

BATH AND NORTH EAST SOMERSET

MINUTES OF COMMUNITIES, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL MEETING

Monday, 29th October, 2018

Present:- **Councillors** John Bull, Brian Simmons, Neil Butters, Richard Samuel, Ian Gilchrist, Michael Evans, Patrick Anketell-Jones, Anthony Clarke (in place of Alan Hale) and Sally Davis (in place of Peter Turner)

43 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting.

44 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

45 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Peter Turner gave his apologies and was substituted by Councillor Sally Davis.

Councillor Alan Hale gave his apologies and was substituted by Councillor Anthony Clarke.

46 DECLARATIONS OF INTEREST

There were none.

47 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

48 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

David Redgewell made a statement regarding public transport and service delivery. Mr Redgewell commented that the retro fit of buses as part of the Clean Air Zone proposals must include smaller operators. He asked that the Panel seek a meeting with the WECA (West of England Combined Authority) Mayor to encourage him to come forward with the bus strategy.

Mr Chris Beezley – Chairman of Beech Avenue Residents Association made a statement regarding a Clean Air Zone (CAZ). *A copy of this statement is attached to these minutes and a copy is kept on the minute book for this Panel.*

49 MINUTES - 27TH SEPTEMBER 2018

The Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chairman.

50 CABINET MEMBER UPDATE

The Cabinet Member for Development and Neighbourhoods – Councillor Bob Goodman gave the following updates:

- Waste - the Cabinet Member reported that recycling continued to exceed 60%. He added that there was still a need for more education on the issue and engagement of Curo.
- Litter Enforcement - the Cabinet Member reported that the final documents were being prepared.
- Keynsham Leisure Centre - the Cabinet Member reported that satisfactory progress was being made.
- Parks - the Cabinet Member reported that Parade Gardens had won a gold Britain in Bloom medal.
- Grass cutting - the Cabinet Member reported that work is being done to identify areas where there has been an issue.

Questions from the Panel

Councillor Evans asked if there are more missed collections since the new scheme started. The Cabinet Member explained that this may have been correct when the new scheme started but now there was no difference.

Regarding a question from Councillor Gilchrist regarding Midland Bridge recycling centre, the Cabinet Member stated that there was nothing new to update, there will be consultation on the location.

The Cabinet Member for Transport and Environment – Councillor Mark Shelford updated the Panel on the following:

- Bence Garage – this is progressing well.
- Brougham Hayes – this will finish today and work will start on the Hayesfield crossing.
- Sally in the Woods – work successful
- Churchill subway – work due to finish in December.

- Parking – two and a half months into the new scheme, so far there has been a reduction in all day parking and increased use of Park and Ride.

Questions from the Panel

Councillor Butters asked if there was progress on the A420 junction. The Cabinet Member explained that a business case was being worked on with South Gloucestershire Council.

Councillor Bull asked about coach parking on Wells Road. The Cabinet Member explained that after the Christmas Market period, coaches will be directed to Oddown Park and Ride.

Councillor Samuel asked if the Council has ever used its powers to issue notices to operators of buses that are idling. The Cabinet Member referred to Chris Major (Group Leader, Transport and Parking) who explained that enforcement had not been used to date but will be brought forward as part of the Clean Air Zone. Councillor Samuel asked why this power, which has been available since 2002, has not been used before. The officer replied that prosecutions need legal backing which had not been possible until now (with CAZ proposals).

The Panel received apologies from the Cabinet Member for Transformation and Customer Services - Councillor Karen Warrington.

51 PROPOSALS FOR A CLEAN AIR ZONE IN BATH

The Panel received a presentation from Cathryn Brown, Team Manager for Licensing and Environmental Protection and Chris Major, Group Leader Transport and Parking, which covered the following:

- Health Messages
- Background – Direction from Defra
- Background – Shortlist of Schemes
- Preferred option – following technical assessment
- Options Assessed
- Proposed Charges
- How were the proposed charges set?
- Proposed Charges
- Proposed Clean Air Zone boundary
- Scheme Design for a small Class D CAZ
- Impact of Scheme – air quality (LAQM)
- Impact of Scheme – traffic volumes
- Impact of the Scheme – Economic
- Exemptions
- Concessions
- Other measures – proposed shortlist
- Proposed financial assistance packages
- Scheme Finances
- Engagement Feedback so far

- Programme
- Monitoring and Evaluation
- What are other local authorities doing?
- Key dates
- Sources of information
- Reminder of health improvements

Panel members asked the following questions and made the following points on the presentation: (*Officer responses are shown in italics*).

- Councillor Clarke asked if there was evidence of an excess of pulmonary deaths in Bath – *officers will check and report back.*
- Councillor Clarke asked for more information on the position of monitors in the business case. *Officers acknowledged that more specific information on locations could be included.*
- Councillor Butters stated that some spots that are shown as green at the moment may change to red after the CAZ is implemented due to rat running.
- Councillor Samuel asked what would happen if we still had exceedance in 5 years?
- Councillor Butters asked how close to compliance would we be with Class C?
- Councillor Samuel asked if Class D has been selected due to the risk of displacement. *Officers explained that all technical work up to now has been scrutinized by the Government Technical Panel and feedback has supported Class D. Officers also explained that Client Earth took a legal case against the Government and the judgement said that Local Authorities must ensure plans achieve compliance and meeting the limits had to be 'likely' not just 'possible'.*
- Councillor Bull asked what the projections for 2021 are based on. *Officers explained that certain things were taken into account such as the Government toolkit and ANPR data and the decrease in the number of vehicles causing emissions.*
- Councillor Samuel asked what the consequences would be if the Council does not meet compliance figures. *Officers explained that the monitoring officer is clear that we must comply with this legal obligation. There could be action taken against the authority.*
- Councillor Butters asked how people will know if they need to upgrade their car/engine – *officers explained that work is being done with Bath Hacked to provide a definitive tool for people to work this out.*
- Councillor Bull asked if the 24 hour charging period is fair to shift workers and what is the justification is for the 24 hour period? *Officers explained that the 24hour period is more likely to ensure behaviour change.*
- Councillor Butters stated that some NHS workers do not drive compliant vehicles and asked if they will be penalised? *Officers explained that concessions/exemptions can be arranged as long as it does not affect the overall limits.*
- Councillor Butters asked if there will be an effect on Tourism and Heritage Services? *Officers explained that they have spoken to the Roman Baths who have a sustainable travel plan and did not see a problem with the CAZ. Tourist coaches are used to visiting places such as London.*

- Councillor Butters asked how far out the signage goes? *Officers explained that there will be signs at Le Delamere services on the M4 and also from Warminster – signage is paid for by the Government.*
- Councillor Samuel made some comments on the proposed boundary regarding some specific issues such as Perfect View being a cul de sac and drivers turning back down Belgrave Crescent, half of which is residents parking. He explained that residents are very angry with this. He stated that rat running has not been considered enough and that there will be high levels of diversion which will create problems all over the city. Many drivers are trying to get to the RUH. There should be a comprehensive displacement management plan. *Officers explained that the proposed boundary is still up for comment and issues such as the practicalities of installing ANPR cameras and the space for cars to turn around have been taken into account. There will be a working group to work through specific residents issues and officers can come and speak to groups of residents.*
- Councillor Samuel stated that south of the city, there would be substantial displacement potential off Wells Road, some areas do not have residents parking schemes and some areas are not suitable for extra traffic. There is not enough information on displacement effects.
- Councillor Clarke asked if Highways England and Wiltshire Council been consulted? *Officers explained that Highways England were comfortable with the plan and that there are talks with neighbouring authorities.*
- Councillor Samuel asked if financial assistance is for BANES residents only and if the number that will need it is known as this will have to be measured against the funds available. *Officers explained that the intention is to support BANES residents.*
- Councillor Clarke stated that pollution from petrol cars is 7 ½ % and asked if the government would allow us to exempt them? *Officers explained that this would mean deferring the scheme.*
- Councillor Clarke stated that regarding taxi's having a year's grace, residents may not agree with this.
- Councillor Simmons asked if sufficient charging points will be installed. *Officers explained that they are bidding for charge point funding.*
- Councillor Samuel asked what would happen if funding is turned down or reduced and there was insufficient charging points in the city. *Officers explained that they were putting together the best business case possible to support the bid.*
- Councillor Bull asked if it is realistic to extend the Park and Ride hours with the Government funding. *Officers explained that First Bus support the proposals and costs are minimal. Regarding site safety, there will be enhanced CCTV coverage.*
- Councillor Butters asked if it would be possible to subsidise some services such as the East to the RUH. *Officers explained that this is being considered.*
- Councillor Samuel stated that many rural communities and parts of the city are not covered by the bus network and that there is no east/west service to the RUH. He asked what the Council will do to support the private bus network as there must be an alternative to cars. The WECA Mayor has this power. Buses are the key to success and the proposals are underdeveloped

in this regard. *Officers explained that they are looking at the bus strategy with WECA.*

- Councillor Samuel stated that we have to let DEFRA know how many people will need assistance and asked that officers show the calculations behind the slide 'Financial Assistance Packages'. *Officers explained that the proposal to the Government is not yet finalised and there was still engagement with groups.*
- Councillor Samuel asked if a portion of the £9 will go to DEFRA? *Officers explained that there is no fixed figure yet but it is possibly around 10%.* Councillor Samuel stated that it was unacceptable that the Government have imposed this and then take back 10% of costs, they should fully fund the scheme.
- Councillor Butters asked who would collect the money and carry out the follow up and enforcement work. *Officers explained that it will be similar to bus lane administration and enforcement.*

Officers asked members to encourage residents to attend the drop in events on the CAZ to give their views.

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

52 PANEL WORKPLAN

The Panel noted the workplan and it was agreed that the 19th November meeting be cancelled as items cannot be brought to that meeting due to officers working on the Clean Air Zone.

The meeting ended at 7.30 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services