

## DEFRA consultation on the Implementation of Clean Air Zones in England ~ Response from Campaign for Better Transport

This paper records the response tabled online through the DEFRA consultation hub, in response to the joint DEFRA/DfT Draft Clean Air Zone Framework, October 2016.

### Draft Clean Air Zone Framework

#### **1. In the Draft Clean Air Zone Framework, are the right measures set out in Section 2?**

We agree that urgent action to address lethal and illegal levels of air pollution is important and necessary.

We welcome the themes to be addressed by Clean Air Zones of

- supporting local growth and ambition (decoupling growth and pollution).
- accelerating the transition to a low emission economy.
- immediate action to improve air quality and health.

We believe these are sound principles to underpin transport and planning policies in general.

In terms of the draft CAZ guidance, it is helpful to see in one place the range of possible interventions already at LA disposal (green procurement, encouraging active travel, EVs, travel planning, etc)

In particular we support

- Investing in bus priority lanes and zones to encourage modal shift;
- Investing in dedicated cycle lanes to encourage active travel;
- Restrictions on motor vehicles close to schools, particularly at peak pollution times;
- Variable pricing of parking permits by vehicle emissions;
- Smarter last mile logistics, including use of cargo bikes and ultra/zero emission vehicles;
- Workplace parking levy, which has proved successful in Nottingham;

Many of these interventions have multiple benefits not only to air quality but also for tackling obesity, carbon reduction, social inclusion, better access to jobs and services, and more liveable cities.

#### **2. Are there additional measures that should be highlighted under each theme?**

We believe that the extent of the air pollution problem requires a national network of Clean Air Zones: all local authority should be encouraged to introduce Clean Air Zones, and not have to demonstrate a specific problem to do so.

Signs are necessary but not sufficient. They should be designed appropriately for their environment, eg to avoid light pollution in light sensitive areas.

There should also be support for local planning authorities seeking to add to or amend adopted plans to include Clean Air Zones and related measures.

Ultra low emission vehicles are an important part of delivering Clean Air Zones as part of a package of measures including support for active travel and reducing the need to travel.

Awareness raising should include advice on proactive measures eg leaving the car at home, as well as reactive measures eg avoiding exposure.

Green procurement is important to reduce emissions, to lead by example and to stimulate the market for low and ultra low emission vehicles. The Bus Services Bill provides an opportunity for greener vehicles to be specified. Where appropriate, local authorities may be able to play a leadership role by procuring and leasing greener vehicles for local operators to facilitate this process.

Promoting active travel in line with the DfT's draft Cycling & Walking Investment Strategy is an important element of any Clean Air Zone.

Measures to support this should include:

- a commitment to a proportion of LA and LEP expenditure on transport schemes for cycling and walking provision.
- design of high quality walking and cycle routes
- on street cycle parking provision
- consideration of public bike hire schemes
- bike share schemes at public transport interchanges
- reallocation of road space from motor vehicles for walking and cycling.

***3. In addition to the draft Framework, are there other positive measures that (a) local or (b) central government could introduce to encourage and support clean air in our cities?***

Air pollution is at lethal and illegal levels, with urgent action required. Under current plans, children born today will have started school before they have air that is fit to breathe.

DEFRA's draft Clean Air Zone guidance is targeted at priority cities, and while we accept that the worst problems should be tackled first, we believe this is insufficient to address the national air quality crisis.

We believe that everyone deserves clean air, and that this is best secured through a national network of Clean Air Zones, underpinned by a new Clean Air Act.

We are concerned that reliance on switching to electric vehicles is not a universal solution, given what we know about carcinogenic PMs from braking systems. Nor does continuing car dependency, albeit on cleaner vehicles, address the problems of obesity, congestion, managing densification of cities and other challenges.

What is needed is a wholesale joined up approach to promoting modal shift, greening the public transport fleet, reducing road-based freight, locating homes and jobs near public transport connections, and designing places to make active travel a safe and attractive choice.

We welcome the measures proposed. However, these cannot be implemented without appropriate resourcing and support including strong local and national leadership, and a conscious resistance to making necessary restrictions on some types of vehicle a political football, specifically in terms of implementing existing powers for WPL and congestion charges.

In addition, we believe additional local powers and national policy changes are required to allow for

- area-specific bans on diesel and other polluting vehicles;
- rolling out PTAL type site appraisal in local plans to encourage locating new homes and jobs near public transport hubs
- a scrappage scheme that incentivises non-motorised replacement (bikes, season tickets, etc);
- a change to the appraisal framework for new transport infrastructure that places a far higher priority on air quality impacts (requirement for all schemes to be at least air quality neutral).

We support education and information alongside practical measures such as

- travel planning information and advice
- enhanced provision for sustainable low emission transport modes

- measures to disincentivise use of diesel and other polluting vehicles

We strongly support making the best use of the local authority role in land use planning. In particular we advocate locating new homes and jobs near public transport, and would encourage adopting a local version of the TfL PTAL or South Yorkshire LUTI site rating system.

Better traffic management can have an impact on roadside pollution, however the only sustainable solution is modal shift away from polluting vehicles (including PMs from braking systems) to sustainable and active travel modes.

We support greening the public fleet (green procurement policy for buses, council vehicles, etc) and encouraging LEP/ISP/BID members to commit to do the same as contracts come up for renewal. Greening private sector fleets should be encouraged locally through good PR, nationally through fiscal incentives eg business rates reviews, and as part of a package to include encouragement of active travel and reducing the need to travel.

Smarter last mile logistics strategies (eg local consolidation centres, shared deliveries for central business districts/retail districts, use of ULEVs, cargo bikes, etc).

The Bus Services Bill provides an opportunity for greener vehicles to be specified.

We advocate the capping of parking provision and provision of car share/bike share options as part of planning conditions for new developments and supporting retrofit with advice and targeting funding.

We support greater delegation of enforcement of moving vehicle offences to local authorities, with appropriate resourcing.

Setting emissions limits for buses and taxis is part of the solution but is unlikely to be effective in bringing air pollution levels within legal limits. Local authorities do not currently have the power to introduce bans for the most polluting vehicles in private ownership or operation. Without such bans, then access restrictions based on charging are likely to be required to achieve legal compliance.

We strongly support the implementation of Clean Air Zones, Low Emission Zones and Ultra Low Emission Zones based on charging the most polluting vehicles for zone entry. We believe introducing such zones requires strong local leadership and strong national political and operational support. These zones should be a means to achieve best practice not “level down”. We do not want to see more polluting vehicles “dumped” in areas with lower standards.

In addition, we would like to see the following measures given greater priority:

Supporting local growth and ambition (decoupling growth and pollution).

- Workplace parking levy, which has proved successful in Nottingham
- Vehicle scrappage scheme (Note NOT a vehicle upgrade scheme - scrappage can include replacing vehicles with season tickets, car club, bike grant, etc)
- Adopting traffic reduction targets and parking reduction targets as part of core strategies and local transport plans, making more land available for sustainable travel, local jobs and affordable homes

Accelerating the transition to a low emission economy.

- Giving local authorities the powers to implement diesel bans
- Investing in bus priority lanes and zones to encourage modal shift;
- Investing in dedicated cycle lanes to encourage active travel;
- Variable pricing of parking permits by vehicle emissions; linking price of residents parking permits / onstreet parking / carpark parking to vehicle emissions (eg free for ULEVs, banded for rest)
- electric vehicle charging network

- road user pricing (congestion charge - legislation exists) with pricing linked to vehicle emissions (eg free for ULEVs, banded for rest)
- pedestrianised zones, green walking routes linking bus & train stations (and cycle ditto)
- travel planning for major employment and visitor centres, such as schools, hospitals, business parks, etc
- reviewing business rates to reward low vehicle dependency
- prizes, awards etc to celebrate low emission enterprises

Immediate action to improve air quality and health.

- Restrictions on motor vehicles close to schools, particularly at peak pollution times;
- better air pollution alerts
- restricting diesel vehicles at certain times of day/ from certain streets on health grounds
- ban on pre Euro6 vehicles being operated as private hire vehicles

**4. Are the operational standards and requirements set out in Section 3 of the Framework acceptable?**

No. We support the general presumption that the requirements for charging Clean Air Zones will apply to all vehicles. By definition, there will be exemptions for low and ultra low emission vehicles.

We believe any further exemption should be exceptional, and based on the service the vehicle provides to the community (eg emergency vehicles, community transport) and not on the characteristics of the owner. We do not feel that resident discounts are appropriate in the context of securing compliance: emissions from residents' cars are no less polluting. We recognise that local authorities may wish to phase in charging for residents over a longer timescale, but this must be consistent with timescales for achieving air quality compliance.

It is important that the charge levels are set at a level to deliver compliance and not at a level which makes continued operation of polluting vehicles a more affordable choice than switching to a more sustainable transport mode or upgrading to a compliant vehicle.

**5. Do you agree that the requirements in Clean Air Zones for taxis and for private hire vehicles should be equivalent?**

Yes. To achieve legal compliance with air quality requirements, measures must apply equally to all taxi and private hire vehicles, based on their emissions rather than the nature of their operation.

Local authorities may wish to give differential support (eg scrappage schemes, upgrade grants, bulk purchase & lease arrangements) to different classes of vehicle operator (eg favour taxis over PHVs) but this should be to assist compliance not exempt from compliance.

**6. Do you agree the standards should be updated periodically?**

Yes, standards should be updated periodically.

The whole purpose of CAZs is to deliver compliance with legal air quality standards: if the standards are seen to be failing to deliver sufficient improvement from baseline to achieve compliance to timescale, then the standards will need to be upgraded to deliver.

**7. If yes, do you agree that the minimum vehicle standards set out in the Framework should remain in place until at least 2025?**

We would support flexibility to adjust minimum standards in order to achieve compliance at the earliest possible date.

We would also like to see scope for a diesel ban as is now being adopted in other cities (Oslo, Paris, Madrid, etc).

**8. Do you agree with the approach to Blue Badge holders?**

Yes. We agree that holders of a Blue Badge should not generally be exempt from a charge in a Clean Air Zone whether driving a vehicle, or as a passenger. Indeed people living with COPD and related conditions will be those most likely to benefit from compliance with legal air quality standards and it would be perverse to exclude them from compliance.

**9. Is the approach set out in Section 3.9 suitable to ensure charges are set at an appropriate level?**

We note that no charges have yet been set. We are concerned that failure to set a minimum charge may fail to deliver air quality compliance, as local authorities may come under political pressure to set the lowest permissible charge.

As noted above, it is important that the charge levels are set at a level to deliver compliance and not at a level which makes continued operation of polluting vehicles a more affordable choice than switching to a more sustainable transport mode or upgrading to a compliant vehicle.

Some consistency between different CAZs is important to avoid "vehicle dumping" in areas with lower charges or less stringent controls.

## **Secondary Legislation**

### **10. Do you have any comments on the secondary legislation as drafted?**

No

### **11. Do you agree with the approach undertaken in the impact assessment?**

We welcome the approach that sets air quality impacts as the priority and taking a scenario based approach.

### **12. Do you agree with the conclusions of the impact assessment?**

We agree with the conclusion that charging zones are necessary to have the desired impact to achieve compliance. We believe that having 5 charging zones is however a minimum and risks non-compliance, exacerbated by "vehicle dumping" from charging zones: a comprehensive national network of Clean Air Zones with charging in all cities failing to achieve compliance on the required timescale, would be a more sound approach.

### **13. Are you aware of any additional data that could inform the impact assessment? If yes, please give details.**

Not at this time

December 2016

Bridget Fox

Campaign for Better Transport

Campaign for Better Transport's vision is a country where communities have affordable transport that improves quality of life and protects the environment. Achieving our vision requires substantial changes to UK transport policy which we aim to achieve by providing well-researched, practical solutions that gain support from both decision-makers and the public.

16 Waterside, 44-48 Wharf Road, London N1 7UX

Registered Charity 1101929. Company limited by guarantee, registered in England and Wales: 4943428