

Cabinet Meeting Resolution

**Executive
Forward Plan
Reference**

E3212

Bath Clean Air Plan Grant Settlement - July 2020

Date of Meeting	22-Jul-20
The Issue	<i>To update Cabinet on progress which has been made following the agreement of the Full Business Case in January 2020.</i>
The decision	<p>RESOLVED (unanimously) that the Cabinet agreed to:</p> <p>2.1 Consider the settlement as negotiated and if supported, delegate authority to the Director - Partnership & Corporate Services to formally accept the additional grant determination and assurance letters from government providing up to £15.508M in additional funding for the scheme, bringing the total funding package to £23.452M.</p> <p>2.2 With reference to recommendation 2.2 in the September 2019 Cabinet report and subject to the approval of the recommendation above, approve the incorporation into the Council's capital programme of an additional £12.437M, bringing the total Clean Air Zone (CAZ) budget to £18.381M.</p> <p>2.3 With reference to recommendation 2.12 in the January 2020 Cabinet report regarding the delegated authority to progress the operational agreements, note that these negotiations are ongoing and include discussions regarding the ongoing cost of providing the CAZ Central Service (which may now be subject to a separate Statutory Instrument).</p> <p>2.4 Note the progress made towards implementing the scheme during the COVID-19 restrictions.</p> <p>2.5 Delegate authority to the Director - Partnership & Corporate Services, the Director of Legal and Democratic Services and the S151 Officer, in consultation with the Cabinet member for Climate Emergency and the Deputy Leader, to negotiate and agree with government a new launch date following the Minister's letter dated 3 April 2020 which required a delay to the scheme, bearing in mind also the legal obligation to deliver compliance with NO2 limit values in the shortest possible time.</p> <p>2.6 Note that the financial assistance scheme has been kept under review and in recognition that some local residents and businesses may be suffering in light of the COVID-19 pandemic, that it has been amended to provide further support.</p>
Rationale for decision	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

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	<p>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.</p> <p>B&NES is under a Ministerial Direction to improve air quality in Bath and bring NO₂ within EU and UK legal limits in the shortest possible time and by the end of 2021 at the latest.</p> <p>The government's Joint Air Quality Unit (JAQU) has now considered the Full Business Case submitted by the Council to discharge this Direction and, after negotiation, have proposed a final financial settlement that they consider adequate to achieve the outcomes necessary.</p>
Other options considered	To reject the funding settlement and delay the implementation of the Clean Air Zone, 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 (with consideration given to COVID-19 delays).
The Decision is subject to Call-In within 5 working days of publication of the decision	