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Decision Details

General

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Decision History

This section allows you to view the general details of a Decision

Details

Status: Decision Subject To Call In

Title:

Birmingham Clean Air Zone (CAZ) Update to Cabinet on Digital and Physical Infrastructure Development, Air Quality Monitoring and Income and Expenditure Forecast

Reference: 008212/2020

Urgent Decision - Not in Forward Plan No

Details for Agenda Sheet

Report of Acting Director Inclusive Growth

Implementation Date (not before meeting on) Tue 19 Jan 2021

Purpose

To update Cabinet on the Clean Air Zone's development as the Council continues to work towards its launch on 1st June 2021

Key Portfolio Transport and Environment

Include item on Forward Plan/ Key Decision Yes

Decision Maker

Reason For Key Decision Affects all Wards

Relevant Documents

- Birmingham Clean Air Zone Submission of Full Business Case and Request to Pro Report 11th December 2018. CMIS Reference 005939/2018

- Tackling Air Quality in Birmingham - Clean Air Zone – Submission of Business Case to Gove
CMIS Reference 005425/2018
- 2019 Air Quality Annual Status Report -
https://www.birmingham.gov.uk/downloads/file/15061/air_quality_annual_status_r

Decision Type: Committee

Decision Maker: Cabinet

Directorate Inclusive Growth

Other Information

Private Reason

Exempt information paragraph 3. Information relating to the financial or business affairs of any particular person (including the Council

Decision Outcome

On 19 January 2021, Cabinet:

(i) Noted that the launch date for the CAZ has been agreed as the 1st June 2021. This is a change from the original date of 1st January 2020 which could not be met initially due to the late delivery of the government's vehicle compliance checker, and was followed by a further delay to the revised launch date set for summer 2020 as a result of the impacts of COVID-19;

(ii) Noted that the Council remains subject to a Ministerial Direction (the Environment Act 1995 (Birmingham City Council) Air Quality Direction 2019) which requires that it implements its plans so that compliance within the legal limit for Nitrogen Dioxide is achieved in the shortest possible time;

(iii) Noted that the Council continues to monitor air quality in the city and recorded improvements in Nitrogen Dioxide (NO₂) levels throughout the course of 2020 and the legal limit for annual average NO₂ levels remains at 40 µgm⁻³ (micrograms per cubic metre). Improvements in 2020 were largely because of significantly reduced traffic levels caused by the national restrictions imposed as a result of COVID-19. Whilst the reduction in NO₂ levels for last year is positive, the improvements are not considered to be permanent and are expected to be reversed when traffic levels increase following the anticipated lifting of COVID-19 restrictions;

(iv) Noted that the majority of infrastructure works to support and enforce the CAZ are complete and testing of the IT enforcement solution and integration with the Clean Air Zone Central Service will commence in early 2021, subject to the necessary data sharing arrangements being in place;

(v) Noted that Cabinet previously approved the Charging Order and Indicative Net Allocation of Net Proceeds report in June 2019 which included estimated revenue forecasts based on the information available at the time. The income and expenditure (I&E) forecast has been updated to reflect the revised CAZ operational dates, assumptions regarding traffic volumes and compliance, and revised costs from JAQ for the use of the Clean Air Zone Central Service. It also includes projects which have been allocated CAZ funding, subject to sufficient net revenue being generated, following approval by Cabinet;

(vi) Noted that the fees to pay for the Council's use of the Clean Air Zone Central Services provided by the Secretary of State for Transport, through JAQU, will be Page 4 of 18 recovered using a Statutory Instrument (SI) and that the basis and value of the fee has changed from the Council's original FBC submission to JAQU, which equate to 5% of the Council's revenue, to a transactional approach which levies a £2 fee per transaction and will incur charges equivalent to approximately 16% of CAZ revenue;

(vii) Noted that the I&E will continue to be updated as assumptions are refined and new data becomes available. This includes data from additional air quality monitoring stations, additional traffic counting equipment, and automatic number plate recognition and compliance information. A further report will be presented to Cabinet following the CAZ launch with an updated forecast which will seek to address the remaining uncertainties and confirm the ongoing reporting process;

(viii) Noted that the Council will be required to enter into agreements with the Secretary of State for Transport for the provision of the Clean Air Zone Central Services. These agreements are currently still being drafted by JAQU on behalf of the Secretary of State and will include a Data Sharing Agreement (DSA) and a Clean Air Zone Central Services Agreement (CAZ Agreement) which will detail the specification and provision of the Clean Air Zone Central Services by the Secretary of State to the Council. These documents are expected to be finalised by JAQU in the New Year and at present are insufficiently mature to present to Cabinet;

(ix) Delegated Authority to the Cabinet Member for Transport and Environment in consultation with the Director, Inclusive Growth, to finalise and enter in to a CAZ Agreement with the Secretary of State for Transport for the provision of the Clean Air Zone Central Services required to operate the CAZ;

(x) Delegated authority to the Cabinet Member for Transport and Environment in consultation with the Director, Inclusive Growth, to finalise and enter in to a Data Sharing Agreement with the Secretary of State for Transport for the purposes of testing, monitoring, operation and enforcement of the CAZ;

(xi) Authorised the City Solicitor (or their delegate) to negotiate, execute, seal, take any necessary action, and complete all necessary documents to give effect to the above recommendations.

THE DEADLINE FOR CALL IN IS 1600 HOURS ON

MONDAY 25 JANUARY 2021

"On Friday 22 January 2021 at 1036 hours, a request for call-in was submitted by Councillors Jon Hunt and Roger Harmer. No action on the decision can be taken ur

the request for call-in has been considered by the Sustainability and Transport O&S Committee within 15 days of the decision being posted.

Rating:

Is the Decision Maker Aware of the Decision: No

Is the Head of Services Aware of the Decision: No

Is Decision County Wide: No

Would the recommended decision be contrary to the budget and policy framework: No

Further Information:

Decision Options:

Additional Information

Reg 10

Reg 11

Decision Criteria

This Decision does not contain any decision criteria records.

Wards

Acocks Green; Allens Cross; Alum Rock; Aston; Balsall Heath West; Bartley Green; Billesley; Birchfield; Bordesely & Highgate; Bordesely Green; Bournbrook & Selly Park; Bournville & Cotteridge; Brandwood & Kings Heath; Bromford & Hodge Hill; Castle Vale; Druids Heath & Monyhull; Edgbaston; Erdington; Frankley Great Park; Garretts Green; Glebe Farm & Tile Cross; Gravelly Hill; Hall Green North; Hall Green South; Handsworth; Handsworth Wood; Harborne; Heartlands; Highter's Heath; Holyhead; Kings Norton North; Kings Norton South; Kingstanding; Ladywood; Longbridge & West Heath; Lozells; Moseley; Nechells; Newtown; North Edgbaston; Northfield; Oscott; Perry Barr; Perry Common; Pype Hayes; Quinton; Rubery & Rednall; Shard End; Sheldon; Small Heath; Soho &

Jewellery Quarter; South Yardley; Sparkbrook & Balsall Heath East; Sparkhill; Stirchley; Stockland Green; Sutton Four Oaks; Sutton Mere Green; Sutton Reddicap; Sutton Roughley; Sutton Trinity; Sutton Vesey; Sutton Walmley & Minworth; Sutton Wylde Green; Tyseley & Hay Mills; Ward End; Weoley & Selly Oak; Yardley East; Yardley West & Stechford

Topics

This Decision does not contain any Topic records

Overview and Scrutiny

Sustainability and Transport Overview and Scrutiny Committee

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