¹ Public Health England (2014) Estimating local mortality burdens associated with particular air pollution.

<https://www.gov.uk/government/publications/estimating-local-mortality-burdens-associated-with-particulate-air-pollution>

² <https://www.gov.uk/government/publications/air-quality-plan-for-nitrogen-dioxide-no2-in-uk-2017>

³ Bath and North East Somerset Council Clean Air Plan: Strategic Outline Case, March 2018

(http://www.bathnes.gov.uk/sites/default/files/siteimages/Environment/Pollution/strategic_outline_case_bath_28.03.2018_with_annexes.pdf)

- A CAZ would need to be implemented in line with the principles set out in the Government's 'Clean Air Zone Framework'. This document, published in 2017, explains the approach that Local Authorities should take when introducing a zone.
- Funding for a CAZ is dependent upon the Government's Joint Air Quality Unit (JAQU) approving a Full Business Case (FBC). There are also strict rules on how the available funding can be spent.
- The final decision on the type of charging zone and the detail of this will be made by elected Cabinet Members.

In this context the aim of the consultation process was to provide an opportunity for discussion between the Council and any persons concerned about the Class D CAZ proposal or its impacts. It also provided a forum for the sharing of information and ideas on how issues could potentially be resolved. Given that the Council is mandated to take action, the main focus of the consultation was seeking comments relating to how the Class D CAZ and the proposed package of supporting measures published for consultation could be refined to:

- Improve their effectiveness in tackling air quality issues.
- Help to mitigate any potential impacts on either specific groups or locations.
- Better support the community and road users to adapt and adjust.

1.2 Overview of consultation feedback

The feedback from the formal consultation is reported in the document OBC 25a - Report on Formal Consultation and should be read alongside this report. Feedback was varied and detailed. However, overall respondents showed an **understanding of the need to address air quality in Bath**. A wide range of comments were submitted by individuals, groups and businesses on many aspects of the proposed Class D CAZ. In particular comments focused on the proposed boundary, who and what vehicles should be charged, potential economic impacts and the support that would be needed to drive behaviour change. Whilst some respondents did not support a charging zone many focused their feedback on identifying ways in which the proposed Class D CAZ proposal could be evolved to maximise its impact and reduce any unintended consequences. The main themes from the feedback are summarised as follows:

- There were a number of **suggestions for further consideration of alternatives to the proposed Scheme**, these included: a Class C CAZ, congestion charge, construction of a link road/bypass and various other non-charging measures.
- Opinions on the **proposed Class D CAZ boundary** were mixed. Some respondents wanted the zone to be smaller whilst others thought the zone should be larger. Requests ranged from a smaller zone using the river as a boundary, to exclusion of through routes, specific streets and residential areas. Others felt the zone should be extended further to cover additional residential areas and, in some areas, there were particularly strong views on extending the boundary to include additional parts of the city centre.
- **Individuals, including residents and commuters wanted to see more support** to help them comply with a Class D CAZ. Many suggestions were made including adjusting the operating hours, providing discounts or adjusting the charging structures through concessions and exemptions, and altering the minimum emission standards.
- **Businesses also highlighted a need for more support**. This was particularly important for smaller businesses including sole traders and independent retailers, many of whom were concerned about the economic impacts to their business operations as a result of a Class D CAZ. These concerns were extended to their customers, suppliers and employees.

- Many respondents were concerned about the **timescales** of implementation for the proposed Class D CAZ. Both individuals and businesses felt that a longer time was needed to minimise the economic impacts associated with changing vehicles and behaviour.
- Overall there was a call for **public transport improvements to support behaviour change**, ranging from reduced fares, extended bus services and operating hours and improved park and ride facilities across B&NES.
- There were concerns about the **displacement impacts of a CAZ**. These included concerns that traffic, congestion and rat running would increase in areas adjacent to the proposed zone boundary and that parking in residential areas would be used by those looking to avoid driving into the proposed zone. Additionally, there were concerns that non-compliant vehicles would re-route and that this would worsen air quality and increase traffic and congestion in areas outside of the zone, both in neighbouring areas and in towns/locations further afield, including Wiltshire.

1.3 Evolution of the proposals, post consultation

Since the close of the consultation period key areas of work have been ongoing, as follows and as shown in Figure 1.1:

- Building on the initial work undertaken prior to the consultation, additional technical work has been undertaken to further consider the options to achieve air quality compliance. This has comprised further traffic and air quality modelling and a review of the baseline modelling. This work has been informative and has identified additional options with the potential to meet the air quality targets. This process is documented in OBC 08 – Options Assessment Report.
- Additional consideration of the potential impacts of a charging CAZ and the measures which could be taken forward to help support this scheme, in particular the best ways of providing support for residents and businesses to move towards lower emissions vehicles.
- Additional work to consider, in the context of the evolving technical work, the comments and suggestions put forward through the consultation itself.
- In parallel, there has been ongoing engagement with elected Cabinet Members.

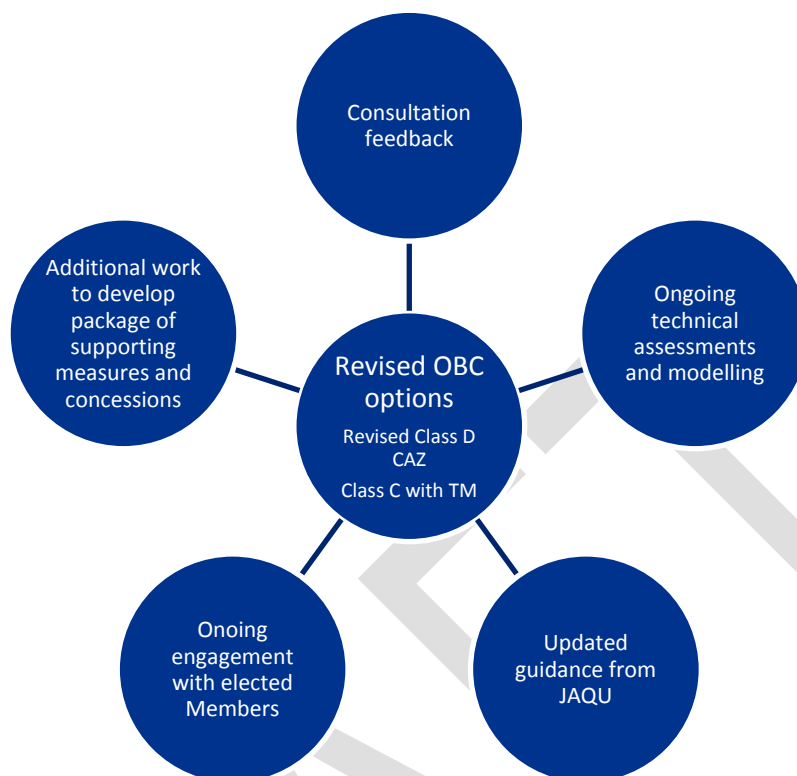


Figure 1.1 – Factors contributing to evolution of proposals

Findings from these areas of work have informed a revised Outline Business Case (OBC). The revised OBC identifies two **potential options** for reducing concentrations of NO₂ to below 40 µg/m³ as an annual mean in the shortest possible time and by 2021 at the latest. These are:

- **A revised Class D CAZ.** The revised Class D proposal responds, as far as possible within the technical constraints of the scheme, to the consultation feedback. In particular it includes changes to the proposed CAZ boundary, a revised and reprioritised package of supporting measures and concessions and an enhanced scheme for providing financial support to assist residents and businesses to move towards compliant vehicles.
- **A Class C CAZ** supported by traffic management measures and signal timing changes. This scheme has been identified as a possible option based on revised traffic and air quality modelling. It offers the opportunity to address some of the key areas of feedback raised in the consultation.

These options are explained fully in document OBC 08 – Options Assessment Report.

1.4 Purpose of this report

This report explains how the revised OBC and the options set out above have been considered in the context of the consultation feedback. Specifically, it:

- Summarises and refers to additional technical work which has been undertaken in direct response to key areas of consultation feedback. Given the volume of consultation feedback and the wide variety of comments received, it is not possible to consider or respond to every comment or request. This report therefore sets out how the broad themes raised in the consultation feedback have been considered.
- Explains the changes that have been made to the proposed Class D CAZ scheme in response to the consultation feedback; and

- Explains, in cases where it has not been possible to adjust the Class D CAZ scheme in line with consultation feedback, why this is not possible.
- Comments on the implications of the feedback received in the context of a Class C CAZ with traffic management option.

The information in this report is intended to provide evidence that can be considered by Officers and elected Cabinet Members to help support their discussions on how to best take forward a Scheme to address air quality in Bath and achieve compliance with the Government Directive.

This report does not replicate detail included elsewhere within the suite of OBC documents. The documents identified in Table 1.1 should therefore be read alongside this report.

Table 1.1 – Documents to be read alongside this report

Document	Key content in the context of this report
OBC 25a – Report on Formal Consultation	This summarises the feedback submitted in the formal six-week consultation period.
OBC 04 – Technical Note on the CAZ Boundary	This explains the rationale for the proposed CAZ boundary. It is assumed that the CAZ boundary would be the same for a Class C as for a Class D.
OBC 05 - Proposed System Design Features and Payment Exemptions	This explains the proposed exemptions and concessions across both Class D and Class C options.
OBC 08 – Options Assessment Report	This document explains the process of optioneering that has been undertaken. It explains how the Class D option was initially identified. It also sets out the additional work undertaken post consultation to identify a Class C with traffic management measures and signal timing changes option. It also describes the supporting measures that will be delivered (subject to funding) alongside the CAZ.
OBC 11 – AQ3 Air Quality Modelling Report	This contains details of the options tested to identify the CAZ charge. It also compares Class C and D scenarios.
OBC 26 – Evaluation, Monitoring and Benefits Realisation Plan	This sets out the monitoring that has been specified in response to consultation feedback.

1.5 Structure of this report

This report follows the structure of the consultation questionnaires. Following this introduction:

- Chapter 2 discusses the feasibility of the suggested **supporting measures or scheme alternatives**;
- Chapter 3 discusses additional work undertaken to consider comments on the proposed **CAZ boundary**;
- Chapter 4 sets out the issues related to the various suggestions received relating to the **CAZ charges**;
- Chapter 5 considers **concessions, exemptions** and vulnerable groups;
- Chapter 6 considers **wider issues**, related to the perceived consequences of a Class D CAZ; and
- Chapter 7 clarifies the next steps.

2. Alternatives to a Class D CAZ

Action taken in response to consultation feedback

Work undertaken in response to the consultation feedback and following additional traffic and air quality modelling has identified that a Class C CAZ supported by traffic management and traffic signal timing changes has the potential to deliver the required air quality improvements, in addition to the original Class D proposal. This option is presented in the revised OBC alongside an updated Class C CAZ option.

2.1 Overview of feedback and response

The consultation asked for suggestions for alternative options that could be considered instead of a Class D CAZ. For full details of the feedback provided see Chapter 13 of OBC 25a – Report on Formal Consultation. A wide range of suggestions were put forward. These included:

- Alternative types/classes of CAZ, in particular a Class C CAZ;
- Congestion charge;
- Infrastructure improvements, for example delivery of the A36-A46 link and/or east of Bath Park and Ride; and
- Significant improvements to public transport or traffic management (i.e. a focus on non-charging measures).

2.2 Context for consideration

In examining possible alternative ways in which the air quality issues in Bath could be addressed it is important to consider the extent to which they would:

- Contribute directly to making an air quality improvement.
- Be deliverable and enable compliance with air quality standards by 2021.

Many of the ideas identified in the consultation responses as potential alternatives have been considered in previous phases of the project, are outside of the scope of this work, are not deliverable within the timescales set out in the Government Directive or are issues that are otherwise being considered by the Council under its regular work on transport and planning. This section clarifies the Council's position on these issues, within the context of this project.

Consideration of the consultation feedback related to alternatives has therefore focussed on further assessment of a Class C option, as the alternative proposal with most potential to deliver the required air quality improvements.

2.3 Consideration of a Class C CAZ

The consultation feedback included a range of responses that encouraged the Council to consider the feasibility of a Class C CAZ in more detail. In particular respondents recognised that the information published in support of the consultation on a Class D CAZ demonstrated a small margin of difference between the overall air quality impacts of a Class C and a Class D scheme. On this basis respondents felt that a Class C should be further considered as a means of achieving a similar air quality outcome, with a perceived lesser overall impact.

Other respondents referred to a Class C CAZ as an alternative option indirectly through other feedback, for example by suggesting that longer concession periods should be given to cars, that

charges should focus on heavy vehicles or by expressing concern about the affordability impacts of charging cars.

2.3.1 Revised modelling on a Class C CAZ

In parallel to the consultation, further work was undertaken to review the traffic and air quality modelling. In particular the models were reviewed to reflect new guidance from JAQU. This:

- Identified that, within the baseline modelling, only one exceedance is now predicted in 2021 with a Class C CAZ (as opposed to two indicated by previous modelling);
- Indicated that this one remaining exceedance in 2021 would be at Gay Street and that this could potentially be addressed by traffic management measures and traffic signal timing changes at Queens Square.

This change in the modelling results implied that a Class C CAZ could, with appropriate supporting measures, potentially be capable of delivering the required air quality improvements. This result, coupled with the strong feedback from the consultation which emphasised the importance of reviewing a Class C CAZ as a potential option, meant that further work was undertaken to assess a Class C scheme in more detail.

2.3.2 Identification of traffic management measures to support a Class C CAZ

In light of the updated modelling information, further work was undertaken to review previously considered traffic management measures for Queens Square. Various schemes looking at changes to the layout and traffic operation of Queens Square had been developed previously as part of the 'Public Realm and Movement Strategy' (PRMS). Review of these options identified that the Option 3b scheme emerging from this PRMS work had potential, with some modification, to manage traffic on Gay Street in a way that would be compatible with a Class C CAZ. This option was therefore taken forward for testing in association with a Class C CAZ.

The detail of this traffic management scheme is discussed further in document OBC 08 – Options Assessment Report.

2.3.3 Assessment of a Class C option, with traffic management and signal timing changes

The Options Assessment Report (OBC 08) sets out the full details of the work undertaken to examine the feasibility of a Class C CAZ with additional traffic management measures and traffic signal timing changes to address outstanding emission exceedance 'hot-spots' in the City Centre. This work suggests that the introduction of a traffic management scheme at Queens Square, in addition to a Class C CAZ, could be sufficient to bring air quality within legal limits. This is because the scheme would make Queens Square less attractive as a route for through traffic and would help to control the amount of traffic entering this area. It would cause some traffic to re-route away from Gay Street and Queens Square and encourage, for some journeys, a switch to alternative, more compliant modes.

On this basis, a Class C CAZ with traffic management option is identified within the OBC for consideration alongside a Class D option. However, this approach does have a range of complex pros and cons, as set out in OBC 08 – Options Assessment Report. In particular it is important to note that this option would lead to an increase in traffic on other roads, particularly to the north of Queens Square.

Whilst the formal consultation focused on a Class D option it is possible to interpret the feedback received in the context of a potential Class C option, in order to understand likely reaction. A Class C CAZ option directly addresses the requests received to consider other options and would also address the concerns raised in the consultation feedback in relation to:

- The affordability impact of a Class D CAZ on residents, workers and low-income groups.

- The potential difficulty for non-compliant car drivers under a Class D CAZ to undertake regular essential journeys, for example to the supermarket or hospital.
- The wider knock-on effects of a Class D CAZ because under a Class C CAZ, cars would have no reason to re-route through adjacent areas. However, it is acknowledged that there may remain concerns about larger vehicles rat running.
- The wider impact of a Class D CAZ on footfall, and hence knock on effect for businesses.

However, it is important to note some of the consultation feedback suggested that the proposed Class D CAZ was not going far enough. There were calls for a bolder proposal, for higher charges, a larger zone or for vehicles to be completely banned from the city centre. Other respondents noted that they happy to see non-compliant cars included within the proposals. These respondents may not support a Class C CAZ.

2.4 Consideration of other options

Following the consultation, additional optioneering work also considered the pros and cons of other alternative options. This included, for example, work to assess whether the traffic management scheme identified to support the Class C CAZ could be combined with a Class D option. The findings of this work are reported in OBC 08 - The Options Assessment Report.

2.5 Consideration of other feedback

As noted above, many of the other suggestions put forward as potential alternatives to a charging CAZ are not appropriate to take forward for further consideration. Table 2.1 provides details.

Table 2.1 – Consideration of other suggestions for alternative approaches

Alternative scheme suggested	Response/issues to consider
Congestion charge	<p>A congestion charge does not differentiate between pollution levels of different vehicles. This is necessary to improve air quality.</p> <p>The Council proposed to implement a CAZ rather than a congestion charge in line with the Government's CAZ Framework and because a CAZ is aimed at changing the fleet compositions in order to have a targeted impact on air pollution. In conjunction with other CAZs nationally, it should prompt a transition to less polluting vehicles. It will not prevent non-compliant HGVs and other vehicles from driving through the centre of Bath.</p> <p>The CAZ will form part of Bath's wider strategy for transport. Additional measures to specifically target congestion will be taken forward by the Council as part of their wider transport strategy for Bath.</p>
Infrastructure measures	<p>Other infrastructure-based alternative solutions identified in the consultation responses, such as delivery of a link road or east of Bath Park and Ride are outside the scope of the Clean Air Fund and could not be funded by this project. They are also not deliverable by 2021 as stipulated by the Government Direction. However, these strategic schemes remain important ambitions for the Council. For clarity, the Council's position on these schemes is set out below.</p> <p><i>East of Bath link</i></p> <p>Dorset, Wiltshire, and Bath and North East Somerset Councils are working together to study the current transport connections between the M4 and the south coast and their impact on our economy. Evidence has been gathered to support a call for action to improve north-south transport connections in the south west, which could help grow the economy, support local</p>

	<p>businesses and improve people's quality of life. The Council have funded the development and promotion of a prospectus, an economic study and a report into how the case for improved north south connectivity aligns with the UK Industrial Strategy. This will form part of a compelling case to encourage the Secretary of State for Transport to mandate Highways England to carry out a Strategic Study, for eventual inclusion of the East of Bath link in the second Road Investment Strategy beyond 2020.</p> <p><i>East of Bath Park and Ride</i></p> <p>Future plans will include a Park & Ride package comprising of expansion of three existing sites at Odd Down, Lansdown and Newbridge and to explore the options for and support delivery of a new Park and Ride site to the east of Bath to address future demand for travel and to facilitate further mode shift from cars for travel into the city.</p>
Non-charging measures	<p>Many of the suggestions for alternative ways to tackle air quality submitted during the consultation were based on non-charging mechanisms. In particular these focused on delivering a step change in public transport and Park and Ride provision, with a focus on free or reduced-price travel. A range of other suggestions relating to traffic management, walking, cycling and the school run were also put forward.</p> <p>The extent to which of non-charging measures could deliver the required air quality improvements was considered at an earlier stage of the project. This work concluded that non-charging measures alone would not be sufficient and that a charging CAZ was the only option with sufficient scope to deliver the air quality improvements needed by 2021. For further information refer to OBC 08 - The Options Assessment Report.</p>

3. Proposed Class D CAZ boundary

Action taken in response to consultation feedback

In response to the consultation feedback, and taking account of the results of further assessment, the following adjustments have been made to the proposed boundary of the Class D CAZ option:

- The zone boundary has been amended to include the Pulteney Estate area.
- The zone boundary has been amended to exclude Cranhill Road and Rivers Road.
- Potential further amendments to the zone remain under technical review. These include potential extensions of the zone covering additional areas of the A367 Wells Road and Bathwick. These do not form part of the core scheme presented in the revised OBC at this stage.

3.1 Overview of feedback

Comments relating to the proposed Class D CAZ boundary were extremely varied. Whilst there was some feedback around very different ways of defining a boundary and some comments from people who did not want to see a charging zone defined at all, the majority of feedback focused on identifying potential amendments to the published boundary for a Class D CAZ. In summary these comments reflected:

- Opinions that the zone should be smaller. The majority of respondents who expressed this view did so because of a desire to allow through trips to route around Bath (particularly noting that Bath does not offer a ring road or suitable alternative routes) and to ensure that every day essential journeys would not be impacted by a potential charge.
- Views that the zone should be larger. Some respondents called for a larger zone because they felt tackling current air quality issues in their area required bolder action or wished to see the perceived positive impacts of a CAZ extend across a wider area. However, the majority of requests for a larger zone were made in response to concerns about the potential knock on effects of the CAZ, for example to discourage rat running or parking in areas adjacent to the zone.
- Views that the zone should be designed in a way to enable specific journeys, in particular journeys across the city, to the motorway and to key facilities, such as the hospital.
- Requests for minor adjustments to the boundaries, in particular to mitigate the impact of the zone on residents and to enable them to travel out of the city without clipping the edge of the zone.

This section considers these comments and explores the extent to which the requests made by respondents are technically feasible. It should be noted that this section deals specifically with the consideration of feedback on the boundary of the Class D CAZ (as that was the focus of the consultation exercise). However, at the end of this section the implications of the feedback and related technical assessment are discussed in the context of the Class C CAZ option.

3.2 Context for consideration

The CAZ boundary published as part of the consultation exercise was defined based on the following rationale:

- The zone should be as small as possible to enable compliance with air quality targets and avoid impacting more people and local businesses than is necessary.
- The boundary needs to be defined in a way that, as far as possible, avoids the potential impacts of rat running, allows safe opportunities for vehicles to turn around before they enter the CAZ, and minimises the impact of street clutter in the form of signage and cameras.

The suggested boundary alterations have been considered in line with these principles, and assessment has focused on whether the suggestions are technically feasible. Document OBC-04 explains the rationale for the boundary and how this has evolved through various stages of the project.

3.3 Assessment of a smaller zone

A variety of requests were made via the consultation process to consider a smaller zone. These comments are set out in detail in Chapter 7 of OBC 25a – Report on Formal Consultation.

A common suggestion was that the A36 and A4 should be excluded from the zone as these are through routes used by traffic moving through and around Bath. In response to this feedback, additional traffic and air quality modelling work was undertaken to examine the extent to which compliance with the required air quality targets could be delivered with a smaller zone as shown in Figure 3.1. This removed all sections of the A36 and the A4 London Road/Cleveland Place junction from the zone.

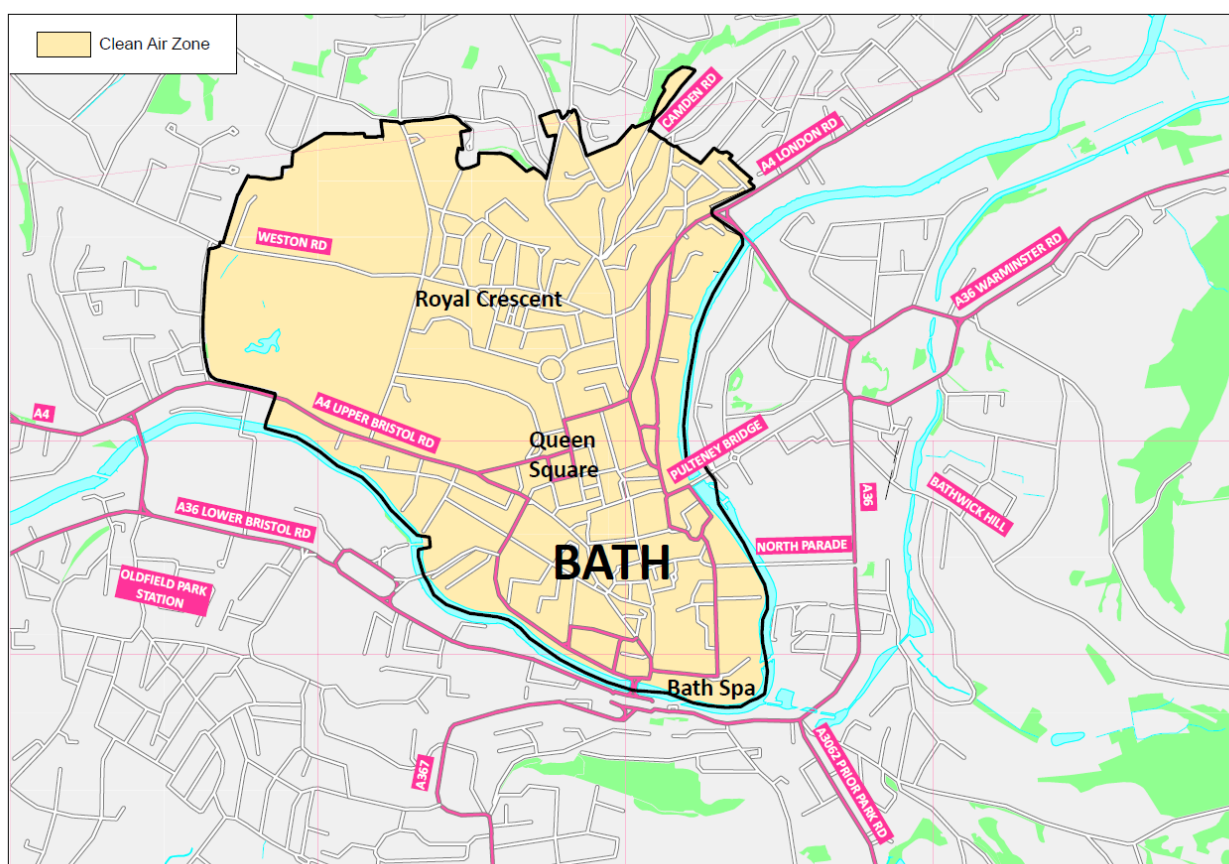


Figure 3.1 Reduced Clean Air Zone (CAZ) extent considered (removing the A36 and the A4/Cleveland Place junction)

Detailed reporting of this work can be found in Appendix A. In summary, this highlighted that this smaller zone would result in five exceedances of air quality and therefore not be sufficient to deliver the required reductions in emissions. Specifically, these were identified at:

- A4 London Road, east end in Lambridge;
- A4 London Road, east of Cleveland Place;
- A367 Wells Road, near Oldfield Road;

- A36 Lower Bristol Road, between Pines Way and Windsor Bridge Road; and
- A4 Upper Bristol Road, between Windsor Bridge Road and Newbridge Hill.

The maximum concentration was 47 µg/m³.

A further 'sensitivity' test was also undertaken with just the removal of the A4 London Road/Cleveland Place. The results with this test still showed a maximum concentration is 40.8 µg/m³, with three PCM-equivalent receptors in exceedance. This scenario is thus still non-compliant, albeit the difference with the Class D CAZ as proposed via the consultation is marginal.

On the basis of this work a smaller zone was ruled out and has not been considered further.

3.4 Consideration of minor boundary adjustments

The consultation feedback also included requests for specific smaller areas to be excluded from the CAZ. These comments are set out in detail in Chapter 7 of OBC 25a – Report on Formal Consultation. These typically related to areas on the edge of the proposed boundary, or where respondents had identified that minor amendment could mean that their street may not be unnecessarily disadvantaged by the CAZ. In most cases the implication was that respondents were asking for the boundary to be drawn closer to the main routes, and not to include the side roads. In some cases, there were parallel requests from others who would prefer to see the boundary enlarged in the same area.

These comments have been examined and **Table 3.1** provides commentary on the extent to which each may be practical or feasible. Consideration has made in terms of:

- The original rationale for the proposed boundary;
- The extent to which they may open-up potential rat runs;
- How practical they might be in terms of camera placement; and
- Whether they may lead to wider issues or have other knock on impacts.

This work has identified some instances where a request made through the consultation process could be accepted without affecting air quality compliance or opening-up new potential avoidance routes. The two amendments carried forward into a revised boundary are the exclusion of Cranhill Road and an amendment at Rivers Road. However, many of the suggested amendments have potential disadvantages or issues.

Table 3.1 – Consideration of requests for minor boundary amendments (exclusions)

Streets suggested for exclusion from the zone via minor amendment to proposed Class D zone boundary	Notes on feasibility/issues to consider
Pulteney Gardens, Pulteney Grove, Pulteney Avenue, Lime Grove, Lime Grove Gardens	<p>These roads were included in the boundary that went out for consultation due to a late boundary amendment to move the cordon point on the A36 back from Widcombe to a point just south of Bathwick Roundabout. This was to make signing easier and to provide safer, more suitable 'escape' routes to allow re-routing choice 'at the cordon' position. In particular:</p> <ul style="list-style-type: none"> • The entrance to the CAZ is now clearly signed at Bathwick Hill Roundabout; this will allow all vehicles, particularly HGVs, to use

Streets suggested for exclusion from the zone via minor amendment to proposed Class D zone boundary	Notes on feasibility/issues to consider
	<p>Bathwick Hill or the A36 North (via a 'U' turn or using Vane Street) to exit the roundabout and avoid entering the zone;</p> <ul style="list-style-type: none"> The proposed signage before the canal will also make it clear to non-compliant LGVs and cars that crossing the canal bridge will result in entry into the CAZ. Vehicles are able to re-route at this point using either Horseshoe Walk or Abbey View; and As proposed at consultation stage the boundary avoids issues with non-compliant vehicles routing past Widcombe Primary School to turn, or 'entrapment' issues with HGVs forced to enter if reaching Widcombe. <p>Excluding these roads would require new cordon points at the Lime Grove, Pulteney Gardens and Pulteney Avenue minor road junctions with the A36, as opposed to a single cordon point on Pulteney Gardens to the east at the canal bridge. Options for turning in these roads, which have significant on-street parking, are limited without reversing back. The proposed boundary location offers better facility for this for non-compliant vehicles.</p> <p>An amendment here is not proposed for this reason.</p>
Widcombe Hill / Prior Park Road Junction /Claverton Street (including Widcombe Baptist Church)	<p>The Widcombe Hill and Prior Park Road routes to/from the A36 need to be cordon controlled at some point. This is currently south of the White Hart junction. North of the White Hart junction the cordon control points (still two) would have to be on Widcombe Parade (exit only) and St Matthews Place. The only advantages of this would be that access to the Baptist Church car park could be achieved without entering the CAZ, whilst the double mini-roundabout at the White Hart junction would facilitate 'turn around' for non-compliant cars and LGVs. A potential disadvantage of this change would be retaining movement between Widcombe Hill and Prior Park Road at the zone edge, which together with The Tynning and Rosemount Lane/Forefield Rise could open up a 'rat-run' avoidance route between Horseshoe Walk and Greenway Lane.</p> <p>An amendment here is not proposed for this reason.</p>
Wells Road	<p>The zone as proposed in the scheme published for consultation extended along the Wells Road (A367) to the junction with Oldfield Road (B3111) but did not include the junction. This was proposed by the residents of Upper Oldfield Park to avoid rat-running on what is a minor road, and one which serves as a main point of access to Hayesfield School.</p> <p>If the boundary was moved further north (to exclude more of Wells Road), then Upper Oldfield Park would be likely to become a rat run.</p> <p>An exclusion is not proposed here for this reason. Note that other respondents called for more of Wells Road to be included in the zone and for the B3111 itself to also be included (see Table 3.2).</p>
Pines Way gyratory to facilitate access to	<p>Removing Pines Way gyratory and moving cordon points to Midland Bridge Road and the A36 Lower Bristol Road to the east of the gyratory would by</p>

Streets suggested for exclusion from the zone via minor amendment to proposed Class D zone boundary	Notes on feasibility/issues to consider
Sainsburys/Green Park	<p>default remove the A36/Brougham Hayes junction from the CAZ. This would open up a potential avoidance route via the B3111 (Refer also to item below).</p> <p>An amendment here is not proposed for this reason.</p>
Junction of the B3111 Brougham Hayes with the A36 Lower Bristol Road (or other means of allowing a left turn onto the A36 without entering the zone)	<p>The inclusion of the A36/Brougham Hayes junction is primarily focussed on preventing the undesirable re-routing of non-compliant vehicle trips around the edge of the zone in both directions via the B3111 (so Brougham Hayes, Lower Oldfield Road, Junction Road and Oldfield Road) which might otherwise result in worse air quality in this area and/or undesirable congestion issues.</p> <p>An amendment here is not proposed for this reason.</p>
Roads to the south of the A36 including Westmoreland Street	<p>The proposed zone includes the area up to the railway bridge on Westmoreland Road, with the cordon point just north of the junction with Westmoreland Station Road/Lower Oldfield Park/Thornbank Place. This area is included as the junction is a clearer and more obvious turn-around point before entering the CAZ. HGVs would also have the opportunity to turn around here using the entrance area to Westmoreland Station where the carriageway area is quite wide. The inclusion also optimises the scheme for practicality reasons, removing the need for two cordon points to/from the A36 Lower Bristol Road at Westmoreland Road and Cheltenham Street.</p> <p>An amendment here is not proposed for this reason.</p>
Victoria Park (general area, including Weston Road, Julian Road, Marlborough Lane and Cavendish Road)	<p>This was originally included because of concerns about excess use of the Park for parking by non-compliant vehicles, given that the adjacent Charlotte Street car park would be inside the CAZ.</p> <p>Removing it from the zone is unlikely to have a big impact in achieving compliance. However, the Weston Road cordon point would have to be relocated to a point closer to the Cavendish Road junction (ideally just east of RVP access) and Marlborough Lane to the south of the Royal Avenue junction removed. Removal of Cavendish Road, and so too the Weston Road/Cavendish Road junction, would open-up a significant opportunity for avoidance routing between Weston Road and Lansdown Road via Cavendish Road, Winifreds Lane (NB only) and Sion Road.</p> <p>An amendment here is not proposed for this reason.</p>
Cranhill Road	<p>Cranhill Road could be omitted from the CAZ without issue. There would be an increase in ducting/cabling costs although not significant. Its inclusion in the published consultation scheme boundary simply enabled the Weston Road cordon point to be defined just east of the Weston Road/Park Lane mini-roundabout. If removed, Cranhill Road may become more prone to vehicles turning around within it or dropping off passengers outside the CAZ, but this risk is considered low.</p>

Streets suggested for exclusion from the zone via minor amendment to proposed Class D zone boundary	Notes on feasibility/issues to consider
	This amendment is included in the revised Class D CAZ boundary.
Lansdown Road/Richmond Road Junction	<p>Following an initial assessment and ongoing discussion with key stakeholders within the Council, a northwards extension of the boundary to St. Stephen's Church (Lansdown Road/Richmond Road junction) was incorporated into the CAZ at a previous stage in the project. It was considered that its inclusion was necessary to prevent travel routing around the zone boundary to avoid the charge, so increasing non-residential traffic whilst reducing air quality on local streets.</p> <p>However, moving the cordon to the south of this junction could be considered, with revised ANPR camera locations on Lansdown Road immediately south of the Richmond Road junction and on St Stephen's Road at its junction with Richmond Road. This would achieve the same objective and additionally allow the Lansdown Road/Richmond Road junction to be used for 'turn-back' manoeuvres.</p> <p>On balance, considering other feedback, an amendment here is not proposed at this time. This amendment could potentially be considered in the future.</p>
St Stephen's Road, Rivers Road, Bella Vista Road, Mount Road, Lansdown Grove	<p>The necessity for including this set of residential roads was the desired inclusion of the Lansdown Road/Richmond Road junction (see above). Most of this area could be excluded by moving the cordon here southwards and establishing revised cordon points as follows:</p> <ul style="list-style-type: none"> • Lansdown Road: just south of the junction with Lansdown Grove; and • St Stephen's Road: just south of the junction with Mount Road. <p>This change would remove the need for the cordon sites at the Lansdown Road/Richmond Road junction, or the alternative suggested earlier. It would also remove the need for bespoke cordon points at the Lansdown Crescent and Upper Lansdown Mews junctions with Lansdown Road. Making this change would not open-up any new opportunity for zone avoidance 'rat-running'. It would also reduce the need for ANPR camera coverage and have no impact in achieving compliance.</p> <p>At this stage, given the desire previously expressed for the Lansdown Road/Richmond Road junction to remain in the zone, an amendment here is not proposed.</p> <p>However, a minor amendment to the proposed boundary is carried forward to remove Rivers Road. This amendment is made following feedback from residents.</p>
Camden Crescent, Camden Road and Belgrave Crescent	Camden Road/Camden Crescent already acts as a parallel 'rat-run' route to London Road so, with London Road cut by the zone it is essential that this route is also covered by the CAZ to deter increased rat-running. It is considered the cordon location chosen on Camden Road must allow some

Streets suggested for exclusion from the zone via minor amendment to proposed Class D zone boundary	Notes on feasibility/issues to consider
	<p>opportunity for a non-compliant vehicle to 'turn-back' should earlier warning signing be missed. This is not achievable with setting the cordon point at the Camden Crescent junction with Lansdown Road. Whilst Belgrave Crescent is accepted as 'not ideal' for 'turn-back' it does at least provide an opportunity where these are few. However, as this route is used primarily by 'local' traffic familiar with the road network, it is considered that the number of drivers 'caught out' and using Belgrave Crescent for this purpose will fall off sharply in the first few days of CAZ operation.</p> <p>Resetting the cordon point on this route just west of the junction with St Stephen's Road could be considered. However, this road is equally non-ideal for accepting turn-back 'avoidance' traffic. It would also require a re-establishment of the boundary to the south to link with that around the A4 London Road/Cleveland Place junction.</p> <p>An amendment here is not proposed for this reason. It is proposed that this situation should be monitored, and reassessed if necessary.</p>
Charlotte Street car park	<p>Removing this key car park from the CAZ would not align with the overall ambition to improve air quality and encourage behaviour change. It may also result in adverse impacts due to increased popularity of this car park in comparison to others within the zone.</p> <p>An amendment here is not proposed for this reason.</p>
An area to enable drop offs for the bus or rail station	<p>Drop-off/pick-up close to the bus and railway station is not precluded for compliant vehicles. Creating a specific area for non-compliant vehicles within an easy walk distance of Bath Spa railway station and the main bus station will encourage its use for general drop-off/pick-up for shopping/leisure trips to the City Centre as well. This would not be in keeping with the objective of encouraging behavioural change.</p> <p>An amendment here is not proposed for this reason.</p>

3.5 Consideration of a larger zone

Within the consultation feedback there were various requests for the Class D zone to be made larger to include a wider area. These comments are set out in detail in Chapter 7 of OBC 25a – Report on Formal Consultation. Some of these requests were reflected in detailed responses from resident's associations who expressed strong views about the need for their area to be included in the zone. In response to this feedback additional work was undertaken to consider the issues arising from potential inclusion of additional areas within the Class D zone in terms of:

- Whether extending the area is likely to further encourage behaviour change or deliver enhanced air quality benefits;
- The potential impact on alternative routing and potential further traffic displacement;
- Whether there may be other strategies for addressing the issues in the area; and

- The practical, economic and financial impacts of a bigger zone, including the costs of implementing and maintaining additional infrastructure.

The findings of this work are shown in Table 3.2 and supported by further detail presented in Appendix B. This work was undertaken in the context that the Class D CAZ boundary presented as the basis for the consultation was technically assessed and found to achieve compliance with air quality targets. On this basis, any further expansion of the zone is not required for air quality purposes. However, it is recognised that many respondents had concerns that the proposed boundary would result in adverse impacts, for example rat-running, turning back and increased demand for parking, that require consideration.

On the basis of the technical assessment set out in Table 3.2, and considering the nature of the consultation feedback provided, an amendment to the Class D CAZ boundary is identified to extend the zone to include the Pulteney Estate area. This extension is taken forward to the Class D CAZ option outlined in the revised OBC. This work has also identified possible additions to the zone at Bathwick and the A367. These are recommended for further consideration but do not form part of the core scheme presented in the revised OBC.

It is recommended that in other areas where there have been requests for the zone to be made larger, a programme of monitoring should be set out. It will be important to define how potential knock on effects can be monitored and reviewed and how this can be captured through any monitoring and evaluation plan that will need to be provided to support the FBC.

It is important to note that any amendments to the zone ultimately taken forward need to recognise that the zone may then affect residents who may not have commented through the formal consultation process, either because they were not aware that they would be affected or were happy with the boundary as proposed. That is, adding new areas into the zone will inevitably mean that more people will be affected. Some may not support inclusion, and would not have commented to this effect if they were not aware that their location would be impacted and changed in this way;

Table 3.2 – Consideration of requests for potential zone extensions within a Class D CAZ

Locations requested for inclusion in an expanded Class D CAZ	Notes on feasibility/issues to consider
More of London Road	<p>Most of the traffic passing along London Road continues through or comes from the Cleveland Place junction which is within the CAZ boundary. As such, the effect of improved vehicle compliance on air quality will be felt indirectly along the remainder of the London Road anyway. Including more of London Road would entail a need to include residential streets adjacent to it, particularly those with sole access to the A4, or create a need for multiple cordon points on streets adjoining London Road to the north for example Snow Hill and St Saviours Road. Turn-back opportunities from what in some cases are roads with a steep gradient would be difficult.</p> <p>An amendment here is not proposed for this reason.</p>

Locations requested for inclusion in an expanded Class D CAZ	Notes on feasibility/issues to consider
Pulteney Estate	<p>In the consultation feedback there were many requests to include a much larger area on the eastern boundary of the Class D CAZ within the zone (to include Great Pulteney Street, Sydney Place and Sydney Gardens) and various residents' associations supported this view. There were specific concerns that the CAZ could exacerbate existing issues with tourist and rugby coaches idling in the area by being attractive to non-compliant coaches seeking to avoid the charge while still getting close to the central area and the Recreation Ground. There are also concerns about general rat running and increased pressure for drop-off and parking of non-compliant vehicles.</p> <p>The issues around inclusion of this area are covered in a separate Technical Note, included in Appendix B. In summary, the additional work undertaken to consider these issues concludes that an extension of the CAZ zone is not needed to achieve compliance. The Technical Note discusses specific issues relating to coaches, parking and drop offs and concludes that these issues are unlikely to be significantly exacerbated by the CAZ, but it does recognise that these are existing issues of concern to many residents.</p> <p>For these reasons a zone extension to the extent advocated by the resident's associations is not recommended. However, in response to consultation feedback, a smaller extension of the zone to include the Pulteney Estate (that is to include Bathwick Street, Great Pulteney Street and roads to the west) is included in the revised Class D CAZ boundary shown on Figure 3.2. This is taken forward on the basis that it does not interfere with the turning opportunity via Sydney Gardens.</p>
Bathwick	<p>Similarly, many requests were received during the consultation period to extend the zone to include the wider Bathwick area.</p> <p>The difficulties of delivering a wider extension, including the Sydney Place gyratory and the wider Bathwick area is noted in Appendix B. A key constraint is that a larger zone here would have implications in providing suitable opportunity for 'turn-back' or re-routing of non-compliant vehicles, particularly HGVs entering the city on the A36(T)</p> <p>Further extension to cover a wider area of Bathwick might be considered at some point in the future if CAZ implementation is shown to introduce undesirable parking or rat-running effects which are not addressable with normal parking or traffic management controls. On this basis, inclusion of the wider area in the zone remains under technical review but does not form part of the core scheme presented in the revised OBC.</p> <p>Proposals for monitoring in this area are set out in document OBC-26 'Evaluation, Monitoring and Benefits Realisation Plan'. Section 3.7 provides further details.</p>

Locations requested for inclusion in an expanded Class D CAZ	Notes on feasibility/issues to consider
Bathampton	<p>To the east there are also concerns from residents in Bathampton about increased traffic on Bathampton Lane/Mill Lane due to its use as a potential avoidance route by non-compliant light vehicle traffic. This includes concern about increased delay on both approaches to the toll bridge and the risk of increased northbound queuing extending beyond the railway bridge into the northern part of Bathampton. On this basis there were requests for this area to be included potentially with the Class D CAZ.</p> <p>The issues around inclusion of this area are also covered in the same Technical Note contained within Appendix B. In summary, the additional work undertaken to consider the issues in Bathampton concludes that inclusion of this area is not required to deliver air quality compliance by 2021. Re-assessment of the traffic modelling results shows that the diversionary impacts expected are not high or severe, albeit there is a slight increase in expected usage. It is noted also that the ability for extra traffic to be accommodated on the toll bridge is heavily constrained by the capacity of the bridge itself. Extending the CAZ boundary out to Bathampton would not be practical via a continuous extension of the zone, as this would necessitate the inclusion of additional residential and business areas (meaning additional residents and businesses would be impacted). There are also issues with providing an adequate turn back opportunity. Therefore, if included, Bathampton would need to form a separate 'outlier' zone. This would likely set a precedent for the inclusion of other sub-zones.</p> <p>An amendment here is not proposed for this reason. However, it is recommended that this area be closely monitored and reviewed. This should include further data collection prior to CAZ implementation, in order to accurately assess current conditions. Proposals for monitoring in this area are set out in document OBC-26 'Evaluation, Monitoring and Benefits Realisation Plan'. Section 3.7 provides further details.</p>
Horseshoe Walk	<p>There is a small risk of some additional traffic using Sydney Buildings, Horseshoe Walk and The Tynning as a route between Bathwick Hill and Widcombe Hill. However, these two routes converge and meet to the east at Combe Down. As such, any additional usage would be limited to a few drivers trying to route north-south around this edge of the zone. Church Street, which would form the logical extension of this rat-run to Prior Park Road, is narrow, so would act as a significant deterrent.</p> <p>An amendment here is not proposed for this reason. However, it is recommended that this area be closely monitored and reviewed. Proposals for monitoring in this area are set out in document OBC-26 'Evaluation, Monitoring and Benefits Realisation Plan'. Section 3.7 provides further details.</p>

Locations requested for inclusion in an expanded Class D CAZ	Notes on feasibility/issues to consider
More of Widcombe Hill, Prior Park Road. and Lyncombe Hill	<p>The present inclusion of the White Hart junction will intercept and control non-compliant vehicle usage on Widcombe Hill and Prior Park Road. The proposed cordon point on Lyncombe Hill is sited at the A36 junction to allow some opportunity for non-compliant vehicles to turn-back using either St Marks Road or Calton Gardens. Whilst it is possible these streets might also be used by non-compliant drivers to drop-off/pick-up, re-siting the cordon point, say, north of Alexandra Road, would create no avoidance 'turning' opportunity for drivers using Lyncombe Hill (unless sited much further south and just north of the Rosemount Lane junction). If the latter was considered, the southern extension of the zone along Lyncombe Hill would encompass a number of other streets, whilst the position of the cordon point in Prior Park Road would have to be re-evaluated (so likely just north of the Lyncombe Vale junction (Rosemount Lane).</p> <p>An amendment here is not proposed for this reason.</p>
More of the A36	<p>Proposed advance signing at the A36/Windsor Bridge Road junction will be used to direct non-compliant vehicles away from the section of the A36 Lower Bristol Road between Windsor Bridge Road and Brougham Hayes. Including this section would impact businesses along the north side for no reason, which will get an indirect air quality benefit anyway with the A36/Brougham Hayes junction included within the CAZ. In other words, there is no eastbound 'through' traffic route available other than via the A36/Brougham Hayes junction once drivers exit the Windsor Bridge Road junction. In addition, other consultees were keen to see the A36 excluded from the zone, or as little included as possible.</p> <p>An amendment here is not proposed for this reason.</p>

Locations requested for inclusion in an expanded Class D CAZ	Notes on feasibility/issues to consider
More of the A367 - A367/B3111 Oldfield Road junction	<p>There were a number of requests to include the junction of the A367 and the B3111 Oldfield Road, or a longer stretch of the A367 Wells Road.</p> <p>A significant extension to the zone in this direction would not be required for compliance and would disadvantage additional residents. Extending the zone boundary, for example to Hatfield Road, would provide no opportunity for inbound A367 non-compliant traffic reaching the dual carriageway section to turn-back.</p> <p>In respect of the junction of the A367 and the B3111 Oldfield Road there is an easy diversion route via Bloomfield Avenue to the south that could be used to route around this junction if it were included in the zone. As such, if there was a desire to include this junction it would therefore be necessary to consider inclusion of the length of the B3111 Oldfield Road to its junction with Junction Road. Turn-back for non-compliant vehicles seeking to avoid the zone on reaching Bear Flat would then be required to use residential roads in 'Poets Corner' on the east side of Wellsway, or Bloomfield Avenue.</p> <p>The inclusion of the B3111 Oldfield Road and its junction with Wells Road will undoubtedly reduce the risk of risk of drivers trying to avoid the CAZ by using this route to enter/leave Oldfield Park. Whilst noting that the A36/B3111 Brougham Hayes junction at the other end of this route is already included, there are other routes across Oldfield Park to the A36 possible via Oldfield Road. However, targeting this length of Oldfield Road could result in use of the other residential roads to the south of the 'Linear Park' to access Oldfield Park.</p> <p>Inclusion of this area in the zone is under technical review but does not form part of the core scheme presented in the revised OBC. Proposals for monitoring in this area are set out in document OBC-26 'Evaluation, Monitoring and Benefits Realisation Plan'. Section 3.7 provides further details.</p>
Oldfield Park	<p>Oldfield Park was identified by respondents as an area that may be particularly at risk of increased traffic and parking as a result of the CAZ. There were various calls to include this area within the zone. Doing so could however conceivably involve the inclusion of a very large residential area. If the zone boundary was to be aligned with the 'Linear Park' or 'Two Tunnels Greenway' route, it could simply displace non-compliant vehicle routing into the area to the south.</p> <p>An amendment to include Oldfield Park is therefore not taken forward for this reason. However, it is recommended that this area be closely monitored and reviewed. Proposals for monitoring in this area are set out in document OBC-26 'Evaluation, Monitoring and Benefits Realisation Plan'. Section 3.7 provides further details.</p> <p>A minor extension to the zone to include the B3111 Oldfield Road may help alleviate some of the issues for Oldfield Park. However, as noted above this requires further consideration as it could result in similar re-rerouting via less suitable residential roads to the south.</p>

Locations requested for inclusion in an expanded Class D CAZ	Notes on feasibility/issues to consider
Weston/Lansdown	<p>The inclusion of Cavendish Road within the CAZ will prevent any non-compliant vehicle routing through the Sion Hill area. Lansdown Lane through Weston to the west is too remote from the western edge of the proposed CAZ to be sensibly linked.</p> <p>An amendment here is not proposed for this reason.</p>
Camden (with particular reference to possible inclusion of Belgrave Crescent)	<p>Respondents requested for Camden Road to be included due to concerns that additional traffic would use this route to avoid the charging zone. There was particular concern that Belgrave Crescent (located adjacent to the proposed boundary off Camden Road) would be inappropriately used by traffic turning to avoid the zone. Including a wider length of Camden Road (say to the Tynning Lane junction) would inevitably require a need to include secondary roads served off of it to keep the number of necessary cordon points required on minor roads to a sensible level.</p> <p>Instead the perceived issue with turning around on Belgrave Crescent could be mitigated by comprehensive and timely advanced signage.</p> <p>An amendment here is not proposed for this reason. However, it is recommended that further advanced signage is provided.</p>

3.6 Revised Class D CAZ proposed boundary

The boundary of the proposed Class D CAZ has been amended as shown in Figure 3.2, based on consideration of the consultation feedback (as detailed above) and technical review. This differs from the consultation version by:

- Including the Pulteney Estate area (Area 1 in Figure 3.2);
- Excluding Rivers Road (Area 3 in Figure 3.2); and
- Excluding Cranhill Road (Area 2 in Figure 3.2).

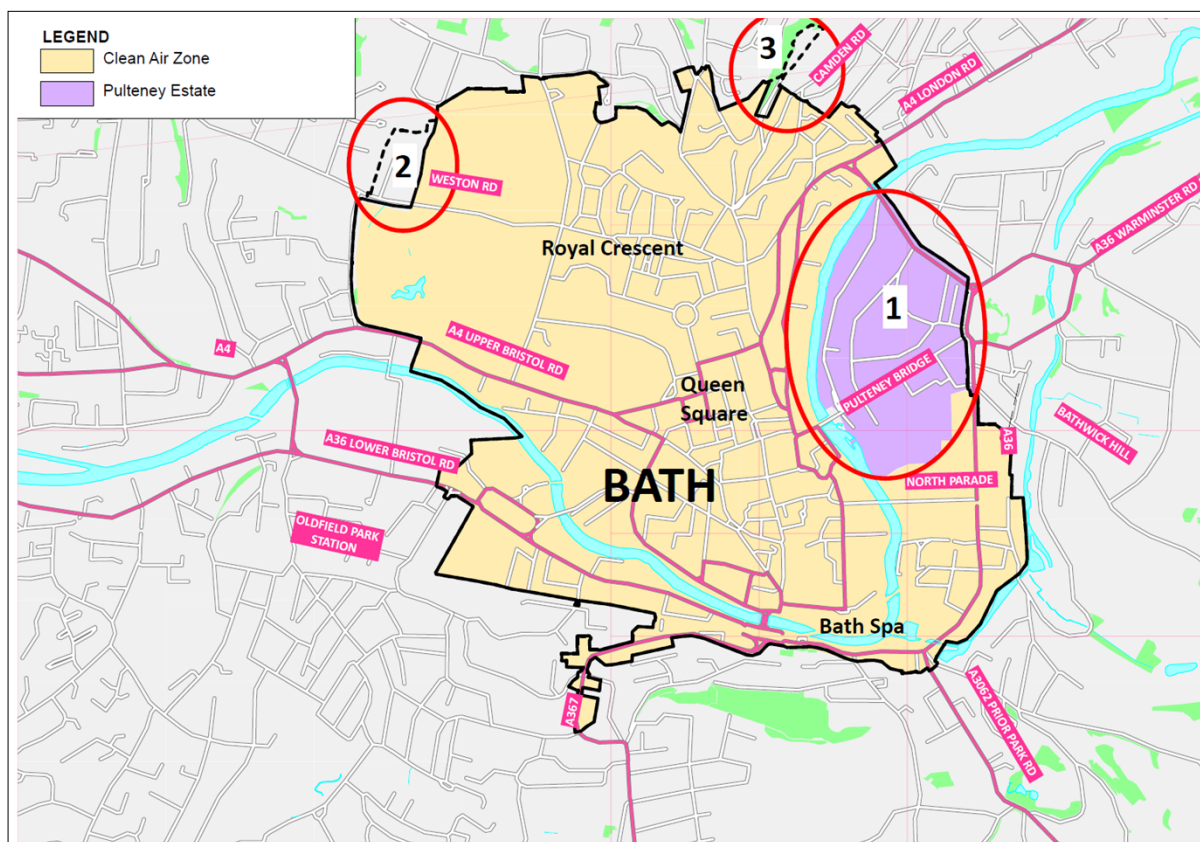


Figure 3.2 – Revised Class D CAZ boundary, following consultation

Additionally, other possible amendments highlighted in Figure 3.3, remain under technical review.

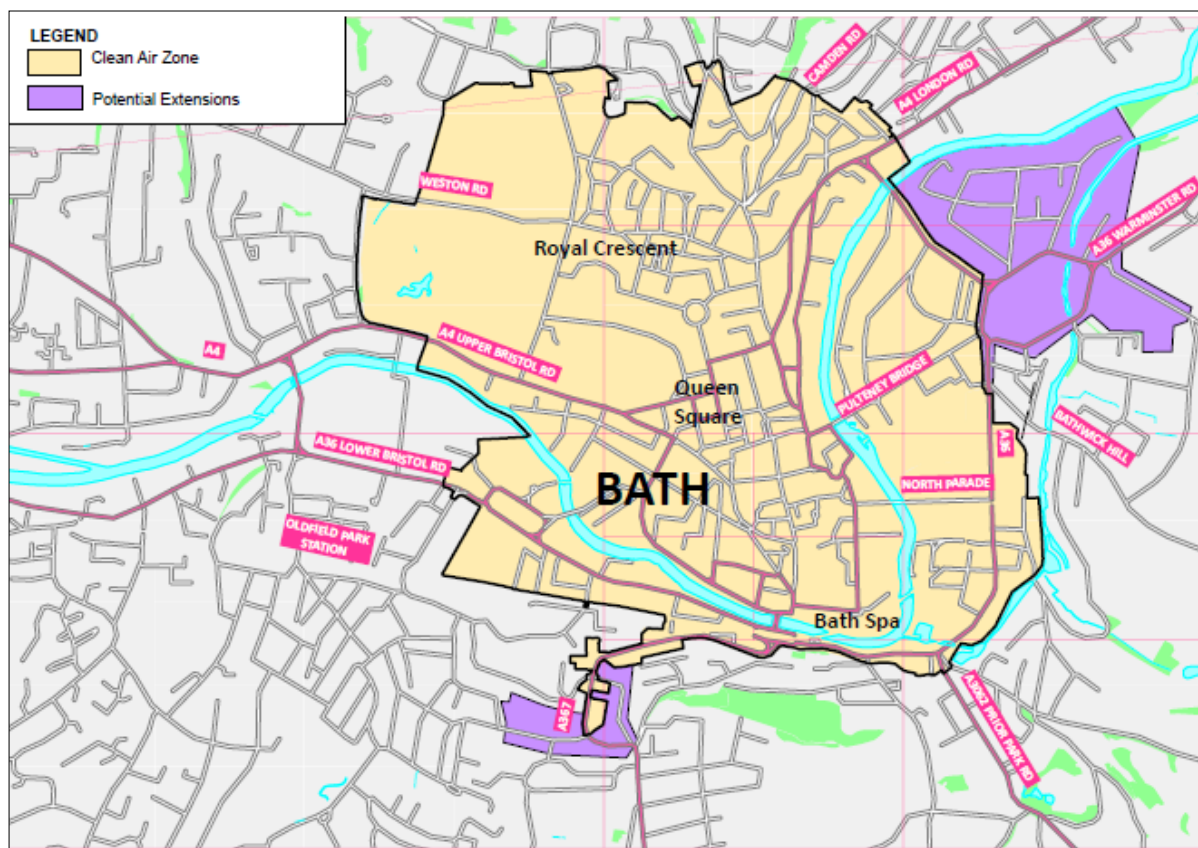


Figure 3.3 – Other possible boundary amendments under technical review

3.7 Monitoring and Evaluation Plan

As noted in Table 3.1 it will be important to monitor the impacts of the CAZ in the areas adjacent to the zone, particularly where residents expressed concerns about rerouting and rat-running in their consultation feedback.

An 'Evaluation, Monitoring and Benefits Realisation Plan' (document OBC-26) has been prepared as part of the OBC. This sets out how the impacts of the scheme will be monitored and details the specific measures that will be used to measure air quality, traffic flow and other indicators. The Plan recognises that a wide programme of monitoring will be required to monitor changes in traffic patterns outside the CAZ boundary. It identifies a number of specific locations where monitoring is required. This list of locations will continue to be reviewed and refined as the scheme progresses through the FBC stage.

3.8 Implications for other CAZ options

If a Class C CAZ is taken forward it is considered appropriate that this should adopt the same boundary as the Class D option. This is because:

- The boundary for a Class D CAZ, as adapted to reflect consultation feedback, is drawn to help avoid undesirable rat running. These issues remain an important consideration under a Class C CAZ in order to prevent LGVs and HGVs taking undesirable routes.

- Similarly, the boundary for the Class D CAZ has been identified in a way that allows opportunity for safe turn back. Again, this remains critically important in a Class C CAZ, particularly to give opportunity for heavy vehicles who do not want to enter the zone to turn safely.

DRAFT

4. Charges for a Class D CAZ

Action taken in response to consultation feedback

Many of the suggestions for alternative Class D CAZ charges or charging mechanisms put forward through the consultation would not be compatible with the objectives of the Clean Air Plan or Government Directive and therefore cannot be progressed. However, the CAZ proposals presented in the revised OBC indirectly address the feedback by including:

- Further details of the financial support schemes designed to assist with the transition to compliant vehicles. This would help support both individuals and commercial operators. Details of this scheme are included within OBC 08 – Options Assessment Report.
- A revised package of concessions and exemptions to support a Class D CAZ. See Chapter 5.
- A Class C CAZ supported by traffic management and signal timing changes as an alternative option which has potential to deliver the required air quality improvements.

4.1 Overview of feedback

The consultation sought feedback on the extent to which respondents felt that the proposed Class D CAZ charges would be effective in encouraging behaviour change. Feedback included both:

- Calls for a bolder approach based on higher charges; and
- Suggestions for a more lenient approach focused on charging fewer vehicles or charging lower amounts.

However, the majority of comments were suggestions for ways to lessen the impact of the proposal on individuals, particularly residents on low incomes and those who have no option but to drive in/through the city and businesses, specifically small and sole traders. Many respondents felt that a lower charge would be more appropriate and also called for a longer lead in period to help ease the transition to a compliant vehicle. Chapter 8 of OBC 25a – Report on Formal Consultation sets out the feedback in detail.

The feedback suggested that respondents may not have been aware that, at the time of the consultation, part of the Class D CAZ proposal was to offer financial support to assist both individuals and commercial vehicle users to change to compliant vehicles.

4.2 Context for consideration

In considering the range of suggestions put forward for alternative levels and mechanisms of charging it is important to note that:

- The proposed CAZ charges need to follow the principles of the CAZ Framework;
- The charges need to be set at a level sufficient to achieve the behavior change required to meet the requirements of the CAZ. The proposed charges were determined based on evidence that this was the lowest level which would result in the desired behavior change;
- The charging system needs to be simple enough to be clearly communicated and easily understood; and
- The charging system needs to be practically and legally implementable and capable of being processed by the back-office systems that will be used to manage the scheme.

4.3 Consideration of alternative options for charging

The main themes and types of suggestions made in respect of the proposed charges for the Class D CAZ are listed in Table 4.1, together with details of how these have been considered.

Table 4.1 – Consideration of suggestions for alternative approaches to the proposed Class D CAZ charges

Alternative charge suggested	Notes on feasibility/issues to consider in context of a Class D CAZ
Don't charge cars/implement a Class C CAZ	Further work has been undertaken to further consider a Class C CAZ and a Class D with additional concessions and this is reported in Chapter 3 of this report as well as in OBC 08 – Options Assessment Report.
Higher charge	<p>Some respondents felt that a higher charge would be more effective, or that a higher charge for larger vehicles would be more appropriate given the emissions levels of these vehicles (particularly for HGVs).</p> <p>The proposed £9 charge for cars under the Class D CAZ proposal was established taking account of the results of a Stated Preference Survey which examined how people would respond to various levels of charge. Various charging levels were examined and tested via the traffic and air quality models and £9 was shown to be the lowest charge which would bring air quality to within legal limits by 2021 at the latest. Further details are set out in document OBC 11 – AQ3 Air Quality Modelling Report. Raising the charge above this limit would not be necessary to achieve compliance and would increase the likelihood of adverse impacts in terms of affordability or wider economic impacts.</p> <p>HGVs and coaches are already subject to a significantly higher charge than smaller vehicles (private cars, taxis and LGVs). Raising this further would penalise these vehicles unnecessarily.</p> <p>For these reasons, higher charges have not been further considered.</p>
Lower charge	<p>A wide range of suggestions were made for lowering the proposed charge for a Class D CAZ. These ranged from suggestions that everyone should pay less, or that there should be a lower charge for vehicles driven by specific groups, for example by residents. There was particular concern that the Class D CAZ charge would disproportionately affect low income groups and businesses.</p> <p>As noted above, £9 was shown to be the lowest charge which would bring air quality to within legal limits, by 2021 at the latest, with a Class D CAZ.</p> <p>Providing discounts or concessions to large numbers of people would affect the ability of a Class D CAZ to achieve compliance in the shortest possible time. For further information refer to OBC-05 'Proposed System Design Features and Payment Exemptions'.</p> <p>Instead of applying a lower charge for affected groups:</p> <ul style="list-style-type: none"> • Schemes offering financial support to enable some users to change to a compliant vehicle is preferred and is incorporated as part of the revised Class D CAZ proposal. This has the benefit of helping to increase the fleet of compliant vehicles and have a greater impact on emissions. These schemes are described in Chapter 5, see Section 5.2.1 for further details. • Targeted concessions are also proposed. These are also detailed in Chapter 5.

Alternative charge suggested	Notes on feasibility/issues to consider in context of a Class D CAZ
Lower charge initially, increasing over time.	<p>Respondents suggested that consideration should be given to phasing in charges. This was suggested both for cars and other vehicles. It was noted that commercial vehicle operators particularly would appreciate charges being phased in more gradually to allow additional time to upgrade fleets, especially where specialist vehicles require significant investment and where lower emission alternatives are not widely available.</p> <p>Charges for a Class D CAZ were set at the lowest level to bring air quality to within legal limits in the shortest possible time. Reducing charges initially would not generate the desired behaviour changes in the required timescales.</p> <p>Instead, the financial support schemes both for individuals and commercial vehicles have been designed to help facilitate switching to compliant vehicles. This provides an alternative way to mitigate the impacts but still enables the air quality improvements needed to achieve compliance.</p>
Give free passes to residents or other specific groups	<p>As noted above, providing discounts, concessions or exemptions to large numbers of people would affect the ability of the Class D CAZ to achieve compliance in the shortest possible time and must be carefully considered.</p> <p>Instead, as above, a system of financial support is proposed, and this will support residents with pre-Euro 4 cars to change to compliant vehicles. See Section 6.</p>
Alternative charging criteria	<p>Respondents suggested a range of alternative criteria for setting the charges, including that higher emission vehicles pay more/higher Euro standards should pay less, that the charges should be based on measured emissions (rather than Euro standard) or mileage travelled. This was suggested for both cars and other vehicles, including HGVs.</p> <p>Defra's CAZ Framework sets out the minimum classes and standards for Clean Air Zones. These are defined by Euro Categories and standards to enable a consistent and clear system for determining whether a vehicle is compliant or not. The proposed Class D CAZ follows this Framework.</p> <p>Charging based on mileage would present practical and enforcement challenges and result in a more complex system that would be difficult to understand and implement. As such this option may not achieve the required behaviour change necessary to achieve compliance in the shortest possible time.</p> <p>For these reasons alternative charging criteria have not been considered further.</p>

Alternative charge suggested	Notes on feasibility/issues to consider in context of a Class D CAZ
Operate the CAZ during peak hours/daytimes only/ charge on a rolling 24-hr period	<p>A common suggestion in the consultation feedback was that consideration should be given to the CAZ operating in peak hours only. In addition, respondents commented that, if 24 hours, the CAZ should be a rolling 24-hour period or start after midnight. The principle of a peak hour / daytime / rolling CAZ has been previously considered:</p> <ul style="list-style-type: none"> • A peak hour only scheme may not be sufficient to encourage the necessary behaviour change or may lead to unfavourable behaviour change that is not complimentary to the critical success factors of the project. For example, this would be likely to lead to trips being undertaken during unsociable hours. There was particular concern regarding increases in HGVs making deliveries or passing through the zone during the night. • These options would add an enhanced level of complexity to the practical and enforcement aspects of the scheme and make the format of the charging zone more difficult to communicate and understand. <p>For these reasons alternative operating hours have not been considered further.</p>

4.4 Implications for other CAZ options

The feedback on the published Class D CAZ charge suggests that if a Class C CAZ with traffic management and traffic signal timing changes were taken forward:

- This would address the various requests made for a lower charge for cars and would negate other requests, for example relating to the need to address impacts on residents.
- It would remain important to offer financial support to businesses, in order to address concerns raised by LGV and HGV operators.
- Not charging cars at all would likely attract criticism from those who felt that the published Class D CAZ proposal was appropriate, or who wanted to see higher penalties for non-compliant vehicles.

5. Concessions, exemptions affected groups with a Class D CAZ

Action taken in response to consultation feedback

In response to the consultation feedback and further technical work, the following adjustments have been made to the package of concessions and exemptions put forward in the revised OBC for a Class D CAZ:

- There be an exemption for all hybrid cars (including taxis).
- The following concessions will now extend until 01/01/2023 as opposed to 2022 – Euro 4 and 5 diesel vehicles used by as accessible taxis (for use by disabled passengers) or used by blue badge holders, registered health and care providers and registered community transport providers.
- It is clarified that a concession for emergency service vehicles is offered until 2025, when it is expected that their vehicles would be compliant. This position is reflected in a draft memorandum of understanding between the Council and the emergency services, see OBC-46.
- Taxis not fitting into the above categories will no longer be given a concession but would be eligible for financial support.
- There will no longer be a concession for educational coach trips – these trips will now be supported through the financial support scheme.
- A proposal for financial support to help everyone move towards a lower emission vehicle has been worked up in detail. This scheme would offer grants to drivers of pre-Euro 4 cars and loans to users of pre-Euro 6 diesel commercial vehicles. This would help to support a wide range of drivers to switch to a compliant vehicle, removing the requirement for various concessions. Euro 4/5 diesel commercial vehicles will be given a concession until 01/01/2023, in cases where a loan application is unsuccessful, see below for further details.

Other exemptions and concessions remain as per the Class D CAZ scheme that was published for consultation.

Note that some concessions remain under consideration, subject to further assessment (rather than fixed elements of the scheme).

5.1 Overview of feedback

The consultation feedback highlighted some strong concerns about the impact of the proposed Scheme on certain groups (defined either as groups of the community or drivers of specific vehicle types). Respondents outlined a wide range of suggestions for ways in which these groups could be assisted, including offering additional concessions or exemptions that could apply to vehicle types, user groups or trip purposes. Frequently mentioned suggestions included support for residents, those on lower incomes or with specific issues, private cars (particularly newer diesels), key trips including for business travel, commuting or to the hospital. Additionally, some respondents did not feel that all of the proposed concessions were necessary, or expressed concern that too many concessions would impact the effectiveness of the proposed Class D CAZ. For further details on the feedback received, see Chapters 9 and 12 of OBC 25a -Report on Formal Consultation.

5.2 Context for consideration

Concessions and exemptions need to be considered in relation to the following constraints:

- The Government Directive, requires improvements to be delivered by 2021 and The CAZ Framework states that concessions should not slow down achievement of the overall objectives of the zone;
- Providing too many concessions increases administrative burden, implementation costs and the likelihood that loop holes are found, or the system is abused.
- Concessions should be targeted to the groups for whom alternative modes of transport are not possible or where groups are entirely reliant on their vehicle to make journeys, in order to give them more time to change their vehicle.
- Concessions and exemptions need to reflect the extent to which specific vehicles are polluting.

The technical work undertaken shows that within a Class D CAZ the predicted air quality levels would meet the legal limits by 2021 but only by a small margin. Concessions and exemptions would slow down the rate at which air quality improves. Therefore, a Class D CAZ package which includes a wide range of additional concessions or exemptions would be significantly less likely to achieve compliance with the legal limits in the required timeframe.

5.2.1 Financial support schemes

In this context, and in order to respond to the concerns raised in the consultation, it has been necessary to consider other options. In particular, further work has focused on establishing the extent and nature of financial support that can be offered, as an integral part of the Class D CAZ option, to help support drivers change to compliant vehicles.

Financial support was included as part of the package of measures at the consultation stage. However, the consultation feedback has highlighted the critical importance of this measure and, as such, it has been given increased attention in the post consultation phase. Indeed, The Clean Air Fund offers a unique opportunity to support drivers and encourage behaviour change.

Two financial support schemes have been developed and these are discussed in detail in OBC 08 – Options Assessment Report. These offer:

- Financial assistance for individuals in the form of a £2,000 grant to support owners of pre-Euro 4 vehicles to switch to a compliant vehicle. The scheme will prioritise B&NES residents and residents living in neighbouring authorities whose normal place of work is within the CAZ
- Interest free loans to support businesses with pre-Euro 6 diesel commercial vehicles (i.e. bus, coach, HGV, LGV/van, taxi) to change to a new or second hand compliant vehicle. Applicants with a Euro 4 or 5 commercial diesel vehicle who are unsuccessful in their loan application would be granted a concession until 01/01/2023.

This scheme would be supported by the provision of advice (via a personalised service) which would provide motorists with assistance to support a change of behavior. This would include advice on:

- Alternative modes of transport available including incentives to encourage, for example trial bus journeys.
- The most appropriate/well suited vehicle choice, to include options to switch from a Euro 4/5 diesel to a petrol equivalent or to upgrade to a Euro 6.

5.3 Reasons for alterations made to Class D package of concessions and exemptions

As noted above a range of adjustments have been made to the package of concessions and exemptions that would support a Class D CAZ. Table 5.1 provides an overview of the rationale for these changes.

Table 5.1 – Rationale for changes made to concessions and exemptions supporting a Class D CAZ

Concession or exemption added or changed	Detail of adjustment made in the context of a Class D CAZ
Hybrid cars	<p>The scheme that was put out to public consultation offered a time limited concession for Euro 5 diesel hybrids only, until 1 Jan 2022. Respondents felt that all hybrid vehicles should be exempt, regardless of their fuel type or year manufacture because these vehicles have the ability to run on a less polluting fuel source.</p> <p>The revised proposal includes an exemption for all hybrid cars, including taxis. This is considered possible because overall this vehicle group makes a minimal contribution to emissions therefore an exemption does not affect the year of compliance.</p>
Blue badge holders, health and care workers, community transport and accessible taxis	<p>The scheme that was put out to public consultation offered a time limited concession to Euro 4 and 5 diesel blue badge holders, health and care workers, community transport and accessible taxis, until 1 Jan 2022. Respondents suggested these concessions should be extended and these were identified as top priorities in the responses to the consultation questionnaire.</p> <p>The revised proposal includes for a concession for Euro 4 and 5 diesel vehicle users until 1 Jan 2023. These groups have limited alternative options therefore an extended concession is considered appropriate.</p> <p>The financial support schemes also offer an opportunity to assist these motorists, whilst continuing to support behaviour change.</p>
Emergency service vehicles	<p>There was concern amongst respondents that non-compliant emergency service vehicles would be charged beyond 2025. Throughout the project the Council has worked closely with representatives from the emergency services to understand the composition of their fleet and their future plans. These discussions suggest that the emergency services themselves typically plan to run compliant vehicles by 2025 so it is not envisaged that a Class D CAZ would affect their operations. Their position is captured in a memorandum of understanding, which can be found in OBC-46.</p>
Commercial Euro 4/5 diesel vehicles with an unsuccessful loan application	<p>There was concern from respondents that commercial vehicle operators invest significant amounts of capital in their vehicle(s). It was considered that for some, especially smaller businesses with limited available capital, switching their vehicles by 2021 would negatively impact their business operations due to financial implications.</p> <p>The revised proposals include a financial support package for pre-Euro 6 diesel commercial vehicle operators to apply for a loan to upgrade to compliant vehicles. It is proposed as part of the revised OBC for a Class D CAZ that those applicants with a Euro 4 or 5 diesel commercial vehicle that are unsuccessful in securing a loan would receive a concession until 1st January 2023.</p>

<p>Taxis (including private hire vehicles) (excluding accessible taxis) - concession removed</p>	<p>Consultation feedback on taxis was mixed. Some respondents considered that non-compliant taxis making multiple movements within the proposed CAZ should not be given a concession because their emissions levels are high. Others expressed concern that unless a concession were offered taxi fares may increase.</p> <p>Within the Class D proposals published for consultation a concession for taxis was proposed. This has been reviewed in light of the consultation feedback and the further developed loan scheme (which would allow taxi operators to apply for a loan to support a change to a compliant vehicle) and this concession has now been removed. Taxis undertaking multiple journeys within the city centre contribute more than other vehicles to emissions and overall there is a need to set a positive precedent. In addition, newly licensed taxis will be required to be compliant under the new taxi licensing policy which was adopted by Cabinet in December 2018.</p>
<p>Vehicles with educational trip permits – concession removed</p>	<p>In liaison with schools and operators, it has been established that the financial support scheme for commercial vehicles better addresses the needs of these vehicles. It is proposed that those applicants with a Euro 4 or 5 diesel educational vehicle that are unsuccessful in securing a loan would receive a concession until 2023.</p>

5.4 Consideration of other suggested concessions

In the consultation feedback there were a wide range of suggestions for vehicle types, journeys and groups that would benefit from additional concessions or exemptions from the Class D CAZ charges. As part of the post consultation assessment these requests have been considered in terms of their feasibility for inclusion with a Class D CAZ. Many are not possible to provide within the constraints of the project.

A summary of these reasons is provided in Table 5.2 below and further details are provided in document OBC 05 – Proposed System Design Features and Payment Exemptions.

Table 5.1 – Additional concessions and exemptions suggested

Concession or exemption suggested	Notes on feasibility/issues to consider in the context of a Class D CAZ
Residents living with the CAZ	<p>A frequent request in the consultation feedback was for residents, and in particular those on lower incomes, to be granted a concession.</p> <p>Offering a concession to all residents within the CAZ, under a Class D, would compromise the ability to reduce air quality to within legal limits in the required timescale. This is because the air quality levels predicted for a Class D CAZ leave little scope for additional concessions.</p> <p>As an alternative to concessions for residents, further work has been undertaken to develop the details of how a financial assistance scheme could work. The proposed financial assistance detailed in OBC 08 – Options Assessment would support residents within the CAZ to switch to a compliant vehicle.</p> <p>The majority of residents living within the CAZ have reasonable access to alternative modes and will benefit from the package of supporting measures delivered alongside the CAZ.</p>
Other people who need to travel into Bath, in particular for work	<p>Many respondents to the consultation requested that people living across the area should be granted a concession to allow them to travel to Bath as their local service centre or for work. There was particular concern for lower income groups and key workers.</p> <p>As above, this would imply allowing a large cohort of vehicles to freely access the zone and would significantly affect the rate at which emissions reduce. Again, the financial support schemes offer an opportunity to assist some of these motorists, whilst continuing to support behaviour change. See Section 5.2.1 for further details.</p>
Business with non-compliant commercial vehicles	<p>Non-compliant commercial vehicles contribute the largest proportion of the NO₂ emissions in Bath. As such allowing a concession or exemption for this group would delay the year of compliance and therefore not meet the legal directive. The financial support schemes offer an opportunity to assist businesses, whilst continuing to support behaviour change. Where a business is unsuccessful in securing a loan, a concession until 1st January 2023 would be offered to Euro 4/5 diesel commercial vehicles.</p>
Visits to hospitals/for medical appointments	<p>A concession for priority patients to visit hospitals/for medical purposes was requested frequently by respondents. At this stage this is not proposed for practical and enforcement reasons. However, discussions with the hospitals remains ongoing.</p> <p>The financial support schemes offer an opportunity to assist these motorists, whilst continuing to support behaviour change. See Section 5.2.1 for further details.</p>
Others – including	<p>A wide range of other requests were made for various concessions, including for informal carers, older people, charities, churches. For the reasons set out above these are not possible. However, the financial support schemes will assist some motorists within these groups in changing to compliant vehicles. See Section 5.2.1 for further details.</p>

Concession or exemption suggested	Notes on feasibility/issues to consider in the context of a Class D CAZ
Pre Euro-6 diesel cars	<p>Respondents to the consultation expressed concern that their relatively new diesel car would be subject to a charge under a Class D CAZ and requested additional time to adapt.</p> <p>As above, a concession for this group would represent a large proportion of vehicles and compromise the ability to meet the required air quality targets. In addition, a concession for pre-Euro 6 diesels (or subsections of) would not support behaviour change to remove the most polluting vehicles from the roads.</p> <p>The financial support scheme offers an opportunity to assist individuals with any pre-Euro 4 car to apply for a grant to upgrade to a compliant vehicle.</p>
Pre Euro-4 petrol cars	<p>A concession would be against the rationale for introducing a CAZ, and not support behaviour change to remove the most polluting vehicles from the roads.</p> <p>The financial support scheme offers an opportunity to assist these motorists, whilst continuing to support behaviour change. See Section 5.2.1 for further details.</p>
Fewer concessions	<p>Some respondents felt that the package of concessions put forward at consultation stage was too wide. Some felt that some categories of vehicles should not be granted a concession because they pollute in the same way as others and are not necessarily owned by individuals in need of specific support, examples included historic vehicles, blue badge holders (in some cases, albeit there were more calls for extended help for blue badges) and motorcycles. The package retains these various concessions because:</p> <ul style="list-style-type: none"> • The package aligns with the CAZ Framework which for example requires specialist vehicles which cannot be retrofitted to be exempt. • The package is intended to help minimise the social and equality impacts of the proposed CAZ. • Some concessions are required because there are practical limitations to including certain vehicles within the scheme. This is the case with motorbikes, where the cameras will be unable to read rear number plates.

5.5 Implications for other CAZ options

The feedback on the published Class D CAZ Scheme concessions and exemptions suggests that if a Class C CAZ with traffic management and traffic signal timing changes were taken forward there would:

- Overall, be a lesser need for concessions because cars would automatically be exempt. In this respect a Class C would address many of the consultation requests;
- Continue to be concern from those groups who were concerned that concessions would dilute the overall impact of the Scheme.
- Be a need, in any case, to ensure that the financial support scheme remains important to mitigate the impact on businesses.

6. Supporting measures to be delivered alongside a Class D CAZ

Action taken in response to consultation feedback

In response to the consultation feedback and based on further technical work, additional supporting measures have been identified to be delivered alongside the Class D CAZ, subject to funding. In addition, some of the originally proposed measures have been further expanded upon as part of the Class D CAZ package. This includes:

- Further details of the financial support schemes for residents and businesses to help facilitate a change to compliant vehicles.
- Provision of free park and ride journeys for regular commuters not already using the park and ride and low-income households and families with children for one year.
- Provision of travel advisors to support individuals in behaviour change.
- Funding to monitor/address parking issues that may arise as a result of a Class D CAZ.
- Funding to extend the monitoring of traffic and air quality in B&NES pre CAZ implementation to expand baseline data availability.
- Preparation of delivery and servicing plans for businesses.
- Enforcement of weight restrictions on roads neighbouring the proposed CAZ.
- Traffic signal optimisation, in particular to give advantage to buses.
- Other initiatives to encourage travel via sustainable modes.

6.1 Overview of feedback

The consultation asked for feedback on the measures that could be implemented alongside a CAZ. Many respondents urged the Council to consider more extensive supporting measures that would focus on offering additional incentives or alternative travel options. These ideas ranged in scale from small measures to large schemes. In particular, there were many comments relating to the importance of developing the CAZ proposals within an overall transport plan for Bath which should look at developing alternative routes, delivering a step change in public transport and improving the Park and Ride. These comments are set out in Chapter 11 of OBC 25a -Report on Formal Consultation.

Many of the ideas identified have been considered in previous phases of the project, are outside of the scope of this work, or are issues that are otherwise being considered by the Council under its regular work on transport and planning. This section therefore clarifies the Council's position on these issues, within the context of this project.

6.2 Context for consideration

The Class D CAZ option that formed the basis of the public consultation included a number of measures that could be delivered alongside the CAZ, either funded from Government funds or from revenue generated by the Scheme. These measures were identified based on the fact that they would:

- Contribute directly to making an air quality improvement.
- Be appropriate for funding, either from Government funds available to this project or the revenue generated by the Scheme.
- Mitigate the impacts of the Scheme, particularly for lower income households and businesses.

- Be deliverable within the timescale.
- Not otherwise being considered through other Council initiatives.

Other suggestions put forward through consultation have been considered against the same criteria.

6.3 Consideration of suggested supporting measures

The main suggestions for supporting measures to be delivered alongside the published Class D CAZ proposal, and the extent to which these are possible to address are summarised in Table 6.1. Many of the suggestions for supporting measures overlapped with ideas put forward as scheme alternatives. This section should therefore be read alongside Chapter 2 on alternative options.

Table 6.1 – Consideration of suggested supporting measures

Suggested supporting measure	Consideration in the context of a Class D CAZ
Improved park and ride services (including suggestions for free park and ride)	<p>Park and Ride improvements were frequently requested by respondents in the consultation feedback. Requests included longer hours, cheaper or free fares and additional routes.</p> <p>Proposals to extend the hours of operation of the Park and Ride, provide secure overnight parking and deliver smaller Park and Ride sites along existing bus routes are included as high priority measures alongside the Class D scheme.</p> <p>Within the consultation feedback there were many requests for cheaper or free Park and Ride. In response to this an additional supporting measure has been added to the package. This offers free park and ride to regular commuters, low income households and families with children for one year. This could also target LGV users.</p> <p>The Council intends to review the pricing strategy for Park and Ride when contracts are renewed</p>
Improved bus services (including suggestions for free buses)	<p>The consultation feedback indicated that public transport improvements, covering improved vehicles, reduced fares, additional routes and infrastructure, were a top priority for many respondents.</p> <p>The importance of delivering public transport improvements, alongside any CAZ is acknowledged. Traffic signal optimisation to prioritise public transport is a key supporting measure, added to the scheme proposals in response to consultation feedback. Additional improvements to key public transport routes could be funded from the CAZ revenue.</p> <p>The Council's public transport team continue to work to improve bus services across the city. The Council is working closely with bus operators to help them secure funding from the Government to upgrade their engines. It is anticipated that all buses will be compliant by the time a zone is introduced, and that operators will respond to any increased demand without price rises.</p>

Improved traffic management	<p>Respondents identified that air quality could be additionally improved through measures to keep traffic moving and manage the impact of heavy vehicles in the city centre.</p> <p>Traffic management options have been further considered as part of additional work on a possible Class C option. This work suggests that the introduction of a traffic management scheme at Queens Square, in addition to a Class C CAZ, could be sufficient to bring air quality levels to within legal limits in the required timescales. This approach has a range of complex pros and cons.</p> <p>Within the supporting measures identified for the revised Class D scheme the following have also been included:</p> <ul style="list-style-type: none"> • Optimisation of traffic signals. • Weight restriction enforcement.
Improved management of HGVs and deliveries	<p>Respondents identified a range of opportunities to better manage deliveries in the city centre. As a separate initiative the Council is currently assessing options for trialling a last mile delivery scheme, which would aim to reduce the number of deliveries made by HGVs in central Bath. As part of the supporting measures identified post consultation, a scheme to provide businesses with advice on delivery and servicing plans is now proposed as part of the Class D CAZ package.</p>
Improved management of parking, including residents parking zones (RPZ)	<p>Across the various feedback on the Class D CAZ, respondents expressed concern that there may be additional pressure for parking in residential areas adjacent to the zone.</p> <p>The need to consider residents parking issues alongside the CAZ has previously been noted. The Council intends to undertake a review of the existing RPZ system and this will consider interaction with the proposed CAZ. This is included as a supporting measure in the revised Class D proposal.</p>
Improvements to rail	<p>Rail improvements cannot be delivered as part of this Scheme but conversations between rail providers and the Council continue.</p>
Better management of coaches	<p>The Council is separately progressing the development of a Coach Strategy. The Council will bid for funding during the implementation stage of this Scheme to enable enforcement of anti-idling and this will help to address some of the concerns associated with coaches in the city centre.</p> <p>Coaches will be able to apply for a loan to either retrofit their existing vehicle fleet or upgrade to complaint vehicles.</p>
Other including, school traffic, walking, cycling, electric vehicles and car sharing	<p>Respondents were keen to see additional measures to address these other modes. The package of supporting measures proposed would help to address some of these concerns through:</p> <ul style="list-style-type: none"> • Walk/Scoot/Cycle to school initiatives. • Electric vehicle charging points. • Improved cycle parking. • Improved walking and cycling routes. • Expansion of car and van clubs. • Reducing the cost of parking permits for ultra-low emission vehicles.

6.4 Implications for other CAZ options

The feedback on the supporting measures to be delivered alongside the published Class D CAZ option highlights the importance of ensuring that alternative modes are available, affordable and desirable. Many of these suggestions would also be relevant alongside a Class C CAZ with traffic management and signal timing changes and should be included, (where funding allows) in order to deliver a package that proactively encourages use of other modes. It should be noted however, that there would be less revenue generated from the Class C option and this would limit the reach of revenue funded supporting measures.

Under a Class C CAZ, it would be important that supporting measures are tailored to better suit those most impacted including drivers and operators of commercial vehicles.

7. Other issues raised in feedback on a Class D CAZ

Action taken in response to consultation feedback

In response to the consultation feedback on the potential wider knock on impacts of a Class D CAZ, and in the context of evolving technical work the following are proposed:

- Ongoing monitoring of traffic and air quality levels, as well as parking demand, in areas immediately adjacent to the proposed CAZ boundary.
- Continued dialogue with adjoining authorities to jointly consider and monitor traffic levels on wider routes, in particular across Wiltshire.

7.1 Overview of feedback

A range of other issues were reflected in the consultation feedback, including concerns of local and wider rerouting of traffic and the potential secondary impacts associated with this, including availability of parking, worsening air quality in other areas outside of the CAZ and worse congestion. These comments are set out in Chapter 14 of OBC 25a -Report on Formal Consultation.

7.2 Context for consideration

The Class D CAZ proposals that were published for consultation were developed in line with the Government's CAZ Framework guidance, in accordance with JAQU advice and following the process required for the submission of a business case. This included the use of air quality and transport models, making the best use of available data. Comments on issues reported in this Chapter need to be considered in line with this guidance and process, as well as in the context of the stage of this project and the next steps. For example, a key part of the FBC stage will be to develop an evaluation plan which will guide how the impacts of the Scheme are monitored post implementation.

7.3 Consideration of local re-routing/displacement and parking issues

Within the consultation feedback respondents expressed concern that the introduction of a Class D CAZ would lead to rat running through areas adjacent to the boundary to avoid charging. A number of residents' associations commented on these concerns and, in some cases, concerns about increased traffic, led to specific requests for these areas to be included within the CAZ. Comments mainly related to concerns about the impact on the Pulteney Estate area, Bathwick, Batheaston and Bathampton, Oldfield Park and various other areas adjacent to the zone.

During the development of the preferred Scheme, consideration was given to rat running issues and the published CAZ D boundary incorporated a number of adjustments (compared to earlier versions) in order to minimise the likelihood of rat running. This stage of work is documented in OBC-04 Technical Note on Boundary Changes. The analysis undertaken based on the published boundary showed that any displacement of traffic would be relatively small. Post consultation this work has been revisited for key areas and similar conclusions are drawn. This work is reported in the Technical Note included as Appendix B. In addition, boundary changes suggested through the consultation have been considered in the context of their implications for re-routeing and this discussion is set out in Chapter 2.

Table 7.1 summarises the main issues in key areas.

Table 7.1 – Consideration of potential local re-routing

Location identified	Consideration
Pulteney Estate area	<p>The Technical Note included as Appendix B considers issues relating to coaches and parking, recognising that residents had concerns about this area being used specifically for drop offs.</p> <p>This area is now proposed for inclusion within an enlarged Class D CAZ, therefore these issues are addressed.</p>
Bathwick	<p>The Technical Note included as Appendix B considers issues relating to parking and suggests that, going forward, an extension to the existing residents parking zone could be considered, if required.</p> <p>Proposals for monitoring in this area are set out in document OBC-26 'Evaluation, Monitoring and Benefits Realisation Plan'.</p>
Batheaston and Bathampton	<p>The Technical Note included as Appendix B considers re-routing issues through Bathampton. This confirms that whilst it is accepted that increased traffic use of Bathampton Lane/Mill Lane will occur with the Type D CAZ as proposed, the expected level of increase is considered modest and within acceptable limits when considering the normal daily variation in traffic. It is suggested that this area is monitored and reviewed going forward.</p> <p>As noted above a programme of regular monitoring will be needed to establish changing traffic flows and potentially journey times on the Bathampton Lane/Mill Lane/Toll Bridge Road route in the pre-CAZ and post-CAZ scenarios. Pre-monitoring will be needed to establish the natural growth trend up to CAZ opening. Comparison of 2014 and 2018 flows has shown no appreciable change in two-way 'peak' weekday flows at the Toll Bridge, but a perceivable growth change in the average inter-peak hour flow over the period 2014-2018. Further data collection up to CAZ implementation will enable what appears to be an underlying growth trend to be established. In the post-CAZ scenario, this can then be accounted for in establishing any true 'extra-over' effects of the CAZ. If the outcome from future comparison analyses does reveal a net impact of significance, then a decision could be taken then to introduce an 'outlier' CAZ if required.</p> <p>Proposals for monitoring in this area are set out in document OBC-26 'Evaluation, Monitoring and Benefits Realisation Plan'.</p>
Oldfield Park	<p>Issues relating to Oldfield Park have been considered in terms of boundary amendments. A minor boundary change at Wells Road requires further consideration in this context.</p> <p>Oldfield Park would need to be monitored going forward, both in terms of traffic and parking.</p> <p>Proposals for monitoring in this area are set out in document OBC-26 'Evaluation, Monitoring and Benefits Realisation Plan'.</p>

7.4 Consideration of wider re-routing issues

Within the consultation feedback there was also concern about re-routing across a wider area and in particular through the Wiltshire towns, with a notable number of comments relating to concerns that traffic may increase through Bradford on Avon, and along the A350. In response to this feedback, meetings were held with Wiltshire County Council to discuss these issues and the modelling results were further interrogated.

This work, included as Appendix C, concluded that the forecast impact of the Class D CAZ on roads to the east of Bath is expected to be overall neutral with individual changes in traffic volumes making up at most 1% reductions or increases in daily volume. Importantly however, as part of the Clean Air Plan, B&NES is proposing to expand its network of traffic and air quality monitoring in order to understand the impact of the CAZ. Future work on monitoring could be further extended to include analysis of similar monitoring data collected by Wiltshire Council. Analysis of the data collected in Wiltshire can then be used within the ongoing assessment of the Scheme performance and inform appropriate refinements should they be deemed necessary.

7.5 Implications

Overall, consideration of these issues highlights the importance of ensuring that the CAZ is supported by a robust Monitoring and Evaluation Plan. This document, which would be developed during the Full Business Case stage and is required as a pre-requisite of the release of funding, would set out a strategy for monitoring the impact of the changes made and would provide a mechanism for addressing the issues detailed above. It would require robust baseline data to ensure that impacts can be assessed on the basis of a good understanding of the 'pre-scheme' situation. This would be informed by various traffic counts and air quality monitoring data, which is already being collected.

7.6 Implications for other CAZ options

The feedback on the potential knock on effects of the published Class D CAZ applies, in part, to the re-routing of cars. Therefore, under a Class C CAZ with traffic management these concerns would be less applicable. However, within the feedback on a Class D there were significant concerns about the re-routing of heavy vehicles and these concerns would remain under other CAZ options.

8. Summary and next steps

The consultation feedback on the published Class D CAZ has enabled a broader understanding of the potential impacts and issues, as perceived by individuals, groups and businesses. Analysis of the feedback, and consideration of the key themes, alongside the evolving technical work, has led to a number of amendments being made to the Class D CAZ option. Importantly this work has highlighted that:

- A Class C zone with traffic management and traffic signal timing changes could offer potential to deliver compliance with air quality targets in the required timescales. This information therefore needs to be carefully considered, both on its own merit, and in comparison to the likely benefits of a Class D CAZ, with or without traffic management and wider concessions.
- Amendments to the proposed Class D CAZ boundary are not necessarily required for compliance. However, some amendments, in response to consultation comments are suggested, where technically feasible.
- Financial support schemes offer a mechanism to support vulnerable groups and those that otherwise may call for concessions, but still support behaviour change and are an important part of any CAZ package.
- A broad package of supporting measures is required alongside any CAZ.
- Ongoing monitoring and evaluation of any implemented scheme will be critical.

A decision on the next steps lies with elected Cabinet Members and with the Government (via the Joint Air Quality Unit who will scrutinise all proposals). Consideration of the consultation comments is only one of a wide variety of factors that will influence this decision and will need to be balanced against the findings of technical work, issues relating to funding and deliverability, and overall ability to comply with the legal directive.

Appendix A. Technical note on a smaller Class D CAZ boundary

DRAFT

Appendix B. Technical note on potential extensions to the proposed Class D CAZ boundary

DRAFT

Appendix C. Technical note on wider displacement

DRAFT

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Bath Clean Air Plan

Bath & North East Somerset

Potential Reductions to the CAZ Boundary - Main Routes

| 1

February 2019

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1. Introduction

In 2017 the government published a UK Air Quality Plan for Nitrogen Dioxide (NO₂) setting out how compliance with the EU Limit Value for annual mean NO₂ will be reached across the UK in the shortest possible time. Due to forecast air quality exceedances, B&NES, along with 27 other Local Authorities, was directed by Minister Therese Coffey (Defra) and Minister Jesse Norman (DfT) in 2017 to produce a Clean Air Plan (CAP). The Plan must set out how B&NES will achieve sufficient air quality improvements in the shortest possible time. In line with Government guidance, B&NES is considering implementation of a Clean Air Zone (CAZ) including both charging and non-charging measures to achieve sufficient improvement in air quality and public health.

Figure 1.1 below shows the extent of the proposed CAZ in the draft Outline Business Case issued for formal public consultation in October 2018.

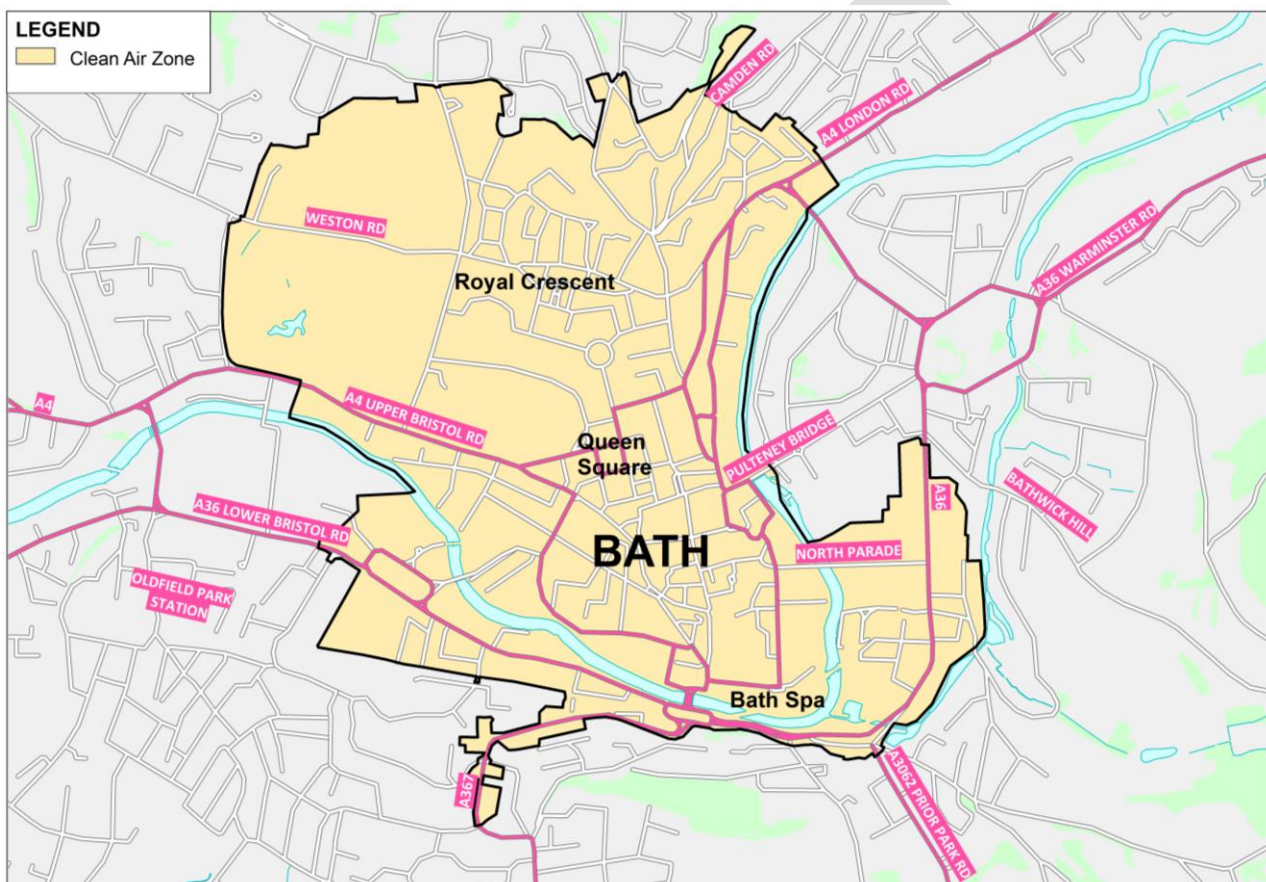


Figure 1.1 Proposed Clean Air Zone (CAZ) Extents - draft Outline Business Case

The public consultation on the scheme undertaken in October and November 2018 resulted in a range of feedback on the definition of the CAZ boundary. Specific concerns were highlighted about the proposed size of the Class D CAZ and the extent to which this was necessary to achieve air quality compliance. Commentary on the viability of small alterations having no impact on removing 'key' traffic circulation routes from the zone is included in the main text of OBC-25a 'Consultation Response Report'. This note deals with those consultation comments that requested consideration of more significant changes to the zone to reduce its size and exclude some of main routes. Specifically this note deals with the comments set out below. This table is replicated from Table 7.2 of OBC-25 'Report on Formal Consultation'.

Location suggested for EXCLUSION or where concern expressed about inclusion	Reasons given by respondents
<p><i>A4 London Road/A36 Cleveland Place Junction</i></p>	<ul style="list-style-type: none"> - Respondents identified the junction of London Road and Cleveland Place as an area they would like to see removed from the zone, or an area that they felt caused issues through its inclusion. The reasons for this view included the following: - To allow traffic to get around/out of the city, to the motorway and to the A36 Warminster Road or the A4/A46. Respondents expressed concern about the inclusion of the A4, the A36 and the A367 – all the through routes – given that there is no bypass/alternative route. - To allow traffic to get from the east of Bath to the University and other destinations such as the fire and ambulance station as well as schools south of Bath and the hospital. - This is one of very few river crossings and there are no alternative routes (other than the Batheaston toll bridge). - Inclusion of this junction will encourage more traffic to use routes through Batheaston and Bathampton, including the toll bridge and this will have knock on effects for residents in this area. - Traffic would seek alternative unsuitable routes through local towns, for example; Bradford on Avon, Winsley and Limpley Stoke or via unclassified roads. - It would be unsafe if drivers decided to make a last-minute change of route to avoid the CAZ. There is no space to turn. - Some drivers would incur the charge just for using this corner. Respondents felt strongly that drivers using this junction to get out of the city should not be penalised and emphasised that many vehicles using this junction are not entering the city centre. - Concern that the inclusion of this junction is generated by a desire to make money/collect additional charges. - Respondents felt that the above issues could be addressed by a small change to the boundary at the junction. - Without a A46/A36 bypass this corner is unavoidable for many trips. - Concern that including this corner restricts access to Morrisons. - This junction is on an important route to the hospital, especially from Wiltshire. - <u>Hilpertown Parish Council, Heywood Parish Council and Westbury Town Council</u> all support exclusion of this junction.
<p>A36 section including:</p> <ul style="list-style-type: none"> - Lower Bristol Road - Claverton Street - Rossiter Road - Pulteney Road 	<ul style="list-style-type: none"> - Respondents felt that the A36 should not be included in the zone because it is a main road, it is the main route around Bath, main east/west route, a key route to the motorway and there is no alternative route. - There needs to be a way for traffic to get around the perimeter of the city. There should be at least one through route. - There were various suggestions about where the zone should end. Typically, respondents suggested that this route should be excluded up to the Churchill Bridge roundabout/the A36/A367 junction or from Westmoreland Road and Midland Bridge. - <u>The Road Haulage Association</u> expressed a strong view that the A36 should be excluded from the zone.

	<ul style="list-style-type: none"> - <u>Trowbridge Town Council</u> and others requested for the A36 to be excluded from the CAZ. - <u>The British and Vehicle Licensing Association</u> noted concern about inclusion of A36, due to the impact on freight movement. - HGVs need to use this route and there are not suitable alternatives for HGVs. - The A36 is not part of the city centre (respondents felt the CAZ should only cover the city centre). - No need to include routes south of the river/the CAZ should only cover the area of the city to the north of the river, they also argued that the river would be a more logical southern boundary, <u>Heywood Parish Council</u> support this. - This route is important to access supermarkets and retail outlets (Sainsburys, Homebase and Lidl) and petrol stations (see below). - Including the A36 will encourage more traffic to rat run through residential areas, particularly Oldfield Park, Combe Down, Claverton Down and Twerton and between Newton St Loe and Hinton Charterhouse and Bradford on Avon. Particular concern about HGVs taking alternative, inappropriate routes. - Including this route will affect many people's frequent journeys, for example to work, to the motorway and to the Royal United Hospital (RUH). It is an important route for commuters. - Many of those who requested the exclusion of the A36 specifically highlighted the need to exclude the junction of the A36 and the A4 London Road (see below). - It was noted that the A36 is sometimes used as a diversion route and questions asked about how this would work if it were in the CAZ. - Churchill Bridge and Midland Bridge should not be included. - Including the A36 affects lower income families in Twerton, Newbridge and Weston. - There was concern that inclusion of the A36 was driven by a desire to raise additional revenue. - As well as asking for the part of the A36 currently included in the zone to be excluded, respondents asked that the section currently not included (Bathwick Street) should not be included, as this is part of the through route. - Businesses located off the Lower Bristol Road, such as in the Midland Bridge area, should not be in the zone. - The A36 is an important route to the hospital from the east/south of Bath. - <u>Foxhill Residents Association</u> requested that Rossiter Road and the Widcombe area be removed from the CAZ.
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These concerns relate to the inclusion of the A36, the A4/Cleveland Place junction or both, with a wide variety of reasons being stated. These are in the main about vehicular accessibility around the zone for internal trips within Bath to/from key destinations, such as the Royal United Hospital (RUH). However, there is also concern about the cutting of the strategic A46(T) to A36(T) route via London Road and Bathwick Street with the inclusion of the A4/Cleveland Place junction.

This Technical Report therefore covers the impact of two potential zone reductions as follows:

- Removal of all sections of the A36 corridor included in the CAZ to the south and east of the City Centre. In addition, the removal of the A4 London/Cleveland Place junction, so preventing the strategic A46(T) to A36(T) route via the A4 London Road and Bathwick Street from being 'cut' by the CAZ; and
- The removal of the A4 London/Cleveland Place junction only.

As noted above, these changes re-open 'key' circulation routes around a 'reduced' CAZ. As such, it has been necessary to undertake further traffic and air quality modelling work to understand whether doing so would still allow air quality compliance to be achieved. This is because there are current exceedances on the A4 London Road, the A36 Lower Bristol Road just west of Brougham Hayes and the A367 Wells Road on the approach to the Churchill Gyratory.

2. Analysis of Potential Zone Reductions

2.1 A36 Corridor and A4 London Road/Cleveland Place Junction

2.1.1 Assessed Boundary Change and Potential Issues

Figure 2.1 below shows the reduction to the CAZ specifically tested in this scenario. The whole of the A36 corridor presently included between the Brougham Hayes junction and Bathwick Roundabout is removed. This also removes the included northern part of the A367 Wells Road between Oldfield Road and Churchill Gyratory where, as noted earlier, there is an existing air quality exceedance. To the north of the A36 Pines Way, the Sainsbury's store and other developments served off Ivo Peters Road are also removed from the zone, which would otherwise require a new CAZ cordon point to be established here.

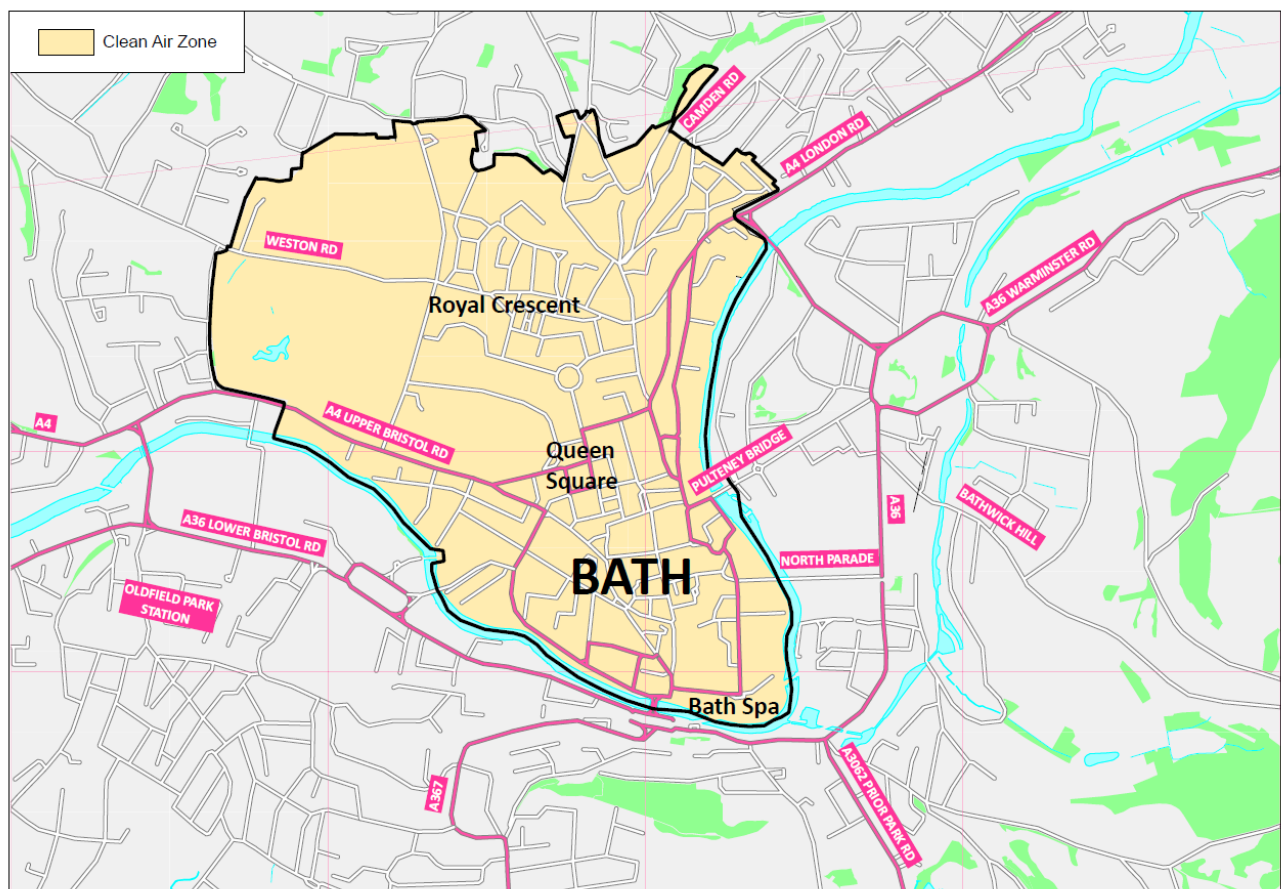


Figure 2.1 Reduced Clean Air Zone (CAZ) Extent - Removing the A36 and the A4/Cleveland Place Junction

It is accepted that 'tucking in' the zone to the south, so maintaining the A36 route through Bath 'outside' of the CAZ, would assist in addressing 'rat-running' or 'avoidance' concerns, particularly to residents in Upper Oldfield Park/Oldfield Park. The original small CAZ considered at 'Strategic Outline Business Case (SOBC) Stage included just the A36/A367 Churchill Gyratory, but this still severed the east-west A36 route and the A367 radial route into/out of Bath to the south. As a result, the extent of the A36 included in the CAZ was necessarily increased to cover the potential 'rat-runs' via the White Hart junction (Widcombe) and the B Class route between the A367 and the A36/Brougham Hayes junction (Oldfield Park). As a result, it presently now encompasses Sainsbury's, the filling station in this location and the Esso filling station on the A36 Lower Bristol Road just west of the Churchill Gyratory. To the north of Widcombe, the A36 Pulteney Road was included to prevent non-compliant vehicles from using unsuitable roads to turn around and avoid zone entry, with 'U' turns possible at Bathwick Roundabout for all vehicles, including HGV's.

The concern with excluding the A36 east-west route but keeping the alternative east-west routes to the north in (A4 and Weston Lane/Julian Road), was that non-compliant vehicle traffic could be 'channelled' onto the A36. In highway capacity terms it was accepted that this may not have an impact. This is because any increase in congestion on the A36 would most likely lead to compliant vehicle drivers switching to use of the other alternative routes as appropriate. However, even assuming overall volumes on the three routes remained roughly the same due to re-routing effects, it was deemed possible that the air quality impact on the A36 could be greater due to its use by a greater proportion of non-compliant fleet. As such, bespoke modelling was undertaken to confirm the view about relative volume impacts, but more expressly to understand how emission levels on the A36 could change. As noted earlier, there are already predicted to be exceedances on both the A36 Lower Bristol Road and the A367 Wells Road in the 'base-line' case.

Exclusion of the A4 London Road/Cleveland Place junction was in fact the original position with the small zone considered at SOBC Stage. However, this was subsequently added in the 3 April revision to the zone (as set out in OBC-04). This is because it would retain the main route for HGVs through Bath (A46(T) to A36(T)) outside of the CAZ, with these vehicles a significant contributor to air pollution levels in London Road where there are existing exceedances. On the positive side, removal of this junction from the CAZ would serve to reduce the risk of traffic diversion to the Bathampton Lane-Mill Lane route via the Toll Bridge, which would be the only other route available on the east side of the city for non-compliant drivers to cross the River Avon. Whilst the traffic modelling suggests that diversion to the toll bridge route is low, and certainly not 'excess' or 'severe', it nevertheless remains a potential risk or issue with the Cleveland Bridge route cut by the CAZ as proposed.

2.1.2 Air Quality Modelling Results

The detailed air quality modelling results emerging from this scenario test are included in **Appendix A**. In summary, this highlighted that these changes to the proposed CAZ resulting a much smaller zone would result in five exceedances of the air quality limit values. Specifically, these were identified at:

- A4 London Road, east end in Lambridge;
- A4 London Road, east of Cleveland Place;
- A367 Wells Road, near Oldfield Road;
- A36 Lower Bristol Road, between Pines Way and Windsor Bridge Road; and
- A4 Upper Bristol Road, between Windsor Bridge Road and Newbridge Hill.

The maximum predicted concentration was $47 \mu\text{g}/\text{m}^3$.

In view of the earlier discussion these results are not surprising. The exclusion of the A36 but retained inclusion of the A4 Upper Bristol Road and Weston Road/Julian Road east-west routes through Bath will inevitably attract a higher proportion of non-compliant vehicle fleet to the A36 corridor. This would thus exacerbate a situation where there are 'base-line' exceedances on the A36 Lower Bristol Road (just west of Brougham Hayes) and the A367 Wells Road. In conclusion, whilst accepting the concerns about the difficulty of non-compliant vehicles routing around the zone with the A36 and Bathwick Street routes cut, the removal of these routes is not predicted to achieve air quality compliance over the entirety of the central area by 2021.

2.2 A4 London Road/Cleveland Place Junction Only

2.2.1 Assessed Boundary Change and Potential Issues

Whilst the removal of the A4/Cleveland Place junction was included in the above scenario, it was decided to test the removal of this junction independently. In the earlier SOBC work it was felt that solely targeting vehicle traffic on the A4 London Road routing into/out the City Centre (so into/out of a 'reduced' CAZ) may be sufficient to bring the air quality concentrations here within the legal limit. In other words, whether it was necessary for the CAZ to 'cut' the strategic A46(T) to A36(T) route via Bathwick Street. Whilst the above scenario test suggested that the A4 London Road/Cleveland Place needed to be included, there was a concern that predicted air quality conditions here might be affected by the removal of the whole of the A36 as well. In other words, the removal of

both could result in London Road, Bathwick Street and the A36 being used by an increased volume of non-compliant traffic routing between the northeast and south parts of the city. Examination of Figure 2.1 shows that the only other viable route avoiding the CAZ would be a quite circuitous route via Lansdown Lane through Upper Weston.

2.2.2 Air Quality Modelling Results

The traffic and air quality models were duly run with just the A4 London Road/Cleveland Place junction removed from the proposed CAZ area. The results showed a maximum concentration is $40.8 \mu\text{g}/\text{m}^3$, with three PCM-equivalent receptors in exceedance. This scenario is thus still non-compliant, albeit the difference with the Type D CAZ as proposed is marginal. The detailed air quality modelling results emerging from this scenario test are again included in **Appendix A**.

3. Conclusions

This Technical Report forms a response to concerns expressed from the public consultation about its currently proposed size and the need for it to be so large to achieve air quality compliance. Commentary on the viability of small alterations having no impact on removing 'key' traffic circulation routes from the zone is included in the main text of the 'Consultation Response' report. However, some comments concerning zone reductions requested consideration be given to exclusion of some main routes.

These concerns relate to the inclusion of the A36, the A4/Cleveland Place junction or both, with a wide variety of reasons being stated. These are in the main about vehicular accessibility around the zone for internal trips within Bath to/from key destinations, such as the RUH. However, there is also concern about the cutting of the strategic A46(T) to A36(T) route via London Road and Bathwick Street with the inclusion of the A4/Cleveland Place junction.

This Technical Report has therefore assessed the impact of two potential zone reductions as follows:

- Removal of all sections of the A36 corridor included in the CAZ to the south and east of the City Centre. In addition, the removal of the A4 London/Cleveland Place junction, so preventing the strategic A46(T) to A36(T) route via the A4 London Road and Bathwick Street from being 'cut' by the CAZ; and
- The removal of the A4 London/Cleveland Place junction only.

Bespoke traffic and air quality modelling (2021) predicts that removal of the A36 and the A4 London Road/Cleveland Place junction from the CAZ would result in five exceedances of air quality. Specifically, these were identified at:

- A4 London Road, east end in Lambridge;
- A4 London Road, east of Cleveland Place;
- A367 Wells Road, near Oldfield Road;
- A36 Lower Bristol Road, between Pines Way and Windsor Bridge Road; and
- A4 Upper Bristol Road, between Windsor Bridge Road and Newbridge Hill.

The maximum predicted concentration was $47 \mu\text{g}/\text{m}^3$.

A key reason for this is that exclusion of the A36 but retained inclusion of the A4 Upper Bristol Road and Weston Road/Julian Road east-west routes through Bath will inevitably attract a higher proportion of non-compliant vehicle fleet to the A36 corridor. This would thus exacerbate a situation where there are 'base-line' exceedances on the A36 Lower Bristol Road (just west of Brougham Hayes) and the A367 Wells Road. In conclusion, whilst accepting the concerns about the difficulty of non-compliant vehicles routing around the zone with the A36 and Bathwick Street routes cut, the removal of these routes is not predicted to achieve air quality compliance over the entirety of the central area by 2021.

The removal of the A4 London Road/Cleveland Place junction has also been assessed independently. In the earlier SOBC work it was felt that solely targeting vehicle traffic on the A4 London Road routing into/out the City Centre (so into/out of a 'reduced' CAZ) may be sufficient to bring the air quality concentrations here within the legal limit. In other words, whether it was necessary for the CAZ to 'cut' the strategic A46(T) to A36(T) route via Bathwick Street. Whilst the above scenario test suggested that the A4 London Road/Cleveland Place needed to be included, there was a concern that predicted air quality conditions here might be affected by the removal of the whole of the A36 as well. However, these results still showed a maximum concentration is $40.8 \mu\text{g}/\text{m}^3$, with three PCM-equivalent receptors in exceedance. This scenario is thus still non-compliant, albeit the difference when compared with the Type D CAZ area as proposed is marginal.

In overall conclusion, neither of these reduced CAZ scenarios removing 'key' circulation routes from coverage would achieve the required air quality compliance levels in 2021. However, it is evident that removing just the A4 London Road/Cleveland Place junction creates only a marginal change when compared to the currently proposed CAZ extent.

Appendix A.

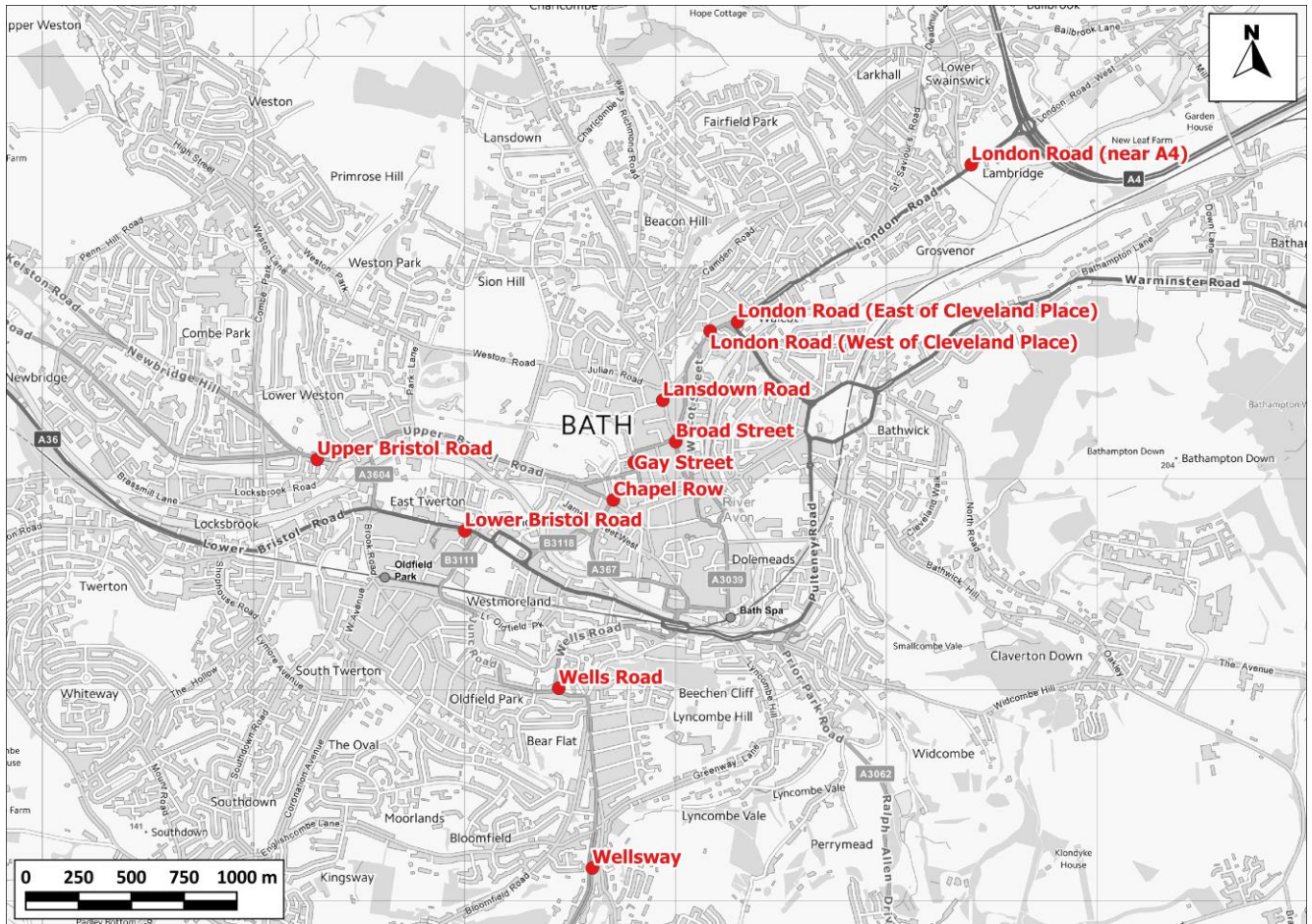
Table A1: Air Quality Modelling Results: Comparison

Location	2017 Base	2021 Base	2021 CAZ C £9.00	2021 CAZ C £9.00 with TM	2021 CAZ D £7.50	2021 CAZ D £9.00	2021 CAZ D £9.00 Smaller	2021 CAZ D £9.00 CPR
Gay Street	60.1	50.9	42.0	36.9	40.8	40.4	39.5	40.8
London Road (West of Cleveland Place)	70.2	57.6	38.5	38.2	36.7	36.4	36.6	36.5
London Road (East of Cleveland Place)	61.9	52.2	39.6	39.5	37.1	36.9	41.7	37.8
London Road (near A4)	64.4	50.8	31.4	31.3	31.0	30.9	41.6	31.5
Wells Road	69.1	57.5	31.0	30.9	30.2	29.9	42.4	30.1
Wellsway	58.6	47.8	25.1	25.1	24.5	24.5	36.7	24.5
Upper Bristol Road	75.4	61.9	36.4	36.3	35.6	35.5	46.9	35.6
Chapel Row	53.7	45.7	38.3	35.4	37.1	36.8	36.2	36.7
Lansdown Road	62.4	51.9	38.0	37.9	36.1	35.9	35.5	35.9
Broad Street	58.1	49.8	35.2	35.0	34.7	34.6	34.3	34.6
Lower Bristol Road	51.0	44.5	36.7	36.7	34.4	34.2	40.9	34.0
Maximum Value	75.4	61.9	42.0	39.5	40.8	40.4	46.9	40.8

Notes

- 1: CPR = Cleveland Place Removed
2. Yellow shading indicates scenarios achieving full air quality compliance

Table A2: Plan showing Locations Compared





Bath Clean Air Plan

Bath & North East Somerset

Potential Eastern Extensions to CAZ Boundary

| 1

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1. Introduction

In 2017 the government published a UK Air Quality Plan for Nitrogen Dioxide (NO₂) setting out how compliance with the EU Limit Value for annual mean NO₂ will be reached across the UK in the shortest possible time. Due to forecast air quality exceedances, B&NES, along with 27 other Local Authorities, was directed by Minister Therese Coffey (Defra) and Minister Jesse Norman (DfT) in 2017 to produce a Clean Air Plan (CAP). The Plan must set out how B&NES will achieve sufficient air quality improvements in the shortest possible time. In line with Government guidance, B&NES is considering implementation of a Clean Air Zone (CAZ) including both charging and non-charging measures to achieve sufficient improvement in air quality and public health. **Figure 1.1** below shows the extent of the proposed CAZ in the Outline Business Case issued for formal public consultation in October 2018.

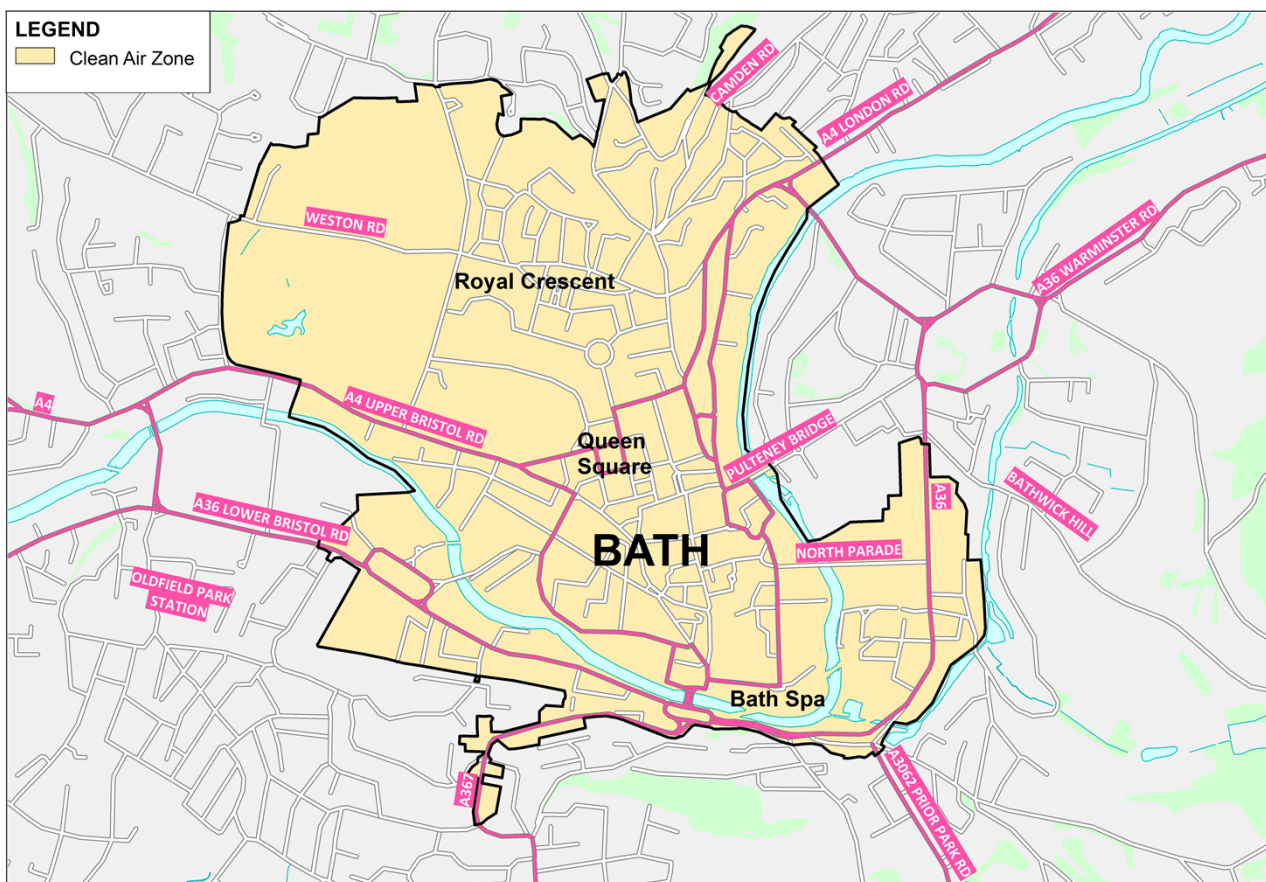


Figure 1.1 Proposed Clean Air Zone (CAZ) Extents - Outline Business Case

The public consultation on the scheme included in the Outline Business Case (OBC) has established that there is concern over the definition of the CAZ boundary on the eastern side of Bath. There are specific concerns from some residents in the Pulteney Estate area that the CAZ could exacerbate existing issues with tourist and rugby coaches idling in the area because it would be seen as an attractive location for non-compliant coaches seeking to avoid the charge while still getting close to the central area and the Recreation Ground. There are also concerns from both the Pulteney and Bathwick areas about drop-off and also parking of non-compliant vehicles.

Further to the east there are also concerns from residents in Bathampton about increased traffic use of Bathampton Lane/Mill Lane due to its use as an avoidance route by non-compliant light vehicle traffic. This includes concerns about increased delay on both approaches to the toll bridge and the risk of increased northbound queuing extending beyond the railway bridge into the northern part of Bathampton.

This Technical Report therefore covers three elements in response as follows:

- A summary of the technical work on the CAZ zone to date from the perspective of the eastern Bath area;
- An investigation of available data to assess the potential impact of the zone; and
- A consideration of the technical feasibility and implications of eastern zone extensions covering the Pulteney Estate, parts of Bathwick and Bathampton village.

2. Analysis of Potential Eastern Extensions

2.1 Air Quality in the East Bath Area and Expected Changes

2.1.1 Pulteney Estate and Bathwick

In the Baseline scenario (i.e. no Clean Air Plan and Zone) there are two exceedances expected in this area. These are both LAQM receptors on Bathwick Hill, one on the corner of Sydney Buildings ($44\mu\text{gm}^{-3}$ annual mean NO_2) and one further up at house number 11 ($41\mu\text{gm}^{-3}$). Within the Pulteney Estate area the highest predicted NO_2 levels are $36\mu\text{gm}^{-3}$ on the PCM link representing the south side of Bathwick Street between Henrietta Rd and Daniel St. All other receptors show values of $30\mu\text{gm}^{-3}$ or less and the LAQM receptors at the north end of Great Pulteney Street show values between 21 and $22\mu\text{gm}^{-3}$.

With the proposed Type D CAZ in place the above values are predicted to reduce, even though these areas are outside of the zone. This is because baseline traffic flows at these locations are affected by the zone, insofar as the boundary cuts the A36 route between Bathwick Roundabout and Brougham Hayes and the A46(T) to A36(T) route via Bathwick Street. The exceedances on Bathwick Hill are expected to see reductions of around $20\mu\text{gm}^{-3}$ to $24\mu\text{gm}^{-3}$ and $22\mu\text{gm}^{-3}$ respectively. Meanwhile, the already compliant areas of Pulteney and Bathwick are expected to see reductions of up to $10\mu\text{gm}^{-3}$. Specifically, the highest PCM link on Bathwick Street is predicted to reduce to $27\mu\text{gm}^{-3}$, whilst the LAQM receptors on Great Pulteney Street are forecast to fall to between 17 and $18\mu\text{gm}^{-3}$. In keeping with the JAQU Framework that '*any charging zone should be as small as possible*', there is no immediate evidence or need from an air quality perspective to include these areas in the zone because of existing exceedances, or exceedances created by traffic changes resulting from the CAZ as proposed in the OBC. Indeed, as noted, base concentrations are expected to fall.

2.1.2 Bathampton

The Baseline air quality is predicted to be well within legal limits. The section of the A36(T) Warminster Road through Bathampton, which is the most heavily trafficked road, does not exceed $15\mu\text{gm}^{-3}$ in 2021.

With the proposed Type D CAZ in place the section of the A36(T) Warminster Rd past Bathampton is predicted to experience a $1\text{--}3\mu\text{gm}^{-3}$ reduction in NO_2 . The reason for this is the same as that explained for the adjacent Bathwick area, in that a section of the A36 route to the south of the City Centre is within the CAZ, whilst the inclusion of the A4/Cleveland Place junction will also deter the use of the A36(T) to A4 London Road (and A46) route via Bathwick Street by non-compliant vehicles. The introduction of the CAZ is expected to result in a small daily increase in the use of the toll bridge route via Bathampton Lane and Mill Lane as explained later. However, this is not predicted to result in any local exceedances, notably on the approaches to the toll bridge where queuing in the weekday peak periods already occurs now.

2.2 Traffic Impact of the Proposed CAZ in the East Bath Area

2.2.1 Pulteney Estate and Bathwick

Although the traffic model handles the main responses that are expected in response to the Type D CAZ, it is not sophisticated enough to handle detailed concerns raised by residents in this area about increased coach access, or indeed any potential for increased use of this part of the city as a drop-off/pick-up zone for non-compliant car drivers. However, it has been possible to extract data from the two-week ANPR surveys which were undertaken to obtain an estimate of the magnitude of any possible impact associated with coaches. Increased drop-off/pick-up by non-compliant cars will also depend on how easy it is to route around the zone from other areas of the city or radial routes to/from the Pulteney Estate area. In other words, the convoluted and lengthy diversion route is unlikely to make this attractive.

To understand the potential coach access implications the ANPR data was processed into trip chains, allowing classifications, time periods and other data to be extracted. For coaches, two specific time periods were investigated as follows:

- An average weekend day which was comprised of the observed Saturdays and Sundays (4th, 5th, 11th and 12th of November 2017); and
- A Bath rugby match on Friday evening on the 10th November 2017.

For the weekend period, the daily average number of observed origins of coaches between 09:00 and 21:00 is shown in **Table 2 1**. These numbers only include coaches that 'stopped' in the city. This is because the data included coaches on some inbound routes (External Cordon) which were seen to depart the city in a short period of time at another site on the External Cordon (outbound). It was therefore assumed that these were not tourist coaches but 'through' movements. For coaches that did stop in the city, it was not possible to infer much about their internal route and where they did stop, as the bulk of the tourist attractions lay within the inner cordon of ANPR sites.

Table 2 1: Average Weekend Daily Coach Origins (09:00-21:00)

Origin	Compliant	Non-Compliant	Diversion Cost
A46(T) North	4.25	4.75	High
A4 East	1.75	5.75	Moderate
A36(T) South	3.25	2.75	None
A3062 South	0.25	1	Low
A367 South	2.75	2.5	Low
A4 & A36 West	3	3.5	Moderate to High
Lansdown Rd	2	1.75	High

For each origin route a relative 'cost' of diversion is assumed in the rightmost column. This is based on the difficulty and convenience in altering or adapting the approach route to arrive on the A36(T). At the low end, coaches from the A36(T) are already arriving in Bathwick, so there is little diversion cost should these choose to stop short and drop-off/pick-up in Great Pulteney Street, as opposed to continuing into the City Centre. At the high end are coaches approaching from the opposite side of Bath. For these, the diversion required is substantial to get around the zone to the A36(T), particularly coaches from the north and northwest. These coaches would have to add as many as 20-30 miles to their journey length and over half an hour of time (each way) to adapt the final part of their route to arrive/depart via the A36(T). Given this fact, it is considered that diversion from these inbound routes is highly unlikely, as it would not be cost effective to do so. Coaches typically have fuel consumption figures around 5mpg, meaning that the total 40-60 mile diversion for the round trip would cost £40-60. Half the savings made by not paying the charge would thus be spent avoiding it in fuel alone and, in addition, coach operators will consider non-fuel costs of additional mileage and driver time.

It is accepted that diversion and/or stopping short is more likely from the south eastern direction (A36(T)), but even here it should be noted that tourists may not wish to be stopped short. Also, for a coach of 50 visitors, the £100 CAZ charge amounts to only £2 extra per passenger. It is also expected that the number of compliant coaches will increase as fleets are replaced. The background turnover rates set out in the EFT spreadsheet from JAQU indicate around half of non-compliant coaches will have been replaced by 2021. It is therefore concluded that the presence of the CAZ as presently proposed is unlikely to significantly exacerbate any existing problem of idling tourist coaches in the Pulteney Estate area on a typical weekend when tourist coach demand is highest.

The ANPR survey data also captured one home rugby match, the second round Anglo-Welsh Cup match against Leicester Tigers with a near sell-out attendance of 14,354. Match kick-off was at 19:45. Inbound coach observations and paths were therefore extracted for this day, which were seen between 16:00 and 20:00 and are shown in **Table 2.2** below.

Table 2 2: Friday Rugby Match Coach Origins (16:00-20:00)

Origin	Compliant	Non-Compliant
A46(T) North	1	0
A4 East	6	2
A36(T) South	2	2
A3062 South	1	1
A367 South	4	0
A4 & A36 West	1	0
Lansdown Rd	3	0

It is noted that the observed rate of compliance is higher, with only a minority of coaches, 5 of the 18, being non-compliant. When considered against the background fleet turnover, plus the more significant diversion that the two coaches from the A4 East would have to make, it suggests that the exclusion of the Pulteney Estate area from the CAZ is unlikely to make a significant difference. However, it also shows that including the Pulteney Estate area within the CAZ would not unduly affect coaches associated with Bath home rugby matches, accepting this was only a 'snap-shot' of one game.

While it is acknowledged that coach idling in this area is a current concern, it is considered that it is not likely to be significantly exacerbated by the introduction of a CAZ with the Pulteney Estate area excluded. This is due to the limited numbers of non-compliant coaches by 2021, with diversion for most rather than just paying the charge, a non-efficient cost option. Extending the CAZ would not address this problem during Bath Rugby home matches either, as available ANPR data indicates that most supporter coaches are likely to be compliant anyway, which will increase over time. It should also be noted that part of the complementary measures to be included with the Charging Zone is dedicated funding for anti-idling enforcement officers. It is anticipated that this will be a far more effective way to address issues of idling coaches, as they will be able to target vehicles regardless of compliance.

As noted earlier, increased drop-off/pick-up by non-compliant cars will also depend on how easy it is to route around the zone from other areas of the city or radial routes to/from the Pulteney Estate area. An examination of the proposed boundary in Figure 1.1 shows that accessing the Pulteney Estate area from large parts of Bath would involve a very circuitous route to avoid the proposed CAZ. This is particularly the case for all areas north of the river, but also the southwest part of the city. It is accepted that non-compliant drivers with easy access to the A36(T) or North Road and Bathwick Hill (Combe Down) might choose to use Great Pulteney Street/Laura Place as a preferred location of drop-off/pick-up. However, it is not inconceivable that drivers from the southeast part of the city wouldn't be doing this now. With respect to an increase in on-street parking risk, it is noted that the whole of the Pulteney Estate is covered by Residents Parking Zone (RPZ) 1, whilst parts of Bathwick are included in RPZ Zones 8 and 10. As such, the parking supply is already actively managed for the most part, and zone extensions could be considered in line with the B&NES RPZ guidelines to address any additional nuisance parking created in Bathwick by non-compliant vehicle owners. In other words, it does not require the extension of the CAZ boundary to cover the whole of Bathwick to achieve this.

2.2.2 Bathampton

As with other areas outside of the CAZ, the traffic diversionary impacts have been assessed using the GBATH SATURN model. This was developed to a calibrated/validated base of 2014 by Mott MacDonald in 2015 following extensive Roadside Interview Surveys (RSI), traffic counts (both MCC and ATC) and journey time surveys done at this time. The highway models were developed in SATURN to represent the AM peak hour (08:00 - 09:00), an average hour in the inter-peak (10:00 - 16:00) and the PM peak hour (17:00 - 18:00) for an average Monday to Friday weekday in October 2014. With respect to Bathampton it is important to note that the Mill Lane toll bridge was expressly calibrated and checked for 'goodness of fit' given its importance to any consideration of transport measures in the 'East of Bath' area; which was the driver at the time for the model update. The results in the Local Model Validation Report (LMVR), dated June 2015, showed the following:

- AM Peak Hour: Counted NB and SB flows of 167 and 327 vehicles were satisfactorily replicated by modelled flows of 173 and 352 vehicles;
- IP 'Average' Hour: Counted NB and SB flows of 123 and 140 vehicles were satisfactorily replicated by modelled flows of 118 and 137 vehicles; and
- PM Peak Hour: Counted NB and SB flows of 280 and 172 vehicles were satisfactorily replicated by modelled flows of 289 and 167 vehicles.

Whilst it is accepted that all 'wide area' models can incorporate some inaccuracy, this is not the case with GBATH at Mill Lane. The 'fit' and flow 'tidality' in the two weekday peak hours is accurately represented. The effect of the long one-way 'shuttle' section on the bridge, and the toll operation, serves to constrain the maximum two-way flow capacity which can be achieved along this route, with queuing on both approaches in the peak hours a regular occurrence now. It is notable that the two-way flows in both peak hours are circa 450-500 vehicles, which is the proxy for its ultimate throughput. Based on this, the potential for diversionary growth in traffic usage with the CAZ in place will be confined to the inter-peak period, when capacity to accommodate it exists.

This view is supported by ATC data collected on Toll Bridge Road in November-2018. This is very consistent with the 2014 counts used for the GBATH calibration/validation. Looking at the two-way flows, these 'peak' at about 440-460vph in the two weekday peak hours, so not much different to the situation with 2014 data as reported above. The average two-way flow in the weekday inter-peak (10 am-4 pm) has risen to 305 vph in this data, so is clearly the period in which growth over the 2014-2018 has occurred. With Enterprise Area (EA) development related growth in the City Centre expected to add traffic pressure to the road network on the eastern side of Bath by 2021, increased use of the Mill Lane/Bathampton Lane route in the inter-peak period is highly likely to occur irrespective of the CAZ.

For the purposes of the current CAZ work a 2-week ANPR survey was used to obtain information to split the 2014 matrices into finer detail on vehicle types, as required for the traffic and air quality modelling. This included the fuel and euro class splits to determine compliance and emissions of vehicles, as well as splitting out classes such as coaches and taxis. Traffic demand in the model was then increased according to DfT forecasts to 2021. The change in compliance of vehicles between the observed 2017 data and 2021 was obtained using the Defra Emissions Factors Toolkit (EFT). Note that the traffic origin-destination patterns implicit in the calibrated 2014 matrices were not changed.

When factoring flows to 12-hour and then AADT, the 9-10 am and 4-5 pm hours were accounted for in the factoring of the 8-9 am and 5-6 pm 'peak' hour flows (GBATH) to the 7-10 am and 4-7 pm 'peak' periods. Local area ATC data has been used to establish these factors. In short:

- A global factor was derived from local ATC data to convert AM peak hour flows (8:00-9:00) to AM peak period flows (7:00-10:00);
- A global factor was derived from local ATC data to convert the average inter peak hour flow to the total inter peak period flow (10:00-16:00);
- A global factor was derived from local ATC data to convert PM peak hour flows (17:00-18:00) to PM peak period flows (16:00-19:00);
- A global factor was derived from local ATC data to convert the 12-hour flows calculated above to 24-hour Annual Average Weekday Traffic (AAWT) flows; and
- A global factor was derived from local ATC data to convert the 24-hour flows calculated above to 24-hour Annual Average Daily Traffic (AADT), which includes weekend trips and is adjusted for seasonality. This process was necessary as AADT forecasts are the ones necessary for air quality emission modelling.

Based on the above, the modelling with a Class D CAZ shows a small increase in the daily (AADT) flow on Mill Lane of around 100 vehicles/day, which compares with a projected 2021 baseline daily flow of ~6500 vehicles/day. This equates to diversion induced growth of +1.5% which, as noted above, is likely to occur in the inter-peak period when the capacity at the toll bridge allows. So, whilst it is accepted that increased traffic use of Bathampton Lane/Mill Lane will occur with the Class D CAZ as proposed, the expected level of increase is considered modest and within acceptable limits when considering normal daily variation in traffic. It should be noted that a Stated Preference Survey (SPS) was undertaken to understand the likely behavioural change to a

CAZ, with this applied to the local model to replicate responses by owners of non-compliant vehicles. The survey was undertaken through an independent market research panel and issued to a representative sample of people in Bath and the surrounding area. For non-compliant car owners, the proportion advising they would re-route to avoid the zone was only 19.6%. This compares with 57.2% stating that they would upgrade/replace the vehicle and 18.3% advising they would change mode or cancel the journey. So, the potential for traffic change in Mill Lane also needs to be considered in the light of these SPS findings, which is reflected in the GBATH modelling as noted.

Based on the 2021 modelling results, and the quality of the 2014 base model 'fit' at Mill Lane, it is considered there is no justification to extend the CAZ to include Bathampton village and the toll bridge as part of the initial CAZ scheme. Including the Bathampton toll bridge would also mean there would be no available crossing point over the River Avon on the east side of the city for non-compliant car drivers to use, with the alternative option well south of Bath at Winsley (B3108).

3. Technical Considerations

3.1 Pulteney Estate and Bathwick

Comments received from the Pulteney Estate Residents Association stated that “PERA believes that the CAZ should extend to include the city sections of the A36 from Beckford Road/Sydney Road to Pulteney Road. This would extend the CAZ to encompass many important parts of the heritage centre of Bath such as Great Pulteney Street, Sydney Place and Sydney Gardens”. By implication this would include the whole of the Pulteney Estate, Bathwick Street and Sydney Gardens. It would also by necessity include the part of Bathwick to the north of Sydney Gardens, which has sole access to the A36 Beckford Road via Forrester Road and Beckford Gardens. South of Sydney Road, the eastern boundary would then logically follow the line of the Avon and Kennet Canal to ‘tie-in’ with the existing proposed boundary to the south of Bathwick Hill. An extension of this size would, however, have implications in providing suitable opportunity for ‘turn-back’ or re-routing of non-compliant vehicles, particularly HGVs entering the city on the A36(T). These are as follows:

- Non-compliant vehicles entering Bath on the A36(T) would be forced to turn left into North Road to avoid entry into the CAZ via either Beckford Road or Sydney Road. This is unsuitable for HGV’s, so an ‘entrapment’ issue would be created as vehicles would be forced to enter the CAZ. Therefore, the only suitable ‘turn-back’ opportunities for these large vehicles via the Sydney Gardens ‘loop’ (Beckford Road/Sydney Place/Sydney Road) or a ‘U’ turn at Bathwick Roundabout would be lost; and
- ‘Turn-back’ for non-compliant light vehicles would, as stated above, increase traffic in North Road and so past the front of King Edwards School. These drivers would have to continue along North Road to Claverton Down Road, or expedite a turn using residential roads to the south of North Road (Cleveland Walk-Sham Castle Lane) to return to the A36 via North Road. Roads in the new Holburne Park development (former MOD site) might also be used for turning to avoid zone entry, or Minster Way. The existing A36 Beckford Road/Sydney Road junction is signal controlled with the junction layout having quite a large ‘foot-print’. Whilst converting this junction to a small roundabout might be possible to allow a ‘U’ turning avoidance manoeuvre for non-compliant vehicles, it is important to note that the current signal layout includes controlled crossings over both Beckford Road and Sydney Road to assist pedestrian/cyclist movements in this location, which is on the ‘key’ route to/from King Edwards School. This could not be conveniently replicated with a roundabout design, whilst even a small island design would represent a tight ‘U’ turn for HGV’s.

For the reasons stated above a zone extension to the extent advocated by PERA is not recommended, because it is not needed to achieve compliance. However, a smaller extension covering the Pulteney Estate could be considered, provided it does not interfere with the turning opportunities via Sydney Gardens or Bathwick Roundabout. Under this extension scenario four new cordon entry/exit points would be created as follows:

- Bathwick Street: At the junction with Beckford Road and Sydney Place;
- Sutton Street: At the junction with the A36;
- Great Pulteney Street: At the junction with the A36; and
- Vane Street: At Bathwick Roundabout.

This extension would result in the currently proposed cordon entry/exit points on Bathwick Street (at Cleveland Bridge) and Pulteney Bridge being removed. The ‘net’ change would be two additional cordon points requiring signing and ANPR camera enforcement. However, it is important to note that, whilst technically feasible without traffic management implications, it will offer little or no additional air quality benefit albeit having a direct impact on more residents through inclusion within the zone. As such, it will impact negatively on an Outline Business Case (OBC) which is already negative. It also assumes that all the residents of the Pulteney Estate would support inclusion as advocated by PERA.

Further extension to cover a wider area of Bathwick might be considered at some point in the future if CAZ implementation is shown to introduce undesirable parking or rat-running effects which are not addressable with normal parking or traffic management controls. If so, the A36/North Road junction and the section of North Road as far as Cleveland Walk may need to be included as an addition to the area suggested by PERA to prevent an undesirable increase in ‘avoidance’ traffic past King Edward’s School. As noted however, this will create an entrapment issue for non-compliant HGV’s, as any proceeding northbound beyond the A36(T)/B3108 Lower

Stoke junction at Winsley will have no suitable opportunity to avoid zone entry. In contrast, non-compliant HGVs entering Bath on the A46(T) will have signed turn-back opportunities much closer to the CAZ entry point on the A4 London Road at either Lambridge Interchange or the Gloucester Road junction.

3.2 Bathampton

The inclusion of Bathampton village would create a need for an 'outlier' CAZ unless it could be linked with a feasible extension of the main zone through the Pulteney Estate and Bathwick. It would also be highly desirable to avoid any inclusion of the A36(T) within the CAZ, which is separately managed by Highways England. To facilitate possible 'link-up' as a single zone the Pulteney Estate area described earlier would have to be included in addition to:

- The area of Bathwick to the north of the A36 Beckford Road served off the accesses with Forrester Road and Beckford Gardens;
- Darlington Road, including Bathwick St Mary C of E Primary School; and
- The new Holburne Park development off the A36 access junction with Inglis Court.

However, between Holburne Park and Bathampton Lane there are several large properties with direct frontage access to the A36 Warminster Road. Noting the need to avoid any direct inclusion of the A36(T), it would not be possible or viable to include these properties within the CAZ. As such, any proposal to include Bathampton will in effect create the need for a remote sub-zone covering the whole of its extent to the north of the A36(T), and south of the A4 Batheaston Bypass (Mill Lane Bridge).

The position of the sub-zone entry/exit point on Mill Lane would, however, need careful consideration to ensure there is an adequate 'turn-back' opportunity for southbound non-compliant vehicles reaching and crossing the toll bridge. Locating the zone entry/exit point at the London Road West/Toll Bridge Road junction could be considered, but this would then incorporate within the zone all properties served off Toll Bridge Road and Mill Lane. This would then additionally impact on several businesses including The Old Mill and Bathampton Mill, as well as residential properties served off The Willowfalls. Avoiding this would be highly desirable, so a suitable turning point for light vehicles would ideally need to be established between Bathampton Mill and Mill Lane Bridge, which could be difficult to achieve due to limited available highway width. In the absence of this it is probable that the existing access junctions to Bathampton Mill or New Leaf Farm will be used by southbound non-compliant drivers to make 'U' turns to avoid zone entry, which is less than ideal. Advance signing at the London Road West/Toll Bridge Road could, however, be installed to reduce or mitigate this risk.

In summary the inclusion of Bathampton will create a need for an 'outlier' zone with four entry/exit points as follows:

- Bathampton Lane: at the junction with the A36(T);
- Devonshire Road: at the junction with the A36(T);
- Down Lane: at the junction with the A36(T); and
- Mill Lane, or alternatively Toll Bridge Road.

The creation of an 'outlier' CAZ (in addition to the main zone covering the central area) is considered to create a precedent for inclusion of other sub-zones. As noted earlier, there is no case for its inclusion to achieve air quality compliance by 2021. Furthermore, whilst some increased traffic use of Bathampton Lane and Mill Lane is predicted, the level of this expected increase is not excessive. The ability for 'growth' to be accommodated in the weekday peak hours is also already heavily constrained by the capacity available at the toll bridge, a fact that will be well known to local drivers.

4. Conclusions

4.1 General

This Technical Report is a response to concerns over the definition of the CAZ boundary on the eastern side of Bath. There are specific concerns from some residents in the Pulteney Estate area that the CAZ could exacerbate existing issues with tourist and rugby coaches idling in the area. There are also concerns from both the Pulteney and Bathwick areas about drop-off and parking of non-compliant vehicles. To the east there are also concerns from residents in Bathampton about increased traffic use of Bathampton Lane/Mill Lane due to its use as an avoidance route by non-compliant light vehicle traffic. This includes concern about increased delay on both approaches to the toll bridge and the risk of increased northbound queuing extending beyond the railway bridge into the northern part of Bathampton.

4.2 Pulteney Estate and Bathwick

The traffic and air quality modelling undertaken to date shows that the inclusion of the Pulteney Estate/Bathwick area advocated by PERA, and/or further inclusion of Bathampton, is not necessary to achieve air quality compliance by 2021. Furthermore, substantively increasing the overall CAZ extents to include these areas will increase the overall direct impact on residents, so would serve to erode an economic case which is already shown to be negative with the zone as proposed (OBC).

With respect to the Pulteney Estate/Bathwick area there are potential traffic management issues with including the whole of the area proposed by PERA. These are related to maintaining satisfactory 'turn-back' provision for non-compliant drivers reaching Bathwick on the A36(T). Specific issues would include:

- Non-compliant vehicles entering Bath on the A36(T) being forced to turn left into North Road to avoid entry into the CAZ via either Beckford Road or Sydney Road. This is unsuitable for HGV's, so an 'entrapment' issue would be created as these would be forced to enter the CAZ. In short, the only suitable 'turn-back' opportunities for these large vehicles via the Sydney Gardens 'loop' (Beckford Road/ Sydney Place/Sydney Road) or a 'U' turn at Bathwick Roundabout would be lost; and
- 'Turn-back' for non-compliant light vehicles would, as stated above, increase traffic in North Road and so past the front of King Edwards School. These drivers would have to continue along North Road to Claverton Down Road, or expedite a turn using residential roads to the south of North Road (Cleveland Walk-Sham Castle Lane) to return to the A36 via North Road. Roads in the new Holburne Park development (former MOD site) might also be used for turning to avoid zone entry, or Minster Way.

An identified 'fall back' position would be to include the Pulteney Estate only, so with a revised boundary incorporating four new cordon points as follows:

- Bathwick Street: At the junction with Beckford Road and Sydney Place;
- Sutton Street: At the junction with the A36;
- Great Pulteney Street: At the junction with the A36; and
- Vane Street: At Bathwick Roundabout.

This would remove the need for the currently proposed cordon points on Bathwick Street at Cleveland Bridge, and on Pulteney Bridge. It should be re-iterated, however, that this partial change is not needed for compliance. As such, it can be expected to worsen the economic case, although this is not expected to be to a significant degree.

The part of Bathwick to the north of Beckford Road, so the part accessed off Forrester Road and Beckford Gardens, could be included as part of the extension noted above. However, this is not considered necessary as on-street parking in this area is already wholly controlled by RPZ 10. However, further extension including this and to cover a much wider area of Bathwick might be considered at some point in the future if subsequent CAZ implementation is shown to introduce undesirable parking or rat-running effects which are not addressable with normal parking or traffic management controls. If so, the A36/North Road junction and the section of North Road as far as Cleveland Walk may need to be included as an addition to the area suggested by PERA to prevent an undesirable increase in 'avoidance' traffic past King Edward's School. As noted however, this will create an

entrapment issue for non-compliant HGV's, as any proceeding northbound beyond the A36(T)/B3108 Lower Stoke junction at Winsley will have no suitable opportunity to avoid zone entry. In contrast, non-compliant HGVs entering Bath on the A46(T) will have signed turn-back opportunities much closer to the CAZ entry point on the A4 London Road at either Lambridge Interchange or the Gloucester Road junction.

4.3 Bathampton

Including Bathampton would create the need for an 'outlier' sub-zone. This is because there is no logical way of 'linking' this 'outlier' through Bathwick to form an extension of the main zone. The creation of an 'outlier' CAZ in addition to the main zone covering the central area is considered to create a possible precedent for inclusion of other 'requested' sub-zones in Bath. As noted earlier, there is no case for the inclusion of Bathampton to achieve air quality compliance by 2021. Furthermore, whilst some increased traffic use of Bathampton Lane and Mill Lane is predicted, the level of this expected increase is not excessive.

The ability for 'growth' to be accommodated in the weekday peak hours is already heavily constrained by the capacity available at the toll bridge, a fact that will be well known to local drivers. As such, the potential for diversionary growth in traffic usage with the CAZ in place will be confined to the inter-peak period, when capacity to accommodate it exists. This view is supported by ATC data collected on Toll Bridge Road in November-2018. This is very consistent with the 2014 counts used for the GBATH calibration/validation. Looking at the two-way flows, these 'peak' at about 440-460vph in the two weekday peak hours, so not much different to the situation with 2014 data. However, the average two-way flow in the weekday inter-peak (10 am-4 pm) has risen to 305 vph in this data, so is clearly the period in which growth over the 2014-2018 has occurred. With Enterprise Area (EA) development related growth in the City Centre expected to add traffic pressure to the road network on the eastern side of Bath by 2021, increased use of the Mill Lane/Bathampton Lane route in the inter-peak period is highly likely to occur irrespective of the CAZ. This will need to be taken on board in any post-CAZ monitoring of this route, insofar as an increase in inter-peak traffic usage over time will not necessarily be the sole result of the CAZ, but equally likely to be a 'growth' impact resulting in diversionary re-routing away from already congested highway operating conditions at the A4/Cleveland Place junction and Bathwick Street (NB) throughout the working day.

Another concern in including Bathampton is that encompassing the toll bridge would leave no available crossing point over the River Avon on the east side of the city for non-compliant car drivers to use, with the alternative option well south of Bath at Winsley (B3108). It is accepted that a higher proportion of non-compliant traffic using Bathampton Lane and Mill Lane as an avoidance route is undesirable, but the effect of this and the net increase in traffic predicted is not shown to result in any air quality exceedances in Bathampton with a Class D CAZ as proposed in place. In view of all these considerations, it is considered there is no case for including Bathampton in the CAZ at outset, which as stated would need to be treated as a sub-zone.

Notwithstanding the above there will be a need for a programme of regular monitoring to establish changing traffic flows and potentially journey times on the Bathampton Lane/Mill Lane/Toll Bridge Road route in the pre-CAZ and post-CAZ scenarios. Pre-monitoring will be needed to establish the natural growth trend up to the CAZ launch. Comparison of 2014 and 2018 flows set out in this Note has shown no appreciable change in two-way 'peak' weekday flows at the Toll Bridge, but a perceivable growth change in the average inter-peak hour flow over the period 2014-2018. Further data collection up to CAZ implementation will enable what appears to be an underlying growth trend to be established. In the post-CAZ scenario, this can then be accounted for in establishing any true 'extra-over' effects of the CAZ. If the outcome from future comparison analyses does reveal a net impact of significance, then a decision could be taken then to introduce an 'outlier' CAZ if required, subject of course to a full public consultation. As the route is already subject to a 4-ton weight restriction and has traffic calming and a 20mph speed restriction in parts, it is considered that little could be achieved using further formal traffic management measures to deter vehicle usage. Increasing charges on the Toll Bridge is also outside of the control of B&NES.

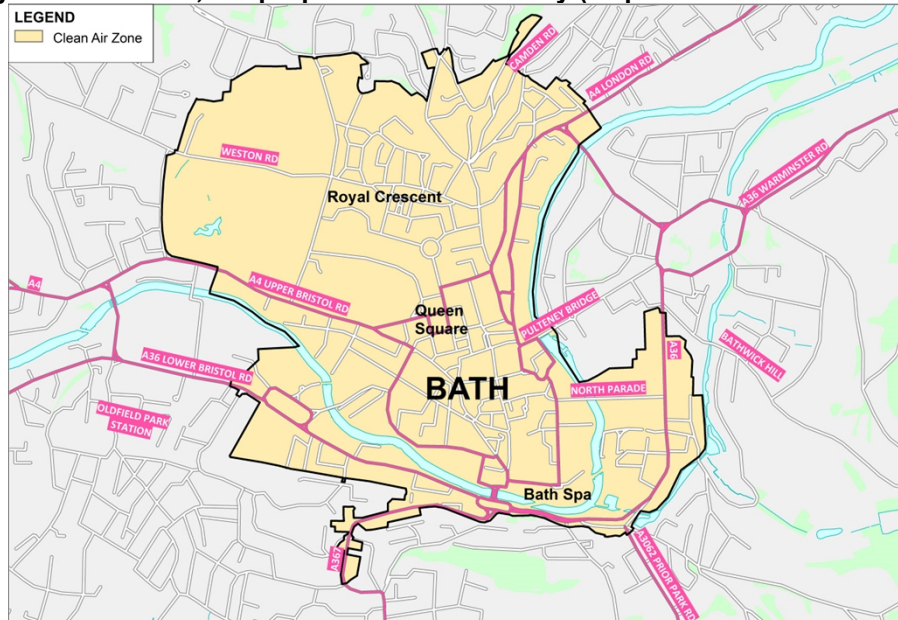
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Subject	CAZ Diversion Impact to East of Bath	Project Name	Bath Clean Air Plan
Attention	B&NES Council	Project No.	674726.BR.42
Author	JB		
Checked by	BL		
Date	10 October 2018 (minor updates Feb '19)		

1. Introduction

In 2017 the government published a UK Air Quality Plan for Nitrogen Dioxide¹ setting out how compliance with the EU Limit Value for annual mean NO₂ will be reached across the UK in the shortest possible time. Due to forecast air quality exceedances, B&NES, along with 27 other Local Authorities, was directed by Minister Therese Coffey (Defra) and Minister Jesse Norman (DfT) in 2017 to produce a Clean Air Plan (CAP). The Plan must set out how B&NES will achieve sufficient air quality improvements in the shortest possible time. In line with Government guidance B&NES is considering implementation of a Clean Air Zone (CAZ), including both charging and non-charging measures, in order to achieve sufficient improvement in air quality and public health.

This note provides a high-level analysis of the potential impact of a Class D Charging Clean Air Zone (CAZ) in terms of diversion of A36 North-South through trips onto routes to the east of the city. For reference, the proposed CAZ boundary (as per the October 2018 draft OBC) is



shown in

Figure 1 below.

¹ <https://www.gov.uk/government/publications/air-quality-plan-for-nitrogen-dioxide-no2-in-uk-2017>

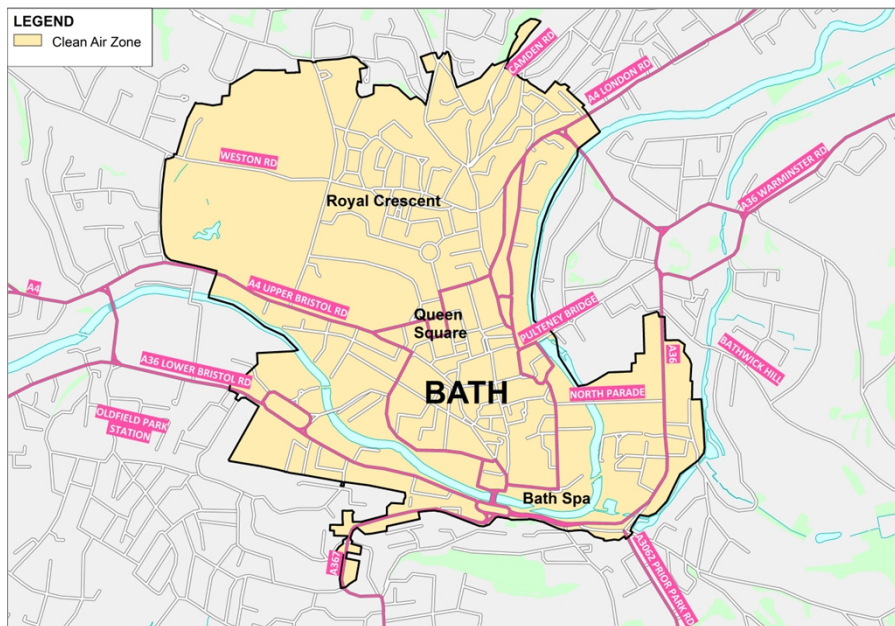


Figure 1: Proposed Boundary in draft OBC

This note provides a summary of the analysis undertaken during the assessment of the Bath CAP.

2. Trips Impacted by CAZ

2.1 Availability of Modelling and Data

Modelling of the CAZ work was undertaken in the latest iteration of the GBATH model. The study area and validation of this model is focused on the City of Bath itself and as such towns to the east are in the 'external' area of the model and, while flows between them and Bath would be expected to be accurate, flows within them may not be.

A 32 site two-week ANPR survey in November 2017 was undertaken in Bath to support the analysis of the CAP. This covered an outer cordon around the edge of the city, an inner cordon covering the central 2km diameter of Bath and also camera sites at the major car park entrances and exits. DVLA data for each number plate was obtained, providing full information on the vehicle including the type, size, fuel and euro standard allowing the compliancy with the Defra CAZ Framework² criteria to be assessed.

Wiltshire County Council has provided some further data consisting of a number of ATC sites across south west Wiltshire and a 5 site ANPR survey cordon of the town of Westbury.

2.2 Analysis of ANPR Data

A maximum level of potentially impacted, and therefore diverted, traffic can be established from the Bath ANPR survey. Specifically, the survey had sites on the A46 to the north of Bath, on London Rd, just to the east of the Cleveland Place junction and either side of Bathampton on the A36 providing an

² Defra & DfT (May 2017) *Clean Air Zone Framework: Principles for setting up Clean Air Zones in England*.
<https://www.gov.uk/government/publications/air-quality-clean-air-zone-framework-for-england>

accurate picture of the quantity of traffic using the strategic route and how much of this is non-compliant.

Analysis of the trip chains of the ANPR data indicates there were an average of 2,300 daily movements making that strategic route of which approximately 450 were HGVs. Filtering down to traffic that is non-compliant with CAZ standards and would have to pay any charge indicates around 1,200 daily vehicles, of which 175 were HGVs.

By the time any CAZ is implemented by 2021 the numbers of non-compliant vehicles are already expected to have reduced significantly due to the ongoing replacement of vehicles. Projections used in the modelling were provided by Defra via their Emissions Factor Toolkit indicate that the number of non-compliant cars and LGVs is expected to have halved by 2021, while the number of non-compliant HGVs is expected to have reduced by over 60%.

Taking that into account would put an upper limit on the number of non-compliant through trips at 565 on a typical weekday, with 65 of those being HGVs.

2.3 Data from Wiltshire Council

The counts provided by Wiltshire Council indicate typical daily two-way volumes of 7,000 vehicles on the B3108 north of Winsley, 12,000 (12hr 07:00-19:00) on the A350 to on the northern edge of Westbury and 12,500 on the A363 between Bradford on Avon and Farleigh Wick.

2.4 Analysis of Traffic Model Outputs

It is expected that a high number of the uncompliant trips in 2021 would replace their vehicle with a compliant one in response to the proposed CAZ. This behaviour is particularly anticipated for HGVs as a large proportion of the HGV fleet is national, and 27 other local authorities are considering implementing a charging CAZ as part of their CAP, including Bristol. Under the Defra CAZ Framework, HGVs are charged under all but one class of CAZ.

The detailed assessment work undertaken suggests that around 50% of non-compliant cars, 65% of non-compliant LGVs and 80% of non-compliant HGVs will replace their vehicle in response to the proposed CAZ.

The actual response of vehicles will vary somewhat based on the trips they are undertaking, for instance a trip travelling through Bath may have an option to avoid the zone, whilst a trip travelling into the zone does not. The outputs from the highway models will therefore provide an estimation on the final impact of the CAZ.

Looking at the differences between the baseline model (2021 scenario without CAP) and the proposed CAZ model shows a small increase in traffic on the B3109 of around 80 PCU (passenger car units) a day north of Bradford on Avon and 30 south of it. There is also a slight increase in traffic of around 30 PCU a day on the B3108 to the west of Bradford-on-Avon. However, there are reductions of around 100 PCU on the A363 between Bradford-on-Avon and Bathford and 70 on the route between Bradford-on-Avon and Holt. In Bradford-on-Avon there are both small increases and decreases in traffic, but the overall change is a slight reduction. The model shows no significant impact upon Westbury.

A number of select link analyses were also performed on the A36, A46 and A350 to establish the level of diversion induced by the CAZ. It was found that the diversion to the A350 was less than 1 PCU in the AM and PM peaks. There was also minimal impact found on the B3109 suggesting that traffic changes on the B3109 are from traffic rerouting locally rather than in the wider region. Despite the

overall traffic drop on the A363, there was some use of this as a diversion by traffic on the A46 north of bath however the change was a maximum of 6 pcu in any modelled hour.

It should be considered that the responses to the CAZ are complex and interconnected. The CAZ removes some traffic from the network entirely through trips that change mode or no longer travel at all, this in turn reduces delay within Bath which attracts back trips that may have been diverting around the city already. Considerable numbers of trips from towns like Bradford on Avon also commute to Bath and changes to their behaviour will impact along the length of the trip including within the town of origin.

3. Summary

The total number of non-compliant through trips forecast to be affected by the proposed CAZ in Bath in 2021 would represent, at most, 5% of the traffic already using roads such as the A363 and A350. It is expected that only a small proportion will avoid the zone and those would not all divert along the same route. Traffic travelling to and from the east of Bath will also respond to the CAZ in a number of interconnected ways and the vast majority of the countries HGV fleet is expected to be compliant as a result of the implementation of CAZs in a number of cities.

The forecast impact of the CAZ on roads to the east of Bath therefore is expected to be overall neutral with individual changes in volumes making up at most 1% reductions or increases in daily volume.

As part of the Clean Air Plan, B&NES is proposing to expand its network of traffic and air quality monitoring in order to understand the impact of the CAZ. This could be further extended to include analysis of similar monitoring data collected by Wiltshire Council. The analysis of the data collected in Wiltshire can then be used within the ongoing assessment of the scheme performance and inform appropriate refinements should they be deemed necessary by B&NES.

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Bath & North East Somerset Council		
MEETING	Cabinet	
MEETING	5 th March 2019	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3133
TITLE:	Consultation, Community Engagement and Communications	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1: Notes of Consultation Workshop held on 26 th January 2019		

1 THE ISSUE

- 1.1 This report updates the Cabinet on work undertaken with members of our Connecting Communities Forums on Consultation, Community Engagement and Communications. The report sets out the learning from recent consultation processes, ideas for building on good practice and suggested new approaches. The report also sets out the outcome of a detailed engagement process on this work so far and proposes next steps.

2 RECOMMENDATION

The Cabinet is asked to;

- 2.1 Note the work of the area's Local Area Forums in engaging with local residents, parish councils, town councils and the community and voluntary sector.
- 2.2 Thank the Bath City Forum and the Consultation Working Group, drawn from representatives of the Forums, ALCA and the 3SG, for their work to date on further developing our framework for Consultation, Community Engagement and Communications.
- 2.3 Requests the CTE PDS Panel to consider in more detail the outcomes of the groups findings, attached in Appendix 1 and detailed below in 5.12, and to advise the Council's Cabinet on how best to develop further this work and incorporate it into the Council's policy and practices.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 There is a well-established business case for delivering effective and efficient consultation. Identifying appropriate resources for high-quality communications and engagement on projects should be built into their planning phase from the outset.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Council has a wide range of statutory duties relating to engaging and consulting with local residents, and considering responses appropriately through its decision making process.

5 THE REPORT

- 5.1 Cabinet in May 2013 adopted a new Local Engagement Framework for Bath & North East Somerset. The central aim of this new “Connecting Communities” approach was to help local people, organisations and councils address the issues that mattered to them most in their communities, particularly in the light of ongoing financial challenges. The Framework was therefore built around establishing a number of local “Connecting Communities Forums”, involving parishes, local elected members and other residents and local groups. This approach also enabled a complex range of existing locally-based groups to be replaced, removing duplication and providing a single basis for engagement. In addition, it allowed for updates to be given to the Forums from key public services such as the Council, Police and Fire and Rescue Service.
- 5.2 Three Connecting Communities Forums were established initially covering the Somer Valley, Chew Valley and Keynsham areas, building on long-established partnership arrangements in these areas. These Forums brought together Parish Councils, local elected members and community groups as well as Director-level sponsors to highlight and champion their work. Action Plans for each Forum drew together partner activity to utilise the capacity and skills of the local communities themselves.
- 5.3 Following positive feedback on the first phase of the introduction of the Forum approach, it was extended to the whole of the parished area with the creation of the Bathavon Forum in July 2015. This was followed by the first meeting of the Bath City Forum in October 2015, established by Council in July 2015 following a review of governance arrangements for the City. Given that Bath is unparished the representation on the Forum was drawn from elected Bath & North East Somerset Councillors and from co-optees. This meant that for the first time a clear engagement framework had been embedded across the whole of Bath & North East Somerset.
- 5.4 The Forums have continued to evolve and develop. For example, the Bath City Forum now advises the Cabinet on disbursing the local portion of the Community Infrastructure levy for Bath through a Panel established for that purpose. Most recently the Bathavon Forum has been replaced by two separate Forums for Cam Valley and Bathavon North, which it was felt would better reflect the community needs and identities. The Chairs and Vice Chairs of the Forums come together regularly to assess progress, share best practice and make forward plans. However, even within this common framework, local issues are prioritised, identified and pursued. Recent examples of this include a

focus on Houses in Multiple Occupation at the Bath City Forum, whilst the Somer Valley and Chew Valley Forums have discussed rural transport issues. The Keynsham Forum has focussed on issues such as community safety and anti-social behaviour.

- 5.5 A key benefit of the relationships created across all our communities provided by the Forums has been the ability for public services to consult at local level, and to use the Forums to receive a local “take” on B&NES-wide consultations. This was found particularly useful, for example on the “Your Care Your way” community services proposal and also on a wide range of other consultations.
- 5.6 The Bath City Forum in 2018 raised, what they felt were, a number of key learning points from some of the complex consultations that have taken place in recent years, including the East of Bath Park and Ride, Libraries and Air Quality. It was considered that there were some useful lessons to be learnt from these which were considered when developing the Air Quality consultation process. For example, a period of broad engagement and communications prior to the consultation period itself was built into the planning. Overall, this consultation received what is believed to be a record number of responses.
- 5.7 Following this issue being raised at the Bath City Forum, all the other Forums, Somer Valley, Chew Valley, Keynsham, Cam Valley and BathAvon North were asked for their views on how best to work together to improve the process of engagement and consultation in our area. As a result a working group was established consisting of four Members of the Bath City Forum and two from each of the others. Also included were representatives from Avon Local Council’s Association (ALCA) and the 3SG (Third Sector Group). A working group of seventeen in total.
- 5.8 The initial proposal was to undertake a joint workshop with the working group and Council Officers. This was subsequently revised following discussions with the Cabinet Member for Economic & Community Regeneration. It was agreed to hold the workshop just with the representatives from the Forums.
- 5.9 The workshop took place on Saturday the 26th of January 2019 with ten of the seventeen members of the working group present. The workshop was run by the Cabinet Member for Economic and Community Regeneration supported by Officers from Partnerships and Corporate Services.
- 5.10 The workshop was very well received by the members of the Forums who participated, particularly as the format allowed members to engage in role play in order to appreciate the complexity and different perspectives. The outcomes and next steps have been reported back to all the area Forums and further work is planned. There is a genuine desire on behalf of the Forum members and the Council to work together to develop this work further.
- 5.11 The Council has already learnt a lot of lessons from the refresh of the Parish Charter and it is proposed that the resulting principles of partnership working are also fed into our future consultation arrangements.
- 5.12 The workshop proposed four key areas to explore further. These were to:
 - develop a ‘Charter’ on consultation similar to the Parish Charter adopted by the Council to support our working relationship with Town and Parish

Councils. This could provide the guidance on the rules including responding to issues as they arise as well as training and promotion of the Charter.

- agree a vocabulary of 'consultation language', whilst not affecting the Council's statutory obligation, that is understandable by residents across the district.
- explore opportunities of working more closely with the 3SG to engage harder to reach groups.
- investigate the idea of setting up an 'Consultation Panel' to give officers feedback prior to the Council embarking on consultation. The Panel will need to be managed within existing resources.

6 OTHER OPTIONS CONSIDERED

6.1 None

7 CONSULTATION

7.1 There has been widespread discussion of the proposals within the Bath City Forum and at other Forum meetings across the district. The Bath City Form members have been instrumental in driving the issue forward.

7.2 The whole issue of Consultation, Community Engagement and Communications will be presented to CTE PDS Panel on 11th March for further comment and discussion. These discussions will be reported back to Cabinet at a future date.

8 RISK MANAGEMENT

8.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Dave Dixon Community Engagement Manager. 01225 396532</i>
Background papers	<p>Cabinet Meeting paper – Connecting Communities: Update December 2014 http://www.bathnes.gov.uk/sites/default/files/siteimages/cc_report_december_2014.pdf</p> <p>New Conversations: LGA guide to engagement https://www.local.gov.uk/new-conversations-lga-guide-engagement</p>
Please contact the report author if you need to access this report in an alternative format	

**Notes of Consultation Workshop
Mulberry Park Hub
Saturday 26th January 2019, 10am – 2pm**

Attendees

Name	Representing
Cllr Paul Myers	Cabinet Member for Economic and Community Regeneration
Cllr John Adler	Chair of Freshford Parish Council and Cam Valley Forum
Cllr Hugh Baker	Chair of Bathford Parish Council and Bathavon North Forum
Richard Clist	Clerk to Swainswick Parish Council, Bathavon North Forum
Cllr Dave Collett	Timsbury Parish Council, Somer Valley Forum
Dave Dixon	Community Engagement Manager, B&NES
Sara Dixon	Locality Manager, B&NES
Roger Driver	St Michael's Church, Bath City Forum
Mark Hayward	Community Engagement Officer, B&NES
Adrian Inker	Volunteer and Vice Chair of Keynsham Area Forum
Kathryn Manchee	Clerk to 3 Parish Councils, Cam Valley Forum
Kate Morton	Chief Executive - Bath Mind; B&NES Third Sector Group (3SG)
Cllr Rosemary Naish	Chair of ALCA and Clutton Parish Council. Chew Valley Forum
Paul Roles	Bath City Forum
Alison Wells	Community Engagement Officer, B&NES

Apologies

Name	Representing
Enya-Jayne Battersby	Vice President Bath Spa Students Union, Bath City Forum
Nicolette Boater	Resident. Bath City Forum
Stephen Dale	Head of Community Partnerships – Dorothy House, B&NES 3SG
Chris Head	Chief Executive of West of England Rural Network and Chair of Chew Valley Forum
Mike Hammond	Resident. Keynsham Area Forum
Cllr Alastair Slade	Midsomer Norton Town Council, Somer Valley Forum
Roanne Wootten	Operations Director - Julian House, Bath City Forum

1. Welcome, Housekeeping, Introductions and Ice-Breaker

PM welcomed those present and gave a safety announcement. The aim of the session was to look at the issue of consultation – he referred to his own experience being a resident, Town Councillor, Ward Councillor and Cabinet Member. Roundtable introductions were made.

PM explained that the Council had received a proposal from representatives of the Bath City Forum which highlighted:-

- an inconsistent approach to consultation,
- lack of expertise in the process,
- poor methodology and design of consultation materials and
- apparent lack of application of results ('a black hole').

Part of the aim of the workshop is to take forward the proposal and explore the experiences from other areas. The Council does have processes it needs to follow including statutory.

The group will do an exercise later to feel what it's like to live through a consultation from different perspectives.

2. Truth and Reconciliation

PM asked the group to share their views about what was good and what was bad with consultation exercises in the past. In order to achieve the best consultation going forward, we need to be really frank today, no comments will be attributed to individuals.

Roundtable discussions were held and the following comments were made:-

- As part of the Clean Air Zone (CAZ) consultation, a well-attended public meeting was organised by the Council. It quickly became apparent that there were no options - a decision had been made on the solution. Also, no-one from the Council was taking any notes – this gave the impression that they did not care about the views being given.
- Up until recently, I thought consultation meant that the Council was getting consultants in – people have no interest in how the Council works so don't understand the processes.
- People have lost trust in consultation as they think it is a done deal – the CAZ is a good and recent example of this as is the Keynsham One Way. This entrenches people's views. It should be a two stage process the first being 'Why are we doing it' then, when the community are on board with that, look at 'how to get there'. Keynsham has grown enormously in size with the community having little say on the matter. It seems at times that common sense has gone out of the window with decisions.
- Whilst officer reports suggested that there was support within the community for a One Way System in Keynsham, the Council they didn't consult on the best way to reach the objective.
- Some of it is about the language used – this needs to be right early on and avoid Council jargon.
- Could there be a central place on-line where notes from consultation events are posted?
- The on-line consultation form for the CAZ only included one section where you could give a view.
- The Hollies Library move was a 'done deal' – you are often consulting on a solution that has been decided, not getting ideas in advance.
- Don't assume that everyone can access information or take part in consultations on-line. For example, a consultation affecting homeless people was put on on-line.
- The planning consultation process is very open and there can be lots of comments to wade through – I do feel for the officers having to do this because there never is one solution to please everyone.
- It strikes me that the Council is often in a position of power – it's a bit like planning a family holiday – I ask the kids where they want to go but I will have the final say

because I am paying. There was also a view that it would be better if the Council could admit this at the start.

- People think the Council is responsible for everything – there was a huge protest outside the Guildhall about Culverhay/Bath Community Academy closing but surely the ultimate decision was not the Council's? People were angry but didn't know where to direct their frustration about this issue.
- I think the Council should make more use of existing groups of people (eg interest groups, WI, rugby clubs etc) to consult. People can discuss the issue with others they know and trust, then feedback be given. This may encourage individuals to give a view when they might not otherwise.
- I often see letters in the local press from residents complaining and it is obvious that they do not understand the issue or the facts. Maybe the Council needs to explain things better.
- I have an issue with how the Council uses the media. It was recently announced that they are considering using the A46 as a Park and Ride – that is not the way to introduce a scheme or policy to the public.
- When I worked for a private company in marketing, we planned communications and launches. It is different at the Council where everyone has a right to Freedom of Information; differing views; information put out can be distorted or not read. Politicians set policy, officers implement.
- There are often time constraints that influence when engagement takes place and officers can have one hand tied behind their back – this goes over people's heads sometimes.
- It is difficult to know what the truth is when you read newspapers, Twitter etc. People are engaging with angry social media posts, not facts. Sometimes it almost seems that the media want to engage in conflict to create headlines and drive sales.
- Consultation means different things to different people in different situations. We get consultation from the Council, consult the public ourselves as an organisation, individuals want to discuss things with us. My biggest disappointment with the Council is that consultation is often *'this is what we have decided, what do you think?'* It would be preferable to talk through options with groups, although it's appreciated that this is a longer process. However, having a longer process would allow for feedback at different stages.
- Maybe consultation is the wrong word unless it's statutory – maybe it should be resident/community involvement.
- I would hold out for the word consultation – it is consultation when it goes your way and not when it doesn't!
- Officers are not always clear on the difference between the 3 C's (Consultation, Community Engagement, and Communication). The three words are really an iterative process where the starting point is the stage most appropriate to the specific subject. Internally the Council needs to be clearer so that officers know which method is appropriate and what is meant by the terms eg consultation, engagement or communication.

- I would endorse starting the process earlier where possible, although it is appreciated that sometimes there is a push to reach a deadline. If so, this needs to be communicated too.
- I see it a bit like planning a meal out. First of all you make a suggestion 'Shall we go to a restaurant on Friday', then you need to decide which one, then when you get there, you decide what you want to eat.
- 80% of the feedback probably comes from 20% of the people - most probably don't care.
- The Council cut the parish sweeper scheme and told the affected parishes just two months before. When this was deemed to be outside the terms of the Parish Charter, the Council found a way of mitigating the impact. It is possible to negotiate.
- A lot is a lack of understanding about why things have to happen – sometimes people probably regret getting caught up in misleading information and taking a polarised position.
- It is easier to put out fires when they are small. Also, people respect honesty.
- There can be 'organisational ego' perhaps due to individuals concerned about their legacy.
- Some departments of the Council are particularly prone to being the experts taking a 'we know best' approach – this disengages people.
- Consultation can be affected by cost and deadlines. If there was a Terms of Reference, the clear outcomes could be known at the outset.
- Consultation can be seen a vote but it is not. It is not always possible to get people to agree but there is a need to address the needs of those who are not going to get what they want and mitigate the impact of decisions.
- There is also consultation v expectation. We have an issue that will impact on our community and one group of people feels we should engage and consult but another feels there are elected representatives with a mandate should take these decisions.

PM thanked everyone for their contributions. There was a short break.

3. How Can We Make Consultation Better?

Roundtable discussions continued and the following comments were made:-

- The Council undertook a similar process when refreshing the Parish Charter – there were workshops with officers and parish representatives and everyone had a chance to say how it felt for them. We do have a Parish Charter but still need to make sure that people know how to behave as both officers and protesters. We also want to engage the media in this process.
- Is it built into Council staff objectives/performance?
- I am sometimes horrified at the way in which people behave towards the Council.

- Be up front – we are consulting but say if there are constraints.
- Don't call it consultation if it's not.
- The example in the budget about the cost of adult and children's social care really helped people to understand the costs and difficulties the Council faces.
- What outcomes are you looking for – it might not be a yes/no but a how do we get there.
- The three C's are different things but all are being presented as consultation – the Council needs to say which it is and why you are doing it as well.
- Is it a consultation you have to do or are choosing to do?
- There should be a check list for officers eg., have you made your decision already, if so, it is not consultation.
- Whichever one of the 3 C's it is, there needs to be a clear definition of the purpose and the objectives and what the problem.
- Define where you can and can't go and what the project is.
- If there was a joint process for the Council and public to follow, what should it be called – a 'contract'; 'memorandum' or 'deal'? It doesn't need to be a lengthy document – we just need some rules that everyone involved in the process whether they are in opposition; Cabinet; press; officers or public, can agree.
- I struggle with contract as this suggests something different like Charter or Memorandum of Understanding.
- I've seen it work with the Parish Charter and Parish Sweeper.
- An example where the Council has made improvements is Fix My Street which is working well. It is very transparent. It addresses criticism around lack of feedback from the Council.
- Be up front.
- The Council's budget presentation is clear – 82p in the £1 is spent on essential services.
- If we have arrived at conflict, we have failed.
- There are Government guidelines on consultation which the Council can use and apply in simple language.
- In marketing, there are panels to use as 'critical friends'. They represent a range of people and views with members regularly changed so they do not become 'experts' and views remain fresh. Do you think something like this would be helpful?
- People thought the bus service was being cut by the Council – they did not realise the decision was made by First.

- Would statutory consultation cause issues with this approach?
- Both can be combined as long as it is made clear what the Council has to do and what it has chosen to do.
- The NHS has to consult on major changes with a particular time frame – it may only be 12 weeks.
- Officers would need to be trained in whatever the process is. The Forums could have a session on it.
- When the Forums were set up, it was considered whether they might play a role in testing ideas, so it may be possible to use them.
- The Forums are not diverse enough.
- One of the newer Forums has been asking what it is for, where it is going. There was little community involvement until the presentation on the CAZ – this was vocal and vociferous because the issue interests people – individuals came and personal views were given.
- It is because the CAZ affects everyone.
- Often there is consultation on a small point – the Forums could be used to engage with communities before it goes to individuals.
- There are two universities in Bath – they have sophisticated knowledge of sampling and research. The Council could make use of this.
- How would the Council ensure that all people have access to the process? Some people do go to meetings but others are harder to reach. Does the Council commit to at least try to reach them? The Council cannot force people to engage.
- Community organisations can help share information.
- In Foxhill, residents were trained to undertake engagement.
- I still think there is benefit from engaging with groups, not individuals – people are comfortable talking in their groups, not to the Council.
- People talk on buses – there could be an opportunity for them to pick up leaflets on the bus.

The group agreed the following key actions for consideration:

- develop a 'Charter' on consultation similar to the Parish Charter, providing guidance on the rules including responding to issues as they arise as well as training and promotion of the Charter.
- agree a vocabulary of 'consultation language' that is understandable by residents across the district.
- explore opportunities of working more closely with the 3SG to engage harder to reach groups.

- investigate the idea of setting up an 'Consultation Panel' to give officers feedback prior to the Council embarking on consultation.

PM thanked everyone for their input and said he would be feeding back to Informal Cabinet on Monday.

4. Putting principles into Practice

A participatory workshop was held. The aim of which was to understand the varying issues, draw conclusions. Roundtable feedback was given.

5. Conclusions and next steps

PM thanked everyone for really getting into the spirit of the session. All agreed that it had been a very interesting session particularly to see the different perspectives and impact of a consultation process.

PM confirmed that he would report back the consultations and suggested actions to the Cabinet. The group proposed that they would be interested in continuing to develop a new consultation approach for the Council. This was agreed with a unanimous show of hands.

There was a vote of thanks to PM and the officers and a request for feedback to be given at Bath City Forum on Monday and to the B&NES Third Sector Group.

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