

Communities, Transport and Environment Policy Development and Scrutiny Panel

Monday, 16th November 2015

Possible Bath Low Emission Zone (LEZ)

Background

The Council received funding during 2013/4, along with many other English local authorities, to investigate and produce reports on ways to tackle poor air quality within their areas. The Council received £46500 of which £40000 was spent on a Low Emission Zone Feasibility Study.

The findings from the study were presented to a meeting of the Planning, Transport and Environment Policy Development and Scrutiny Panel on 16th September 2014. The Panel noted the report and the Chair asked for a further report to the Panel as part of the consultation process.

The Cabinet then received a report on 12th November 2014 on the Bath Transport Strategy within which there was a recommendation that feasibility work continue on exploring an LEZ. The Cabinet has not to date received a formal public presentation of the LEZ report although Officers have said that the report was presented informally to its members. Formal decisions have not therefore been taken on the options described in the consultant's report including those on possible boundaries.

On 8th July 2015 the Cabinet received a report entitled "Update on the Getting around Bath Transport Strategy" within which the reference to a feasibility study for an LEZ was repeated.

Finally the Cabinet on 4th November 2015 received a report on a new Corporate Strategy for the Council which repeated the aim of improving air quality within Bath but was silent on how this might be achieved.

On 5th November 2015 Bath's MP Ben Howlett raised in Parliament the question of air quality within Bath with the DEFRA minister Liz Truss. The exchange reported in Hansard is repeated below:

T10. [902006] **Ben Howlett (Bath) (Con):** *Bath residents will welcome the consultations in the Department on air quality, given the high levels of air pollution in the city, as the Secretary of State will know from her visit earlier this year. Will she confirm that this will help cities such as Bath to introduce low-emission zones?*

Elizabeth Truss: *I remember standing with my hon. Friend by the roadside in Bath and breathing in the fumes. The clean air zones that we are introducing provide, for the first time, a national framework that local authorities can adopt*

and put in place in their area to address air quality issues, so I hope that Bath is looking at that.

Council Officers have also reported as follows:

Bath & North East Somerset Council undertook a Low Emission Zone feasibility study for Bath (completed 2014), using the government's local air quality grant. Most of the major road network in Bath falls within an Air Quality Management Area. In the areas covered by the study, the national objective annual mean of 40 micrograms per cubic metre for nitrogen dioxide is exceeded by up to 20 micrograms per cubic metre (National Air Quality Regulations [Environment Act 1995]). Bath and North East Somerset Council (2014) LEZ Study, Low Emission Zone Feasibility Study for Bath

Finally the Health and Well Being Board stated in its annual report in 2014:

*Getting Around Bath is a soon to be published Transport Strategy through which the council aims to support economic growth, promote sustainable transport and **improve air quality***

Current position

The Council has received a number of reports over the past 2 years that specifically relate to the possibility of creating an LEZ for Bath. The 2014 report received by a predecessor to this panel set out a series of options for implementing the creation of an LEZ. Statements about the intention to advance the proposition have been regularly repeated yet it appears that the Council does not intend to progress this important initiative until 2016 at the earliest. Officers have also stated that at the present time no resources have been allocated to progress the matter. Regrettably it is hard to escape the conclusion that little tangible progress has been made by the Council on this issue as there is no published implementation plan nor have any statements been made on what public consultation might take place.

DEFRA has recently consulted on changes to the regulatory regime in relation to air quality management following on from a Supreme Court ruling earlier this year which held that the UK government was in breach of certain air quality targets, in particular for NO₂ which is a problem in parts of central Bath. DEFRA expects to publish its proposals by the end of the year. To enable the UK government to meet its legal obligations it may be expected that local authorities will be asked to actively promote pollution-limiting measures particularly where these involve road traffic. It seems likely however that BANES will still need to follow through on the work undertaken so far and achieve tangible measureable improvements in air quality in the City of Bath.

The Panel is requested to investigate the apparent lack of progress by the Council in progressing an LEZ for Bath and make recommendations to the Council on how the initiative can be expedited, resources allocated, and a clear timetable published to include public consultation on boundaries.

