

BIRMINGHAM CITY COUNCIL

SUSTAINABILITY AND TRANSPORT O&S COMMITTEE

1400 hours on 21st September, Committee Room 6, Council House

Present:

Councillor Chaman Lal (Chair)

Councillors, David Barker, Martin Brooks, Colin Green, Timothy Huxtable, Richard Parkin and Miranda Perks

Also Present:

Stephen Arnold, Head of Clean Air Zone (CAZ)

Amelia Murray, Overview & Scrutiny Manager

Baseema Begum, Scrutiny Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised those present that the meeting would be webcast for live and subsequent broadcast via the Council's Youtube site and that Members of the press/public may record and take photographs except where there are confidential or exempt items.

2. APOLOGIES

Cllr Aitken.

3. DECLARATIONS OF INTERESTS

Cllr Huxtable confirmed that he is the substitute member for the West Midlands Mayor on the West Midlands Bus Alliance.

Cllr Lal stated that he is the vice chair on the West Midlands Combined Authority (WMCA) Transport Sub-Committee.

4. SUSTAINABILITY & TRANSPORT O&S COMMITTEE ACTION NOTES

It was clarified that Cllr Huxtable's request for information relating to a list of all schools that have signed up to air quality monitoring will be covered as part of the agenda item on the Clean Air Zone.

The action notes of the meeting held on 27th July have been updated following Cllr Huxtable's feedback.

The Chair noted the update in relation to the action tracker and requested that general items of information are circulated to the whole committee. Individual ward related responses can be sent to the Councillor concerned.

5. CLEAN AIR ZONE (CAZ) UPDATE REPORT

(See Item No.5)

The Chair welcomed Stephen Arnold, Head of CAZ to the meeting.

Stephen Arnold outlined the key points in his presentation: -

- The implementation of the CAZ was to address the levels of nitrogen oxide within the city. The Council identified through several surveys and from the Government's own calculation of data that there was a high number of exceedances in certain locations where levels of air pollution (Nitrogen Dioxide, NO₂) were above the legal limit which is set at 540 micrograms per cubic metre. It was imperative that the Council do something about the poor air quality as it has an impact on people's health and contributes to approximately 1000 early deaths in Birmingham affecting in particular the most vulnerable in society, those living in deprived areas and those with chronic health conditions. Further evidence suggests that day by day the impact of air pollution is triggering other serious health conditions.
- Vehicle emissions are the single biggest contributor to air pollution with 80% of roadside NO₂ emitted from road transport and 46% roadside NO₂ emissions produced by diesel cars. CAZ has been designed to address the source of the problem.
- The city has been on a journey to becoming a clean air city and in essence started through the 1995 Environment Act that required local authorities to annually review their air quality. The Council subsequently identified in 2003 that it would be exceeding the annual mean for NO₂ levels by the 2010 Government target. A Local Air Quality Action Plan was produced in 2006 with an updated version including reference to a 'low emission zone' published in 2011.
- The Government issued a ministerial direction in December 2017 to Birmingham and 4 other cities to take action to tackle air pollution and reduce NO₂ in the shortest possible time. In response to this the Council produced a business case for a 'Clean Air Zone' that was approved by Government in 2019 and a further ministerial direction was placed on the Council to deliver this approved plan with funding attached and a policy framework to support the implementation. Some of the other cities have addressed the ministerial direction in slightly different ways to achieve the same objective based on local circumstance.
- Birmingham chose to implement a CAZ (Category D) that covers all vehicles except for motorbikes and came into effect on 1st June 2021 covering the inside of the A4540 Middleway. A daily charge (a parameter is set by

Government) is in place for non-compliant vehicles every day throughout the year. In preparation for the introduction of the CAZ the Council undertook a wide public consultation exercise alongside modelling work to determine the right price point for change to take place. As a result of the feedback the charges were set at the lower level of the scale (other cities that are charging have chosen different price points based on local modelling).

- Data from the period June 2021 to March 2022 shows that just under 30m individual vehicles have travelled through the zone with about 3.8m of those liable to the charge (not including exemptions).
- There has been about 5.5m searches on the online vehicle checker that verifies a vehicles compliance. 3.2m visits have been made to the brumbreathes website that gives details on how to pay.
- This is a dual operation done between the Council and the DVLA who provides central services to the Council and all other local authorities. Those central services are the online vehicle checker, payment platform and a contact centre for those who have queries. This was found to be the most effective and efficient way of working for all local authorities to have a central point of contact. A standard fee per transaction is paid to the Government and in Birmingham's case this is £2.
- Data is published on a monthly basis on the brumbreathes website to provide transparency. It is too early to draw conclusions however more generally year on year the data trend has shown a reduction in vehicles travelling into the city centre.
- At this moment in time the data from the 6-month CAZ monitoring report does not suggest a displacement of polluting traffic from the city centre onto the ring road however this continues to be monitored closely. A full 12-month report of the CAZ being in operation is currently being prepared.
- The enforcement of the CAZ has shown a direct impact on compliance with a steady reduction in non-compliant vehicles entering the zone. This has almost halved from the amount at the start of the CAZ (15.2% to 7.8% as of July 2022). Data suggests that vehicle levels have stayed about the same over the course of the year.
- Modelling has shown that more vehicles entering the CAZ are compliant and in particular buses and HGVs are nearing the modelled compliance levels which is positive. Passenger cars that make up the biggest number of vehicles travelling in the CAZ are about 92.5% compliant.
- As part of the introduction of the CAZ a broad range of support was brought forward including exemptions from the daily fee and financial support. This included temporary exemptions for example for those who live in the zone or those on low incomes working in the CAZ as well as commercial businesses. The total monetary benefit of this action amounts to approximately £24m (based on not having to pay the fees during the exemption period).
- Further support is also in place for workers for a scrappage and mobility credit scheme for taxi drivers. Additional engagement with taxi and hackney carriage drivers is planned to ensure that the benefit of retrofitting and the support available is clarified.

- Tracking the levels of NO2 is crucial to understanding if the desired change is being achieved and data from the 6-month report shows that comparing 2021 to 2019 on average there was a 13% total reduction in the levels of NO2 recorded across 37 monitoring locations within the CAZ.
- Closer monitoring has allowed for narrowing down of particular areas of concern where levels are still high such as Carrs Lane due to the number of buses travelling through this area. To address this the Council is working with the University of Birmingham through the WM Air project to better understand what the sources of the pollution are in such locations.
- The Council has a statutory requirement to produce a Local Air Quality Plan that is updated every few years. This specifically looks at locations where there has been historical exceedances or are modelled to have exceedances of a particular pollutant and so to highlight areas of potential concern.
- The Clean Air Strategy (CAS) for Birmingham has 5 key priorities with a set of 6 pledges on how it can be achieved. It aims to take a whole city view so it broadens out the scope of the Local Air Quality Plan. The CAS notes the potential of the Council needing to monitor and prepare for other pollutants and changes as part of the forthcoming Environment Act and World Health Organisation targets. It also links in with the Birmingham Transport Plan (BTP) in terms of the movement of people, travel change behaviour and improving congestion.
- One of the 6 pledges made as part of the CAS is for 'Clean Air for Schools'. This is a commitment to ensure that all schools are offered an Air Quality Monitor. The first phase is to ensure that there is at least one monitor at each school in each of the city's 69 wards. Currently offers have been made to 51 of the 69 schools targeted. As the monitors are rolled out to schools there will be accompanying information that will be provided that can be shared with parents. It is anticipated that the remaining 18 will be deployed by the autumn. A multi-team approach with different Council service areas are involved to support the initiative in partnership with the University of Birmingham to provide educational resources for primary school children. These can be used to explain the data and its impact to schools, parents and the community and offer solutions such as implementing more car-free school streets through the Travel Demand team.
- Of the air quality sensors in place none of reported an exceedance of NO2 or particulate matter. The next phase of the scheme is to expand the programme and offer a monitor to every school in the city. This is being supported with an allocation of £1m from the CAZ revenue account and was agreed by Cabinet in March 2022.
- The revenues generated from the CAZ will be reinvested to support sustainable change beyond reaching compliance for legal levels of NO2. The legislation for creating a CAZ specifies that any net service revenues made must be invested in transport related strategies and policies. A number of schemes have been identified and received Cabinet approval for set allocations. Monies are only paid to an initiative once the Council is in receipt of the funds to do so. In the last financial year, a sum of £15m was put towards reserves to fund these as most will be multi-year schemes.

- Projects being led by the West Midlands Combined Authority support the priorities as set out in the BTP primarily around supporting mode shift by investing in infrastructure and encouraging more people to use public transport. These projects includes the Upgrade of University Rail Station, Delivery of the new Camp Hill Rail Stations and Delivery of Cross City bus projects. Monies will be paid out based on actual delivery and are long term projects to be funded from CAZ reserves in future financial years.
- Beyond compliance the Council is supporting the expansion of the city's electric vehicle charging points through the 'Fast and Rapid' network of which over 80 points have been installed (of a total of 400). The long-term ambition for a publicly accessible network is to have approximately 3600 charging points in the city. This is to complement the adoption of zero emissions technologies in the city's vehicle fleet.

During discussion with Members and in response to queries raised the following points were made: -

- The Environment Act is now legislation and extensive consultation has taken place in reference to the setting of new legal limits of NO2 and Particulate Matter emissions. These have yet to be finalised by Government.
- It was clarified that data is collected across 90+ locations and the percentage averages given are across the area and therefore the data is not linear. In 2016 there were far fewer monitoring locations and areas of exceedances.
- The lifespan of the CAZ is in relation to reaching the legal levels of NO2 emissions as set out by the Government. At the point that is reached then in theory it can be dismantled. In the business case to Government, it was envisaged that this level would be reached 2 years post implementation and that a period of stabilisation would need to be put in place to ensure that the problem does not return. It is estimated that this period would be 2-3 years.
- It was highlighted that National Express West Midlands (NXWM) was part of the Air Quality Partnership Scheme (AQPS) set up in 2012 that in effect was the start of achieving cleaner air in the city centre by ensuring cleaner buses were operating in the area. The AQPS contributed to helping bus operating companies improve their fleet however it was noted that for NXWM it made business sense to avoid charges in their busiest area by upgrading their fleet to make it compliant to the CAZ. The modelling undertaken in 2016/17 to tackle air pollution showed that 60% compliance would be achieved by buses if the Council "did nothing" however current compliance shows that more was done post the AQPS to accelerate the change. An updated version of the AQPS is currently under discussion with a link to longer term ambition of zero carbon emissions.
- Following the removal of the temporary exemption (1 year) for workers that were using their non-compliant vehicles in the CAZ some individuals have accessed the scrappage mobility credit scheme which has meant that they are able to access £2k to put towards a compliant vehicle through a partnership scheme enabled by the Council. Approximately 25% of those eligible have successfully applied to this scheme and have received the mobility credit. The remaining individuals have not been tracked in terms of how they are choosing to travel. In comparison the temporary exemption (2 years) in place for

residents living in the zone who have been asked to go through a renewal process after the first year has shown that several residents have not renewed their exemption for the second year. A telephone survey has been conducted to find out why with about 30% confirming that they had either upgraded their vehicle or moved out of the area. The CAZ team are undertaking surveys with the remainder to understand why some people have chosen not to renew the exemption.

- No idling zones around schools are recognised as a potential tool to cleaner air within the CAS. The Council's Travel Demand team are working on safer school streets specifically on excluding traffic from the areas. One solution involves working with parents to bring forward a collaborative approach and encourage behaviour change which is a key aim.
- As part of the range of measures given to schools to improve air quality lessons can be learnt from neighbouring authorities such as Solihull where no idling zones are in place. It should be emphasised that any measures and decisions made on such initiatives should be led locally.
- Park and Ride options have been considered in terms of empowering behaviour change and taking vehicles away from travelling into the city centre by providing access to mass transit options such as rail and metro. The key barrier to this historically has been identifying suitable land for this use. Additionally, through the BTP Segments Plan there is an emphasis on discouraging through traffic and getting people to think differently about how they travel through the city with suitable alternatives.
- Other sources of air pollution such as those emitted by diesel trains are noted. Train operators have their own air improvement plans in place and Network Rail lead on this work. The Council engages in regular conversations to discuss pollution levels and potential pollution issues from the stations. Previously this Committee has received information on air quality monitoring from locations adjacent to train stations in the city centre. A key issue is the electrification of the line which takes time however Network Rail and train operators have made commitments to improve air quality and their respective stock.
- The Council currently has about 900 vehicles in their overall fleet and about 450 of these are in the Waste service. Older vehicles that are non-compliant in the CAZ must pay. Work is being done to address the issue through a significant investment programme to improve the fleet to make it not only CAZ compliant but also zero carbon. Wherever possible compliant vehicles are operating in the zone and non-compliant vehicles will be reducing over time as compliant vehicles are procured.
- There are no individual exemptions for charity owned vehicles. The only exemption in place is for commercial vehicles operating in the zone and wherever possible the CAZ team have been flexible in helping charities where they have met some of the set criteria to access help. Charities are being encouraged to make contact and check whether their non-compliant vans are eligible for grants to upgrade to a compliant vehicle with a sum of up to £4.5k on offer.
- In the last financial year £33m of revenue was generated through the payments received. This is in line with the projections made.

- A sum of £15m has been put into reserves to support projects that have funds allocated. An additional £2m has been set aside to cover future decommissioning costs. £5m has been reserved for future operating costs where it is envisaged that higher compliance will mean that less monies have been generated to cover operating costs. A total of £22m has been put into reserves.
- There is no specific detail available on how much revenue is generated from postcodes within Birmingham or the wider area when data is received on payment by the Council. The only detail the Council is furnished with by the DVLA is an email address.
- There was in the region of 3.2m hits to the Council's brumbreathes website for the period June 2021 to March 2022. Of this number 66% were from outside the West Midlands region when aligned with the vehicle registration checker. A high proportion of people are from outside of Birmingham and most people do pay the daily rate rather than be issued with a penalty charge notice (PCN).
- Criteria will be set on the use of allocated ward funding, and this will be in line with the legislation used for the CAZ. Schemes will have to be related to the Council's transport strategies and policies and improving air quality.
- It was confirmed that at any one particular time approximately 50% of the PCN's issued are not paid. However, as the payments become older the percentage that are paid increases, and this is enforced by the Council. At a particular point this is recorded as a debt with the court and then bailiff action is taken.
- PCN enforcement is set by legislation (so set times on payment times, appeal etc). This can differ from council to council in how it is interpreted. Every effort is made to notify people about the CAZ with over 300 signs on the boundary and approach to the CAZ. The amount of information that can be put on signs is limited. Additional advertising has been done to try and help with this. User feedback is provided to the DVLA and DfT to make improvements that will benefit drivers.
- The Travel Demand team are responsible for CFSS, and enforcement action related to it. Additional staff have been recruited to help with the expansion of this programme and support schools with implementation and enforcement.
- Currently 1 Air Quality Monitor is being provided to one school per ward as agreed with the provider.
- In addition to the CAZ D+ agreed with the Government there were 3 additional measures including the introduction of two Controlled Parking Zones (CPZs) and changes to some roads in the city centre to reduce traffic, improve the flow of traffic and improve the air quality. There has been some delay in the implementation of the CPZs and they are now scheduled to be implemented in the new year. Changes to Paradise and Great Lister Street is more complicated and the proposals are to make the changes permanent by the end of the calendar year for Paradise. In the case of Great Lister Street junction, it is hoped that this will come to fruition early in the new year with improvement to traffic flow and supporting cycling options in this area.
- The additional two CPZs are part of a review of parking within the boundary of the CAZ. This involves looking at all of the CPZs and the pricing regimes and

support provided. The timescale of the parking review is 12 months and local ward members will be involved in the process.

RESOLVED: -

1. The report was noted.
2. Updated presentation with additional slides added to be circulated.
3. Links to the various reports to Cabinet referenced in relation to the allocation of CAZ revenues to be shared with the Committee.

6. WORK PROGRAMME

(See Item No. 6)

Amelia Murray, Overview & Scrutiny Manager outlined the following updates made to the work programme following members outlining their priorities and discussion with officers: -

- Scrutiny officers are exploring the possibility of a briefing for Members on the City of Nature strategy for the next meeting. The Cabinet Member for Environment will be attending the October meeting.
- In November there are two items listed – the Highways PFI Procurement Process and Permits for Street Works.
- The Annual Flood Risk and Management Report has been scheduled for the March meeting.

Cllr Huxtable highlighted that a decision on the Highways and Infrastructure: Footway Crossings Policy and Information for Applicants was listed on the Forward Plan for October and that it would be opportune to receive an update on this at November's meeting as a decision will have been made.

As previously highlighted by Cllr Huxtable the report entitled 'Capital Bid for the Introduction of Car Parking Across Selected BCC Parks' was felt to be misleading (and feedback should be provided to the relevant Cabinet Member/Officers) as it related to car parking charges at parks rather than car parking. It was noted that the decision made on the 6th of September meeting of the Cabinet had been 'Called-in' and will be heard by the Housing and Neighbourhoods O&S Committee.

The displacement of vehicles due to CPZs and car parking charges at parks and the impact of this on the adjacent public highway was highlighted as an issue of concern and an item of discussion for a future meeting. It was agreed that appropriate scheduling of this item could be considered following a decision being made in relation to the call-in.

RESOLVED: -

1. The report was noted.
2. A briefing on the new Footways Crossing Policy to be scheduled.
3. Members to discuss when they would like to consider the item on the impact of displacement of vehicles onto the public highway from CPZs and parks.

7. DATE AND TIME OF NEXT MEETING

Noted.

8. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS (IF ANY)

None.

9. OTHER URGENT BUSINESS

None.

10. AUTHORITY TO CHAIR AND OFFICERS

Agreed.

RESOLVED: -

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

The meeting ended at 16:03 hours.