

PORTFOLIO HOLDER'S DECISION: PORTFOLIO: ENVIRONMENT AND REGULATORY SERVICES – 20 JUNE 2018

CLEAN AIR ZONE CONSULTATION

1. INTRODUCTION

- 1.1. Southampton City Council is one of the first five local authorities in England outside of London required to assess the need for a Clean Air Zone. The primary objective of a Clean Air Zone (CAZ) is to bring about compliance with EU Ambient Air Quality Directive limits of nitrogen dioxide (NO₂) within the shortest possible time. New Forest District Council was subsequently required to undertake an assessment to improve air quality to legal levels in respect of a small section of the A35 between Redbridge and Rushington roundabouts only. NFDC is working in partnership with Southampton City Council to ensure that the City's proposals deliver legal compliance in both Southampton City and the small stretch of the A35 in New Forest District.
- 1.2 Options have been derived and assessed in accordance with the Government's Clean Air Zone Framework. The work has been undertaken with technical support from consultants Ricardo and Systra in collaboration with the Government's Joint Air Quality Unit (JAQU). The work has been funded by JAQU.
- 1.3 The outcome of the assessment to date concludes that New Forest District Council will be compliant with legal levels without additional measures. However, without intervention by 2020, levels of nitrogen dioxide in Southampton are likely to remain in breach of legal limits.

2. BACKGROUND

- 2.1 Southampton City Council are required to assess the need for a Clean Air Zone to bring about compliance with EU Ambient Air Quality Directive levels of nitrogen dioxide within the shortest possible time and by the end of 2019 at the latest. The evidence base for this assessment, which includes an air quality technical assessment and economic appraisal of options, has now progressed to a stage that is appropriate for the options to be considered through public consultation. The New Forest are included in the process as although modelling indicates the stretch of the A35 will be compliant with legislative requirements by 2020, the levels must be achieved within the shortest possible time.
- 2.2 The requirements for consultation in regard to a Clean Air Zone and charging schemes are set out in s.170 of the Transport Act 2000. It is for each individual authority affected by a CAZ to undertake consultation as they consider appropriate. Consultation must however take place at a formative stage of the proposals and allow sufficient time to engage consultees and consider responses in line with recent case law on consultation practice. For a consultation of this significance a consultation period of 12 weeks is considered appropriate and is in line with case law and Cabinet Office guidance on public consultations.
- 2.3 The CAZ framework requires both Southampton City Council and New Forest District Council to undertake extensive engagement and consultation with neighbouring authorities, local communities and businesses to: explain the aims, including the potential health and economic benefits; understand any concerns; and assess the need for any mitigating actions or identify alternative options for consideration.

- 2.4 A thorough, transparent and open consultation in line with existing case law and government guidance will minimise the risk of future legal challenges and will therefore add confidence that the scheme can be implemented by the end of 2019.

3. PREFERRED OPTION FOR CONSULTATION

- 3.1 The current preferred option for addressing the situation and on which consultation must now follow is -

- A city wide Class B Clean Air Zone, which would involve charging Buses, Coaches, Taxis (Private Hire and Hackney Carriage) and Heavy Goods Vehicles (HGVs) to enter the zone.
- Provisional charges, based on London's Ultra-Low Emission scheme:

□ Buses, Coaches and HGVs not meeting Euro VI - £100 per day

□ Taxis (Private Hire and Hackney Carriage) not meeting Euro VI diesel/Euro IV petrol - £12.50 per day

(Any charges introduced would not exceed the amounts above. The consultation exercise will seek to identify a lower charge that would still be effective in delivering the appropriate level of behaviour change needed to achieve compliance.)

(There would be no charge for private cars, light goods vehicles (LGVs), motorcycles and minibuses.)

- 3.2 Penalties would be issued to vehicles that do not meet minimum emission standards and fail to pay the charge within 24 hours of accessing the Clean Air Zone. The scheme would be enforced using a network of Automatic Number Plate Recognition (ANPR) cameras to identify vehicles that do not meet minimum emission standards

IT SHOULD BE NOTED THAT THE CURRENT PROPOSALS INVOLVE THE CLEAN AIR ZONE AND SUBSEQUENT CHARGING BEING WITHIN SOUTHAMPTON CITY COUNCIL'S AREA ONLY.

4. FEEDBACK FROM ENVIRONMENT OVERVIEW AND SCRUTINY PANEL.

- 4.1 The Panel received a presentation on 14 June 2018 on the preferred option and the consultation process. Members noted that the proposed CAZ would not apply in New Forest District Council's area and that there was no intention to charge vehicles moving within the District Council's boundaries.
- 4.2 The Panel recommended that the Portfolio Holder agree the commencement of a 12 week public consultation exercise from 21 June 2018 and asked for a further report to the Panel, and subsequently to the Cabinet once the outcome of the consultation exercise is known.
- 4.3 The Panel was also made aware that the consultation documents were to be published on the 21 June 2018 and that the Portfolio Holder would agree the final documents to form the basis of consultation within the District.
- 4.4 A further report will be made to the Environment Overview and Scrutiny Panel in due course.

5. RECOMMENDATION

That a formal consultation process on the proposed introduction of an Air Quality Zone in Southampton City Council's area be commenced within NFDC's area for a period of 12 weeks from 21 June 2018.

PORTFOLIO HOLDER'S ENDORSEMENT: I agree the recommendation

SIGNED:

CLLR A J HOARE
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Date: 20th June 2018

Date Notice of Decision given: 20 June 2018

Last date for call-in: 27 June 2018

For further information please contact:

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