

Cabinet Meeting Resolution

**Executive
Forward Plan
Reference**

E3175

Bath's Clean Air Plan- Full Business Case

Date of Meeting	16-Jan-20
The Issue	<i>To receive an update on the Charging Order public consultation and decide the Full Business Case for the Clean Air Zone.</i>
The decision	RESOLVED (unanimously) that the Cabinet agreed to: 2.1 Delegate authority to the Corporate Director of Place to formally submit to the government's Joint Air Quality Unit (JAQU) for approval: the final Full Business Case (FBC), Clean Air Fund (CAF) bid; and the Charging Order. The main FBC is attached as Appendix 1 and the full package of 2 documents have been shared with Cabinet members and are published on the Council's website. 2.2 Agree the key project programme milestones as shown in Section 3.5. 2.3 Agree the revised and final scheme boundary as shown in Appendix 2. 2.4 Note that a draft Communications Strategy has been developed to support the implementation of the scheme that integrates with the national communications campaign. This is set out in Appendix 3. 2.5 Consider the FBC Consultation Report setting out the views of the respondents to the last public consultation and analysis of these views. This is set out in Appendix 4. 2.6 Confirm the launch of the approved scheme on 4 November 2020. This is the date upon which enforcement will commence and payment must be made for entering the Clean Air Zone (CAZ) in a non-compliant vehicle or be subject to enforcement via a penalty charge notice (PCN). 2.7 Note the recommendations of the independent review which have been incorporated into the FBC. 2.8 Note the changes made by JAQU as part of the core scheme since the end of the last public consultation. 2.9 Consider the updated Equalities Impact Assessment (EqIA) shown in Appendix 5. 2.10 Note that a meeting of the Climate Emergency and Sustainability Policy Development and Scrutiny Panel took place on 13th January 2020 and any recommendations will be reported to the Cabinet Member for Climate Emergency and Sustainability.

	2.11 Delegate authority to the relevant Corporate Director and the Director of Legal and Democratic Services and the S151 Officer, in consultation with the Cabinet member for Climate Change and the Deputy Leader, the decision to agree and to enter into any relevant legal agreement to secure, the national operational agreement(s) for the operation of the Clean Air Zone. 2.12 Delegate authority to the relevant Corporate Director and the Director of Legal and Democratic Services, in consultation with the Cabinet member for Climate Change and the Deputy Leader, the decision to agree and make minor changes to the Clean Air Zone Charging Order for technical reasons before sealing. 2.13 Note that if the Council does not secure sufficient funds from DEFRA/DfT then the Council reserves the right to review the proposals as set out in this report to ensure that there is no impact on the Council's wider budget.
Rationale for decision	Following the successful submission of the Outline Business Case (OBC) to JAQU and subsequent approval by the Minister, the Council has been progressing the development of the FBC taking into account the feedback which has been received to date and, subject to final approval, preparing to implement the scheme. The FBC updates the OBC by providing a fully costed model for the final scheme based on prices from contractors, and reflects the changes made in light of the independent peer review and the responses to the public consultation in autumn 2019.
Other options considered	To delay the submission of the FBC further which would be contrary to the requirements of the latest Ministerial Direction. This approach was rejected as it would significantly impact the Council's ability to achieve compliance in the shortest possible time and by 2021 at the latest.
The Decision is subject to Call-In within 5 working days of publication of the decision	