

Cabinet Meeting Resolution

**Executive  
Forward Plan  
Reference**

**E3132**

**Bath's Clean Air Plan- Outline Business Case**

<b>Date of Meeting</b>	5-Mar-19
<b>The Issue</b>	<i>This report identifies options for the Clean Air Zone in Bath following on from the public consultation held in 2018 and further technical assessment as a result of this consultation.</i>
<b>The decision</b>	<p><b>RESOLVED</b> that the Cabinet made unanimous decision to:</p> <p>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.</p> <p>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.</p> <p>2.3 Subject to confirmation of funding implement an enhanced package of supporting measures as set out in paragraph 3.6 of the report, including grants and interest free loans for residents and businesses, in order to achieve sufficient improvements in air quality and public health.</p> <p>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.</p> <p>2.5 Note the recommendations from the CTE panel and the responses provided in the report.</p> <p>2.6 Note the Consultation Report and Consultation Response Report (as published on <a href="http://www.bathnes.gov.uk/bath-breathes-2021">http://www.bathnes.gov.uk/bath-breathes-2021</a>) setting out the views of the respondents to the public consultation and analysis of these views.</p> <p>2.7 Agree the concessions and exemptions as set out within the Proposed System Design Features and Payment Exemptions report (as published on <a href="http://www.bathnes.gov.uk/bath-breathes-2021">http://www.bathnes.gov.uk/bath-breathes-2021</a>).</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>2.11 Agree the proposed monitoring arrangements for AQ and traffic flows in Bathampton as specified in section 5.9 of the report.</p> <p>2.12 Agree an amendment to the Council's Event Policy to restrict any event which will have a detrimental impact on AQ.</p> <p>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</p>

	<p>consultation with the Council's s151 Officer, Monitoring Officer, Leader and Cabinet member for Development and Neighbourhoods.</p>
<p><b>Rationale for decision</b></p>	<p>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.</p> <p>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 NO<sub>2</sub>.</p> <p>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.</p> <p>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.</p>
<p><b>Other options considered</b></p>	<p>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.</p> <p>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.</p> <p>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.</p>
<p><b>The Decision is subject to Call-In within 5 working days of publication of the decision</b></p>	