



Derby City Council

HEALTH AND WELLBEING BOARD
13th September 2018

Report of the Strategic Director of Communities
and Place

Update Reducing Roadside Nitrogen Dioxide – Air Quality

SUMMARY

- 1.1 On May 17th, 2018 a report was presented to the Board setting out the main objectives of the government's policy and the tasks set for Local Authorities to achieve compliance.
- 1.2 A request was made for a further update, following the Council launching a public consultation on July 30th 2018.
- 1.3 The Council has published three options, and indicated which of the options is preferred. This conforms to the general advice provide by DEFRA. The consultation will be open until September 24th.
- 1.4 The Council is due to make a submission of an outline business case, to demonstrate progress before September 15th. This will not be complete as the results of the consultation will not have been analysed. Council officers have been discussing what will be submitted in September and the future refinement of the project towards the delivery of a full business case.

RECOMMENDATION

- 2.1 To support the Council's developing proposals for a package of measures to stimulate travel behaviour change and assist in developing campaigns for public awareness of the public health issues.
- 2.2 To support the Council's developing proposals to address NO₂ emissions directly by delivering a scheme to remove polluting vehicles.

REASONS FOR RECOMMENDATION

- 3.1 A range of measures to raise awareness and stimulate active, sustainable travel, and increased use of public transport will be required to assist with the reduction in NO₂ emissions and achieve the legal targets. No single organisation can provide all of the solutions. Support, expert assistance is required from partners, communities and businesses across the city.
- 3.2 A significant intervention is required to achieve NO₂ reduction in the quickest possible

time. The preferred option is aimed at dealing with the area of exceedance, and meeting the legal requirement. The outline business case and the full business case will include a wider range of measures, aimed at promoting sustainable and active travel, the replacement of the most polluting vehicles, encouraging innovation in how people think about mobility and vehicle ownership, and securing air quality benefits for the city.

SUPPORTING INFORMATION

- 4.1 It is important to remember that the National Plan for reducing NO₂ from road traffic emissions has been based on a complex model. The model is used to define individual areas of exceedance. At the time of the previous report the advanced modelling was showing that Derby had two areas of exceedance – Traffic Street and Stafford Street.
- 4.2 In early June further testing and review of the modelling began to show that there was a flaw in the traffic flow data for Traffic Street. When this was corrected, the exceedance was removed. Leaving Stafford Street as the single area of exceedance.
- 4.3 Council officers have continued to work on the specific area of exceedance and this has resulted in the development of an option to achieve the required improvement by traffic management measures.
- 4.4 To keep pace with the very challenging timetable and to make further progress, the Council launched a consultation on July 30th. The consultation includes three options.
- Option 1 – A traffic management plan, along with vehicle replacement and retirement plans, promotion of ultra-low emission vehicles, and other sustainable measures
 - Option 2 – A chargeable Access Restriction for non-compliant vehicles, within the inner ring road. This would also include some traffic management measures, a scaled up vehicle replacement plan, along with the promotion of ultra-low emission vehicles and other sustainable measures.
 - Option 3 - A chargeable Access Restriction for non-compliant vehicles, within the outer ring road. This would also include some minor traffic management measures, a much larger vehicle replacement plan, along with the promotion of ultra-low emission vehicles and other sustainable measures.
- 4.5 The Council has suggested that option 1 is the preferred option. The scheme will avoid the social and economic disadvantages inherent in a charging scheme. The preferred option also allows for the management of traffic and the control of any re-routing.

- 4.6 The National Plan and the local proposals do not seek to simply disperse the problem. As the final options (subject to the consultation) are developed in detail, the Council will be required to provide an analysis of the 'distributed effect'. This is essentially a test to show that exceedances are not created in other areas.
- 4.7 The impact of all of the proposed measures will be required to be tested within the constraints of the model to demonstrate the impact. Each measure will have to show a quantifiable benefit.
- 4.8 The specific legal duty is to achieve compliance, by removing all points of exceedance, in the quickest time possible.

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| OTHER OPTIONS CONSIDERED |
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- 5.1 The Council is legally obliged to continue testing chargeable access schemes. However, the analysis suggests that even a scheme for a restriction for the whole of the Derby City area would be unlikely to achieve the legal targets, in the quickest possible time.
- 5.2 A package of measures based on travel behaviour change was presented to government in November 2017. The clear feedback from government was that this package would not be effective. The plan needed to have an immediately effective proposal to have an impact as quickly as possible.

This report has been approved by the following officers:

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| Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s) | |
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| For more information contact: Background papers: | Nigel Brien 01332 641833 nigel.brien@derby.gov.uk None |
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List of appendices:

Appendix 1 – Implications

IMPLICATIONS

Financial and Value for Money

- 1.1 The High Court has ruled that the intervention that can be demonstrated to achieve the legal target levels in the quickest possible time. The cost of the scheme is not a determining factor.

Legal

- 2.1 The Council has a clear legal duty to achieve the legal target levels of NO₂ in the quickest possible time. It is also obliged to deliver a Full Business Plan by September 15th, 2018. The implications of failing to meet the obligations are unclear at the moment. Council officers have been discussing what will be submitted in September and the future refinement of the project towards the delivery of a full business case.

Personnel

- 3.1 The project to develop a scheme requires specific skills, most of which need to be sourced from consultants.

IT

- 4.1 None arising directly from this report

Equalities Impact

- 5.1 None arising directly from this report

Health and Safety

- 6.1 The proposal is to improve air quality and promote public health benefits

Environmental Sustainability

- 7.1 The proposal is to improve air quality and promote sustainable travel choices and cleaner vehicle technologies.

Property and Asset Management

- 8.1 None arising directly from this report

Risk Management and Safeguarding

9.1 None arising directly from this report

Corporate objectives and priorities for change

10.1 Supports the Council's objectives for health and wellbeing, environment sustainability, and supports jobs and regeneration.