

**Title of meeting:** Cabinet

**Date of meeting:** 29<sup>th</sup> October 2019

**Subject:** Air Quality Local Plan- Outline Business Case

**Report by:** Tristan Samuels, Director of Regeneration  
Jason Horsley, Director of Public Health

**Wards affected:** All

**Key decision:** No

**Full Council decision:** No

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## **1. Purpose of report**

- 1.1 The Government has imposed a Ministerial Direction on the City Council to produce a Local Air Quality Plan ("the Plan") demonstrating the actions that will be taken to reduce levels of nitrogen dioxide to comply with at least legal limit value in the shortest possible time<sup>1</sup> following the Secretary of State issuing a direction under the Environment Act 1995.
- 1.2 The Plan has been developed by PCC with guidance from Government's Joint Air Quality Unit (JAQU). The Plan is evidence based and throughout its development has been scrutinised by JAQU to ensure quality and robustness.
- 1.3 This report outlines the content of the Air Quality Local Plan Outline Business Case and seeks approval of its submission to government.

## **2. Recommendations**

It is recommended that Cabinet:

- 2.1 Approves the Air Quality Local Plan Outline Business Case (OBC) for submission to the government's Joint Air Quality Unit (JAQU) for a Class B CAZ covering a small area in the southwest of Portsea Island (see Plan attached as an appendix to this report), along with improvements to cycling infrastructure, amendments to Alfred Road traffic signals, parking measures and a package of financial support, marketing and engagement activity;

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<sup>1</sup> In the case of the Air Quality Local Plan this is considered to be measures that can be delivered as quickly as or more quickly than a charging Clean Air Zone can be made operational. JAQU consider that a charging CAZ could be operational in Portsmouth by the end of 2021; therefore other measure must be capable of being delivered by this date to be considered.

- 2.2 Delegates authority to the Director of Regeneration and Section 151 Officer to finalise the OBC following consultation with the Leader and Cabinet Member for Environment and Community Safety, to ensure the Plan meets the requirements of the HM Treasury Green Book methodology;
- 2.3 Approves commencement of a 12 week statutory consultation in early 2020, pending approval of the OBC by JAQU;
- 2.4 Notes that further stakeholder engagement and public consultation will be required to inform ongoing work to produce a Full Business Case for submission (FBC) in 2020;
- 2.5 Notes that proposals in the Plan are conditional upon sufficient funding being provided by Government;
- 2.6 Notes that the proposals in the Plan are a small part of the wider work that the Council is undertaking to address air pollution and climate change in the city, particularly in relation to public transport improvements through the transforming cities fund bid;
- 2.7 Delegate authority to the Cabinet Member for Traffic and Transportation, in consultation with the joint working arrangements with Hampshire County Council and Isle of Wight Council through the South East Hampshire Rapid Transit Board, to agree the final Strategic Outline Business Case submission to the Transforming Cities Fund bid.

### **3. Background**

- 3.1 Air pollution is known to have a significant effect on public health, and poor air quality is the largest environmental risk to public health in the UK. Epidemiological studies have shown that long-term exposure to air pollution reduces life expectancy and exasperates pre-existing conditions such as respiratory and cardiovascular diseases.
- 3.2 The annual mortality burden of human-made air pollution in the UK is roughly equivalent to between 28,000 and 36,000 deaths. Short-term exposure to elevated levels of air pollution can also cause a range of effects including exacerbation of asthma, effects on lung function, increases in respiratory and cardiovascular hospital admissions and mortality.
- 3.3 The main pollutant of concern in Portsmouth is Nitrogen Dioxide (NO<sub>2</sub>). Public Health England advise that it is well established that NO<sub>2</sub>, particularly at high concentrations, is a respiratory irritant that can cause inflammation of the airways. There is currently no clear evidence of a threshold concentration of NO<sub>2</sub> in ambient air below which there are no harmful effects for human health.
- 3.4 In 2010 Air Quality Standards Regulations were introduced into English Law and set legal binding limits for concentrations of major air pollutants that affect human

health, including nitrogen dioxide and particulates. Regulation 26 of this legislation requires the Secretary of State to develop and implement a national Air Quality Plan demonstrating how the limit values for air pollution will be achieved in the shortest possible time. Since 2010, the UK has been in breach of legal limits for nitrogen dioxide in many major urban areas.

- 3.5 Environmental campaign organisation ClientEarth have challenged the government's Air Quality plans in the High and Supreme Courts for failing to include an actions necessary to achieve legal limit value for nitrogen dioxide in the shortest possible time. Each of the successful legal challenges brought by ClientEarth has results in an increased number of local authorities across the country being directed to take legal action to improve air quality in their area:
- 2015, Wave 1: Birmingham, Leeds, Nottingham, Derby and Southampton
  - 2017, Wave 2: 23 additional local authorities: North Tyneside; Newcastle-upon-Tyne; Gateshead; Middlesbrough; Bury; Bolton; Salford; Trafford; Manchester; Stockport; Tameside; Sheffield; Rotherham; Coventry; Basildon, Rochford; Surrey Heath; Guildford; Rushmoor; Bristol; Bath & North East Somerset; Fareham; New Forest.
  - 2018, Wave 3: 33 additional local authorities including Portsmouth. South Tyneside; Sunderland; Bradford; Calderdale; Burnley; Wakefield; Kirklees; Oldham; Sefton; Liverpool; Stoke-on-Trent; Newcastle-under-Lyne; Bolsover; Ashfield; Peterborough; Leicester; Blaby; Walsall; Wolverhampton; Sandwell; Dudley; Solihull; Cheltenham; Oxford; South Gloucestershire; Broxbourne; Southend-on-sea; Reading; Basingstoke & Deane; Bournemouth; Poole; Plymouth; Portsmouth.

#### Charging Clean Air Zone

- 3.6 Government suggest that Charging Clean Air Zones (CAZ) are an effective way to deliver compliance with legal limits for nitrogen dioxide in the shortest possible time. Charging CAZs defined areas that vehicle owners are required a pay a charge if they drive through or within. The charge only applies to older, more polluting vehicles, specifically diesel vehicles that are older than Euro 6 and petrol vehicles that are older than Euro 4.
- 3.7 The Clean Air Zone Framework sets out four different classes of charging CAZ, detailing the types of vehicles subject to a charge under each class:
- Class A: Buses, coaches, taxis and private hire vehicles
  - Class B: Buses, coaches, taxis, private hire vehicles and heavy goods vehicles
  - Class C: Buses, coaches, taxis, private hire vehicles, heavy goods vehicles and light goods vehicles
  - Class D: Buses, coaches, taxis , private hire vehicles, heavy goods vehicles, light goods vehicles and cars

### Ministerial Directions issued to Portsmouth City Council

3.6 Portsmouth City Council has been issued with three Ministerial Directions. These place a legally binding duty on the Council to undertake a number of steps to improve air quality in the city:

- Ministerial Direction 1 (March 2018): Required to Council to develop a Targeted Feasibility Study (TFS) by 31 July 2018 for two specified road links in the city: A3 Mile End Road and A3 Alfred Road. These two roads were selected as they were projected to have nitrogen dioxide (NO<sub>2</sub>) exceedances in Defra's national PCM model.
- Ministerial Direction 2 (October 2018): Following the results of the TFS, PCC were issued with a further Ministerial Direction in October 2018, this time to undertake a bus retrofit programme. The Ministerial Direction stipulated that the programme should be undertaken as quickly as possible with the purpose of bringing forward compliance with legal levels of NO<sub>2</sub> on A3 Mile End Road and A3 Alfred Road.
- Ministerial Direction 3 (October 2018): The third Ministerial Direction required PCC to produce an Air Quality Local Plan to set out the case for delivering compliance with legal limits for NO<sub>2</sub> in the shortest possible time. The Outline Business Case for this Plan, the subject of this report.

## **4. Development of the Portsmouth Air Quality Local Plan**

- 4.1 The development of Portsmouth's Plan is overseen by, and developed with, the government's Joint Air Quality Unit (JAQU) which provides guidance on the technical requirements for the Plan.
- 4.2 As is required by the third Ministerial Direction issued to PCC, the Plan must be produced in accordance with the HM Treasury's Green Book and must identify the option which will deliver compliance with legal limits for nitrogen dioxide in the shortest possible time.
- 4.3 The guidance provided by JAQU requires that the Plan benchmarks a preferred package of measures against the lowest level of Charging Clean Air Zone which can achieve compliance in the shortest possible time. Per the paper that was approved by this Cabinet on 9<sup>th</sup> September 2019, the Plan is presenting a Class C CAZ as the benchmark scenario and a Class B Charging CAZ, with additional non-charging measures as the preferred package.

### Options Development

- 4.4 The work to develop the preferred packaged for the Plan has identified measures that are considered to be effective in achieving compliance with legal limits for nitrogen dioxide within the shortest possible time. A long-list of measures was

generated comprising individual policies and interventions which could potentially deliver the requirements of the Ministerial Direction placed on the Council. This long list of measures was compiled based on:

- Suggestions put forward by the members of the Air Quality Steering Group;
- Suggestions put forward by PCC Officers;
- A review of options considered by other local authorities developing Air quality Local Plans, and other examples of best practice;
- A review of recent policy developments to identify any gaps.

4.5 An initial sift was undertaken to discount options which were:

- Unlikely to result in improvements to air quality;
- Unlikely to be deliverable within the timescales set by Government;
- Not considered to be technically feasible, deliverable under current legislation, or would be seen as wholly unacceptable by stakeholders.

4.6 Options that remained after the sifting process were then assessed in two stages:

- Considering the potential of each option to achieve or contribute (as part of a package) to compliance in the shortest possible time (primary critical success factor); and
- Considering how each option performs in terms of strategic fit, value for money, distributional impacts, commercial delivery, affordability and achievability (secondary success factors)

#### Shortlisted Options for the Strategic Outline Case

4.7 In January 2019 PCC submitted the Strategic Outline Case (SOC) for the Plan to JAQU. The emissions source apportionment data available at that time indicated that buses, coaches and HGVs combined to make a significant contribution to the emissions on the exceedance links. Although the specific emissions impact of taxis was not available at the time, their volumes were known to be high on the A3 and A2047. Therefore, on the basis of evidence available at the time, the view was taken that a Class B CAZ had the potential to achieve compliance in the shortest possible time and was therefore presented in the SOC as the benchmark option.

4.8 Accompanying the benchmark option three packages of non-charging measures with support activities were also presented in the SOC, with a focus on a traffic management measures along the A2047 London Road, which, based on the evidence available at the time, was considered to be the location with the greatest exceedance of the legal limit for nitrogen dioxide.

#### Review of Options for the Outline Business Case

4.9 Following the submission of the SOC the shortlisted options were reassessed to take into account the increased pool of available evidence and the current understanding of exceedance locations across the city. This was a process of

continuous development to ensure that emerging evidence was incorporated and the latest Emissions Factor Toolkit<sup>2</sup> (EFT) from JAQU was applied.

#### ANPR Survey

- 4.10 As part of the options development process, following submission of the SOC, PCC also commissioned an automatic number plate recognition survey (ANPR) of traffic movements within Portsmouth. Cameras were installed at 10 locations around the city and recorded vehicle movements 24 hours a day for 7 days.
- 4.11 The purpose of the ANPR survey was to understand the composition of the local vehicle fleet in Portsmouth and the routes that vehicles usually take. The survey has shown that generally, the vehicle fleet in Portsmouth is older than the national average, and that diesel cars (including private cars and private hire vehicles) account for almost half of the NO<sub>2</sub> emissions from road traffic in Portsmouth.
- 4.12 The data collected from the ANPR survey helped to inform the options development process and supplemented the transport and air quality modelling work with a clear picture of the local situation, rather than relying on national assumptions in isolation.

#### Transport Modelling and Air Quality Modelling

- 4.13 In order to establish a baseline position and to understand what impact the various measures proposed through the options development process would have on emissions concentrations, transport and air quality models have been used. The models used have been approved by JAQU to inform PCC's air quality Plan.
- 4.14 The transport model used is the Solent sub-regional transport model (SRTM) which is operated by Systra on behalf of Solent Transport and is used for forecasting a wide range of scenarios such as change in travel demand, public transport use, and testing impacts of transport policies and interventions. The full transport modelling methodology for development of the Plan can be found at appendix xxx to this report.
- 4.15 Aecom have undertaken air quality modelling on behalf of PCC using Cambridge Environmental Research Consultant's (CERC) Atmospheric Dispersion Modelling System for Roads (ADMS-Roads) v4.1. This model is recognised by Defra and

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<sup>2</sup> Emissions Factor Toolkit: The Emissions Factors Toolkit (EFT) is published by Defra and the Devolved Administrations to assist local authorities in carrying out Review and Assessment of local air quality as part of their duties under the Environmental Act 1995. The EFT allows users to calculate road vehicle pollutant emission rates for NO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub> and CO<sub>2</sub> for a specified year, road type, vehicle speed and vehicle fleet composition. The EFT is updated periodically due to updates to underlying data including vehicle fleet composition and emissions factors.

JAQU as suitable for predicting pollutant concentrations from road emission sources. The full air quality modelling methodology for the development of the Plan can be found at appendix xxxx to this report.

- 4.16 The SRTM model provides a number of outputs including annual average daily and weekly traffic on each link road in the model, journey time on each road link as well as junction delay for each vehicle user class. Such outputs are inputted into the ADMS-Roads model so that the air quality impacts of any changes to the road network or land use can be quantified.

#### Limitations of the Analysis

- 4.17 It is recognised that there are limitations to any model, and it is best practice to ensure awareness of these. To ensure transparency, the main limitations, uncertainties and risk of using the SRTM and ADMS-Roads models have been identified and are detailed at appendix xx to this report.
- 4.18 The modelling outputs used to support the Plan will be assured by Government through JAQU's technical staff as well as through an Independent Review Panel process. The evidence compiled by PCC throughout the process of developing the Plan has been scrutinised by JAQU to ensure a reasonable level of quality and robustness.

### **5.0 Preferred Packaged**

- 5.1 Portsmouth's Air Quality Local Plan to deliver compliance with legal limits for nitrogen dioxide must include a package of measures that PCC identify as being effective in achieving compliance in the shortest possible time. This package of measures must be benchmarked against the introduction of a charging Clean Air Zone (CAZ), as this is the means by which the Government believes compliance can be achieved in the shortest possible time.
- 5.2 To be eligible for funding and to be acceptable to JAQU, PCC must demonstrate that the preferred package of measures can achieve compliance at least as quickly as the benchmark charging CAZ option.

#### Charging Clean Air Zone

- 5.5 At the meeting of this Cabinet on 9<sup>th</sup> September 2019, Cabinet approved the recommendation to take forward a Class B CAZ. The recommendation put to Cabinet was based on the latest transport and air quality modelling data available at the time. This modelling indicated that even with a Class B CAZ in place there would still be a minor exceedance on A3 Alfred Road, however compliance would be reached in all other locations in the city<sup>3</sup>. The report therefore recommended that a Class B CAZ was accompanied by a package of non-charging measures to ensure compliance was reached in all locations in the city. The table below

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<sup>3</sup> Excludes any exceedances on Highways England network, which is not under PCC's control.

outlines the modelling results that were available at the time of this Cabinet taking the decision on the preferred approach on 9<sup>th</sup> September:

<b><i>Modelled NO<sub>2</sub> (µg/m<sup>3</sup>) in 2022 (Using EFT v9.1a)</i></b>				
<b>Receptor ID</b>	<b>Road Name</b>	<b>Future Baseline</b>	<b>CAZ B</b>	<b>CAZ C</b>
<b>Exceedance Locations</b>				
537	A3 Alfred Road (Unicorn Road to Queen St, s/b)	42.9	40.8	39.9
546	A3 Commercial Road (south of Church St Tbt, s/b)	42.2	40.4	39.5

**Table 1:** Modelled NO<sub>2</sub> exceedances in 2022 using EFT 9.1a

- 5.6 Since this decision was taken by Cabinet, JAQU have released a new version of the EFT which required the future baseline and preferred package of measures to be re-modelled. The application of the new EFT has resulted in a reduction in the baseline exceedance values, meaning that the reduction in emissions required to achieve compliance in all locations is not as high as previously thought. The latest transport and air quality modelling with the new EFT applied indicate that a Class B CAZ alone will achieve compliance in all locations in the city by 2022. These results are outlined in the table below:

<b><i>Modelled NO<sub>2</sub> (µg/m<sup>3</sup>) in 2022 (Using EFT v9.1b)</i></b>				
<b>Receptor ID</b>	<b>Road Name</b>	<b>Future Baseline</b>	<b>CAZ B</b>	<b>CAZ C</b>
<b>Exceedance Locations</b>				
537	A3 Alfred Road (Unicorn Road to Queen St, s/b)	41.7	40.3	39.7
546	A3 Commercial Road (south of Church St Tbt, s/b)	41.1	39.9	39.2

**Table 2:** Modelled NO<sub>2</sub> exceedances in 2022 using EFT 9.2b

- 5.7 The updating modelling has confirmed that a class B charging CAZ is likely to be sufficient to achieve compliance in 2022 and therefore meet the objective of the Ministerial Direction placed on Portsmouth City Council. It is however acknowledged that a Class C or Class D charging CAZ is likely to see even greater improvements in air quality and greater progress towards achieving the Council's work to reduce carbon emissions. However, JAQU have confirmed that where a number of charging CAZs are shown the achieve compliance in the same year, funding will only be granted for the lowest class of CAZ that is shown to achieve compliance. Therefore, as Classes B, C and D are all shown to achieve compliance in 2022, a Class B charging CAZ is being recommended as the preferred class of charging CAZ.

#### Non-charging Measures

- 5.8 Although the latest modelling indicates that a Class B CAZ covering a small area of Portsea Island (see Appendix 8 for a plan of the zone) will be sufficient to achieve compliance with legal limits for nitrogen dioxide, as is shown in **table 2**,

the NO<sub>2</sub> concentrations modelled are very close to the acceptable limit (40.4 µg/m<sup>3</sup>). It is therefore recommended that a Class B charging CAZ is accompanied by a number of non-charging measures to ensure compliance is achieved in the shortest possible time.

5.9 The non-charging measures to be included in the preferred package are:

- Improvements to strategic cycle routes
- Review of car parking availability
- Changes to traffic signal timings on Alfred Road
- Delivery of a real time air quality monitoring and warning system
- Tightening of licensing requirements for taxis and private hire vehicles (subject to approval at licensing committee in October)

### Supporting Measures

5.8 In 2017 Central Government confirmed £220 million of funding for a Clean Air Fund (CAF). This is a competitive fund that can be bid into by local authorities developing Air Quality Local Plans, with the purpose of funding measures that could be implemented to help individuals and businesses adapt as the measures to improve air quality (the preferred package) are implemented. There is no upper limit for awards from the Clean Air Fund to a single authority and there is no guarantee of a minimum award for each authority.

5.9 Based on the outcomes of the public consultation, and analysis of the impacts of the preferred package on different socio economic groups and businesses in the city and on the Isle of Wight, the following measures are being submitted for funding from the CAF:

- Delivery of Servicing and Delivery Plans to businesses
- Financial support towards upgrade/ replacement of pre-Euro 6 diesel commercial vehicles
- Financial support for upgrade/ replacement of pre-Euro 6 diesel taxis and private hire vehicles
- Financial support towards retrofitting all remaining pre-Euro 6 buses and coaches that operate in the city
- Delivery of anti-idling enforcement and behaviour change marketing and communications activities
- Incentives for the use of public transport

5.10 To support the delivery of improvements to air quality in the shortest possible time, in March 2019 PCC wrote to Government asking for support and funding to take forward a host of schemes including:

- Converting all taxis to electric vehicles
- Free bus passes for all residents
- New bus and tram services and a local bus depot
- Removal of government housing targets
- Work to support businesses

- A car scrappage scheme
- Extra funding for cycling facilities

At the time Government were unable to provide any funding for these measures, however, where the measures can be shown to act as a mitigation for Portsmouth's Class B CAZ they have been included in our Clean Air Fund Submission.

## **6.0 Next Steps**

- 6.1 Once approved by Cabinet the OBC will be submitted to JAQU by 31<sup>st</sup> October 2019. Following the receipt of feedback on the OBC from JAQU PCC will be instructed to begin development of a Final Business Case (FBC). PCC will then begin work on procuring goods and services required for delivery of the charging CAZ and supporting measures and will undertake a public consultation to seek views on the operation of the Class B charging CAZ.

### Public Consultation

- 6.2 To date public engagement work has taken place in the form of a stated preference survey, the air quality steering group, workshops with businesses, bus operators, ferry operators and taxis drivers. At the workshops a particular concern has been raised about the potential negative impact of the Class B CAZ on the Isle of Wight economy due to non-compliant vehicle being faced with a charge when travelling through the CAZ to access the Wightlink ferry.
- 6.3 It is however acknowledged that, due to the iterative nature of the process that PCC are required to follow to produce the Plan, there has been no formal consultation on the preferred approach being submitted to JAQU in our OBC.
- 6.4 Whilst the principle of implementing a Class B CAZ with additional non-charging measures has been recommended as the preferred package, the details of how the charging zone will operate is still to be explored in detail with members of the public.
- 6.5 PCC are required to undertake a statutory consultation before implementing a CAZ. It is recommended that this consultation begins as soon as possible after feedback has been received from JAQU on the OBC so that work to deliver the charging CAZ is not delayed and improvements to air quality in the city are delivered in the shortest possible time.

## **7.0 Ongoing Work to Improve Air Quality**

- 7.1 The charging CAZ is only one small part of the work that PCC is undertaking to tackle air pollution and climate change in the city; some of this work is outlined below.

### Anti-idling campaign

- 7.2 The successful 'Cough Cough Engine off' anti-idling campaign will be re-launched for a second phase. The previous campaign saw a variety of posters, billboards and banners posted around the city, as well as social media coverage and radio adverts. The objective of the campaign is to encourage people to switch their engine off when stationary; create awareness about the issue of engine idling; and educate people on the health benefits of clean air. The second phase of the campaign will be launched in January 2020 to continue to build on the success of the previous campaign.

#### Electric Vehicle Charge Point Schemes

- 7.3 Funding was secured from the Office for Low Emission Vehicles (OLEV) On-street Residential Chargepoint Scheme (ORCS) to install 36 charge points in residential areas, enabling residents without off-street parking the ability to charge their vehicles at home. Following the success of this project PCC are submitting another funding request to OLVE to enable the installation of an additional 60-70 charge points due to demand from residents.
- 7.4 PCC have also installed EV charging points in three public pay and display car parks as part of a small trial before considering providing EV charging in more Council operated car parks. This trial is due to be operational until 2020.

#### Cycling Initiatives and Events

- 7.5 PCC continues to deliver various events and initiatives to encourage people of all ages to give cycling a try and to promote safer cycling. This includes the annual Glow Ride event, taking place on Saturday 26<sup>th</sup> October 2019; Bike Doctor clinics providing check-ups and basic repairs to bicycles; and Bikeability training, delivered through schools to teach cycling skills and build confidence.
- 7.6 These activities are also encouraged by the continual improvement and introduction of cycle parking around the city, subject to availability of funding. Residents and visitors are encouraged to visit the PCC website and search 'cycle parking' to make suggestions about where they would like to see cycle parking introduced.

#### Stomp for Stamps

- 7.7 Building on the popularity of the 'Pompey Monsters' schools active travel initiative 'Stop for Stamps' was run over the school summer holidays to encourage children to keep walking, scooting and cycling over the school summer holiday by taking part in the 'Stomper treasure hunt'. Portsmouth was split into 6 areas to explore, and six stamps were hidden in each area. Children who collected three or more stamps could receive a cuddly Stomper.

#### Clean Air Day

- 7.8 PCC have taken part in Clean Air Day for the past two years, raising awareness of the importance of clean air. During this year's events, various activities were held to create awareness and engage with residents, businesses, schools and council staff in the lead up to the day and on the day.

#### Bus Retrofit Programme

- 7.9 A bus retrofit programme is underway in the city, for Stagecoach and First buses running through the Mile End Road and Alfred Road routes. This scheme will enable pre-Euro VI buses to be upgraded to the higher emission standard of Euro VI, which is expected help to improve local air quality. 105 buses are due to be retrofitted through this programme.

#### Public Transport Information

- 7.10 Bus shelters are being improved across the city, and 90 shelters have seen real-time passenger information units installed to give passengers up to date information about when buses can be expected. A further 112 real-time information units are to be installed in bus shelters and at bus stops over the next year as part of the Transforming Cities Fund scheme.

#### Tree Planting

- 7.11 Trees contribute enormously to the beauty and quality of parks and open spaces and enhance the city's landscape. They provide shade, filter pollutants, screen undesirable views and provide valuable habitat for wildlife, as well as giving structure, shape and height to spaces.
- 7.12 PCC continues to support the management, maintenance and planting of trees across the city and in 2018 approved a Green Infrastructure Delivery Plan for the city which sets out how the green infrastructure provision in the city can be improved, including with the programme of tree planting that is currently being undertaken.

#### Everyone has a role to play

- 7.13 Despite all of this ongoing work it is acknowledged that the actions of PCC and our partners are not enough in isolate to address the environmental challenges faced by the city. It is therefore essential that everyone plays their part in making Portsmouth a healthier place for us all by thinking about the journeys we make and how we can rely on can reduce our reliance on private car use.

## **10.0 Wider Strategy**

### Climate Emergency

- 10.1 At a meeting of Full Council on 19<sup>th</sup> March PCC declared a Climate Emergency, pledging to achieve net zero carbon emissions in Portsmouth by 2030. Since the emergency was declared a multi-organisation Climate Board has been established to begin work on an action plan for decarbonising the city.
- 10.2 Whilst the production of Portsmouth's Air Quality Local Plan pre-dates the declaration of a Climate Emergency in the city, there are clear links between the two. The objectives of the Plan in reducing use of polluting vehicles and encouraging use of public transport and active travel modes is likely to also have the co-benefit of reducing carbon emissions.

#### Transforming Cities Fund

- 10.3 In September 2018, Portsmouth City Council, Hampshire County Council and Isle of Wight Council were one of twelve city regions shortlisted to bid for a share of the Department for Transport's (DfT) £1.28 billion Transforming Cities Fund, for public transport improvements across South East Hampshire.
- 10.4 This bid is part of an ambition to deliver a multimodal travel system, centred on a network of bus priority routes facilitating rapid transit services, linking communities in Gosport, Fareham, Havant, Waterlooville and Isle of Wight with Portsmouth.
- 10.5 Work is currently underway to develop the technical plans for the next stage of the competitive funding opportunity, with a final Strategic Outline Business Case (SOBC) being prepared for submission to the Department for Transport by 28<sup>th</sup> November 2019.
- 10.6 If funding is successfully secured from the Department for Transport, delivery of a rapid transit system will commence in April 2020 and be delivered by March 2023. This package of network infrastructure, and public transport fleet and ticketing enhancements will complement the charging CAZ by offering an attractive alternative to travel by private car.

#### Park & Ride Expansion

- 10.6 The Portsmouth Park & Ride (P&R) is located off junction 1 of the M275 and currently provides 665 car parking spaces, which are often filled to capacity at weekends and during major events. The P&R offers reliable journey time between the city centres and the Hard interchange and also helps to reduce congestion by facilitating modal shift.
- 10.7 PCC would like to expand the number of car parking spaces available at the P&R in order to address peak capacity issues and to encourage further modal shift away from private car use. In particular this is likely to have a positive impact on the two areas of exceedance (A3 Alfred Road and A3 Commercial Road) as there is potential to reduce the number of private cars travelling along these roads if they can be encouraged to use the P&R.

### Local Cycling and Walking Infrastructure Plan

- 10.8 Local Cycling and Walking Infrastructure Plans (LCWIPs), as set out in the Government's Cycling and Walking Investment Strategy, and are a strategic approach to identifying cycling and walking improvements required at the local level. PCC are currently developing a LCWIP for the city which will set out the Council's long-term approach to delivering improvements to the walking and cycling network in the city with the aim of encouraging more journeys to be made on foot or by bicycle.
- 10.9 The cycle route improvements included within the preferred package for the Air Quality Local Plan have been identified as a priority for improvement through the development work for the LCWIP. These routes were chosen in particular for inclusion in the Plan due to their potential to encourage modal shift away from private car use, in areas of known poor air quality.

### Future Mobility Zones

- 10.10 In September 2019 Solent Transport, in partnership with Hampshire County Council, Isle of Wight Council, Portsmouth City Council and Southampton City Council submitted an application to secure funding from the Future Mobility Zone Fund. The application seeks funding to support two areas of work:
- Personal Mobility: providing new modes of travel, and developing new, complementary means of planning and paying for journeys - strengthening the sustainable transport offer beyond what our TCF proposals would deliver
  - Sustainable Urban Logistics: developing innovative approaches to address impacts of freight & logistics in urban environments.
- 10.11 If successful it is anticipated that the projects will help to address issues of traffic congestion, high car dependency and poor air quality in Portsmouth and the wider sub-region by trialling innovative approaches to personal mobility and logistics.

### Portsmouth Bus Depot

- 10.12 Through consultation for Portsmouth's Air Quality Local Plan, and wider engagement activities residents have raised concerns about the perceived barriers to bus use in the city. Currently buses travel from outside of Portsmouth to service the city, and it is hoped that provision of a bus depot within the city could deliver improvements in the local bus service offer in terms of efficiency, particularly reducing the dead mileage currently needed for buses to travel into the city from the depot.

### Changing Attitudes to Travel and Personal Mobility

- 10.11 The measures outlined above are all part of the Council's work to support and encourage the changing nature of how often, when, where, why and how we travel. Data from the Government's Commission on Travel Demand show that as

a nation we travel substantially less per head of population that we did over the past two decades, with 16% fewer trips made in 2018 than in 1996 and 22 fewer hours spent travelling<sup>4</sup>. Such changes in behaviour are a result of a combination in factors including changing demographics, changes to how and where we shop, and advances in technology as well as changing land-use patterns. Such factors are influencing our attitudes to travel and personal mobility and therefore our transport infrastructure must be planned in a way that keeps up with changing demands.

- 10.12 The preferred package presented in the Plan would help to support a further shift in attitude towards travel by encouraging drivers of the most polluting vehicles to think about the journey they make through the introduction of the charging CAZ, and to provide realistic alternatives to use of the private car through provision of high quality cycle routes and other sustainable transport measures to be funded through any revenue raised from the CAZ.

## **11.0 Reasons for recommendations**

It is recommended that Cabinet:

- 11.1 **Approves the Air Quality Local Plan Outline Business Case (OBC) for submission to the government's Joint Air Quality Unit (JAQU) for a Class B CAZ covering a small area in the southwest of Portsea Island (see Plan attached as an appendix to this report), along with improvements to cycling infrastructure, amendments to Alfred Road traffic signals, parking measures and a package of financial support, marketing and engagement activity**

Portsmouth's Air Quality Local Plan to deliver compliance with legal limits for nitrogen dioxide in the shortest possible time must be submitted to the Government's Joint Air Quality Unit (JAQU) in the form of an Outline Business Case (OBC) by 31<sup>st</sup> October 2019.

Evidence gathered to date has indicated that a Class B charging CAZ would be effective in achieving compliance by 2022 and this evidence been scrutinised by JAQU to ensure a reasonable level of quality and robustness.

The modelling undertaken demonstrates that under a Class B Charging CAZ emissions of nitrogen dioxide, although compliant with legal limits, are close to the limit value. Therefore, to ensure compliance is achieved in 2022 it is recommended that the CAZ is accompanied by non-charging measures.

- 11.2 **Delegate authority to the Director of Regeneration and Section 151 Officer to finalise the OBC following consultation with the Leader and Cabinet Members for Transport and Environment, to ensure the Plan meets the requirements of the HM Treasury Green Book methodology**

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<sup>4</sup> Commission on Travel Demand (2018) 'All Change? The future of travel demand and the implications for policy and planning. The first report of the commission on Travel Demand'

The OBC attached as an appendix to this report is a working draft as work continues to ensure that all of the required information is compiled ahead of the submission. The preferred package of measures as outlined in this report will not change ahead of submission.

**11.3 Approves commencement of a 12 week statutory consultation at the earliest opportunity, as soon as approval from JAQU has been received.**

There is a legal requirement for a public consultation prior to the operation of a charging clean air zone. The consultation must take place as soon as possible after feedback has been received from JAQU on the OBC submission, so that compliance with legal limits for nitrogen dioxide are met in the shortest possible time.

**11.4 Note that further stakeholder engagement and public consultation will be required to inform ongoing work to produce a Full Business Case for submission (FBC) in 2020**

The principal of whether a charging CAZ should be implemented will not be a topic for the public consultation, however specific details around the operation of the zone will be a topic for consultation. Therefore the Plan should be amended to take account of the views of the public prior to submission of the FBC.

**11.5 Note that proposals in the Plan are conditional upon sufficient funding being provided by Government**

The preferred package of measures will require significant funding to deliver; the OBC seeks to make the case for securing funding from Central Government for delivery of these measures.

**11.6 Note that the proposals in the Plan are a small part of the wider work that the Council is undertaking to address air pollution and climate change in the city, particularly in relation to public transport improvements though the transforming cities fund bid**

The Ministerial Direction issued to Portsmouth City Council to develop a plan detailing how legal limits for NO<sub>2</sub> will be reached in the shortest possible time has a very narrow and very specific focus. Although it is acknowledged that the measures proposed to address NO<sub>2</sub> are likely to have co-benefits for reduction of carbon and other pollutants, the work undertaken to address the Ministerial Direction should not be relied upon to address all air pollution and climate change related issues in the city.

**11.7 Delegate authority to the Cabinet Member for Traffic and Transportation, in consultation with the joint working arrangements with Hampshire County Council and Isle of Wight Council through the South East Hampshire Rapid Transit Board, to agree the final Strategic Outline Business Case submission to the Transforming Cities Fund bid.**

The Transforming Cities Fund bid must be submitted to the Department for Transport for consideration by 28<sup>th</sup> November 2019. Given the very challenging DfT timetable for the Transforming Cities Fund bid submission, work is likely to continue up to the deadline for submission. It is important that the content of the bid is agreed across the South East Hampshire Rapid Transit partnership and to maximise time for the necessary collaborative working arrangements, it is considered appropriate that approval of the final SOBC is delegated to the Cabinet Member for Traffic and Transportation. This will be in consultation with the informal South East Hampshire Rapid Transit Board, which has been set up under joint working arrangements with Hampshire County Council and Isle of Wight Council.

### **Equality impact assessment**

- 12.1 A full equalities impact assessment has been completed which has shown that the proposal could lead to indirect discrimination against certain ethnic/ religious groups, individuals with physical disabilities and those on low incomes. This indirect discrimination can be mitigated against by the measures proposed in the EIA.

### **Legal implications**

- 13.1 The general legislative background and the reasons for the issue to the Council of the three Ministerial Directions on air quality referred to are set out in the body of this report.
- 13.2 Approval of the recommendations in this report will assist the Council in complying with the requirements of the Ministerial Directions and in improving air quality in the City.
- 13.3 The Council has a statutory duty to comply with the requirements of the Ministerial Directions which have been given to it under Section 85(5) of the Environment Act 1995.
- 13.4 The power of local authorities to introduce a charging Clean Air Zone is set out in the Transport Act 2000. [Part III](#) of the Act empowers local authorities (as 'charging authorities') to make a local charging scheme. Matters to be dealt with in the charging scheme include:
- designating the roads and classes of vehicles subject to a charge;
  - the charges imposed;
  - the manner in which charges are to be made, collected, recorded and paid;
  - the period for which a scheme is in force;
  - exemptions and reduced rates from charges; and
  - enforcement regimes and penalties for non-payment of charges.
- 13.5 Any revenue raised from the CAZ (following operation, maintenance and enforcement costs) will be used to fund measures for local transport schemes (per [schedule 12](#) of the Transport Act 2000).

**Director of Finance's comments**

- 14.1 The work to develop Portsmouth's Air Quality Local Plan, including the Outline Business Case and the supporting technical studies has been funded through Central Government. Central Government have also provided funding to retrofit 105 buses in the city as a result of the Targeted Feasibility Study undertaken by PCC and the issuing of the second Ministerial Direction in October 2018.
- 14.2 Following approval of the OBC, further work will be required to undertake further technical studies and to undertake public consultation so that a Final Business Case can be developed. This activity will be dependent on funding being secured from Central Government. The delivery of the measures proposed within the Preferred Package are also dependent on sufficient funding from Central Government being provided.
- 14.3 There are likely to be significant operating costs associated with the charging CAZ. Costs relate largely to the operation and maintenance of the ANPR system, transactional costs associated with payments and the costs of enforcement and debt recovery. After all of these costs have been met, any net proceeds from the charging CAZ must be reinvested in measures to improve air quality in the city, and would be restricted to local transport schemes under Schedule 12 of the Transport Act 2000.

Signed by:

Tristan Samuels- Director of Regeneration

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Jason Horsley- Director of Public Health

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### Appendices:

- Appendix 1- Portsmouth Local Air Quality Plan- Outline Business Case (Draft)
  - Appendix 1A- Local Air Quality Problem & Underlying Causes (Draft)
  - Appendix 1B- Summary of Process to Identify Shortlist (Draft)
  - Appendix 1C- Programme Timetable (Draft)
  - Appendix 1D- Communications and Engagement Plan (Draft)
- Appendix 2- Air Quality Modelling Methodology (AQ2) (Draft)
- Appendix 3- Air Quality Modelling Report (AQ3) (Draft)
- Appendix 4- Transport Model Validation Report (T2) (Draft)
- Appendix 5- Transport Modelling Methodology (T3) (Draft)
- Appendix 6- Transport Modelling Forecasting Report (T4) (Draft)
- Appendix 7- Analytical Assurance Statement (Draft)
- Appendix 8- Plan of area proposed to be covered by CAZ (Subject to consultation)

### Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
2019 Air Quality Annual Status Report	<a href="https://www.portsmouth.gov.uk/ext/documents-external/asr-defra-final.pdf">https://www.portsmouth.gov.uk/ext/documents-external/asr-defra-final.pdf</a>
Clean Air Zone Framework	<a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612592/clean-air-zone-framework.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612592/clean-air-zone-framework.pdf</a>
Environment Act 1995	<a href="http://www.legislation.gov.uk/ukpga/1995/25/content/s">http://www.legislation.gov.uk/ukpga/1995/25/content/s</a>
Portsmouth Proposal for Local Plan Development	<a href="https://www.portsmouth.gov.uk/ext/documents-external/pcc-proposal-for-local-plan-development-final-draft-nov-18.pdf">https://www.portsmouth.gov.uk/ext/documents-external/pcc-proposal-for-local-plan-development-final-draft-nov-18.pdf</a>
Targeted Feasibility Study- Mile End Road & Alfred Road	<a href="https://www.portsmouth.gov.uk/ext/documents-external/targeted-feasibility-study-pcc-mile-end-and-alfred-roads-parts-1-5-final-draft.pdf">https://www.portsmouth.gov.uk/ext/documents-external/targeted-feasibility-study-pcc-mile-end-and-alfred-roads-parts-1-5-final-draft.pdf</a>

Targeted Feasibility Study- London Road	<a href="https://www.portsmouth.gov.uk/ext/documents-external/targeted-feasibility-study-pcc-london-road-stage-1-4-final-draft...pdf">https://www.portsmouth.gov.uk/ext/documents-external/targeted-feasibility-study-pcc-london-road-stage-1-4-final-draft...pdf</a>
Portsmouth Strategic Outline Case	<a href="https://www.portsmouth.gov.uk/ext/documents-external/pcc-strategic-outline-case-final-draft-jan-19.pdf">https://www.portsmouth.gov.uk/ext/documents-external/pcc-strategic-outline-case-final-draft-jan-19.pdf</a>
AQMA 6 Modelling Report	<a href="https://www.portsmouth.gov.uk/ext/documents-external/pcc-aqap-report-final-draft-march-19.pdf">https://www.portsmouth.gov.uk/ext/documents-external/pcc-aqap-report-final-draft-march-19.pdf</a>
Green Infrastructure Delivery Plan	<a href="https://democracy.portsmouth.gov.uk/documents/g4097/Public%20reports%20pack%2006th-Nov-2018%2016.00%20Cabinet%20Member%20for%20Planning%20Regeneration%20Economic%20Devel.pdf?T=10">https://democracy.portsmouth.gov.uk/documents/g4097/Public%20reports%20pack%2006th-Nov-2018%2016.00%20Cabinet%20Member%20for%20Planning%20Regeneration%20Economic%20Devel.pdf?T=10</a>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

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Signed by: