

B&NES Consultation on Charging Clean Air Zone

Consultation response from Pulteney Estate Residents' Association

Background

Pulteney Estate Residents' Association (PERA) is a subscription membership association representing about 300 member households (equating to about 600 people) in the Pulteney Estate area.

"Pulteney Estate" is an area of the centre of the city that extends from Laura Place outwardly to the top of Sydney Gardens, and from Henrietta Road in the north west to the northern part of Pulteney Road in the south. It is an important part of the heritage centre of Bath, including a high proportion of the city's Grade I listed properties. The area has a high proportion of elderly residents because of its proximity to the City Centre, which is a short flat walk away, and it follows that the local population has higher than average vulnerability to respiratory problems.

Summary

- PERA submits that the Pulteney Estate area, extending from Laura Place to the top of Sydney Gardens, and including Beckford Road, Sydney Road, Sydney Place, Darlington Street and Bathwick roundabout (plus the entire area between these roads and the river) should be included in the CAZ. As we understand all neighbouring residents' groups and organisations are likewise asking to be in the CAZ, we suggest that the entire Bathwick area should be added, with the CAZ boundary being at the junction between Sydney Road and Warminster Road.
- Residents in the entire Bathwick area (both PERA members and non-members) have been shown to be overwhelmingly in support of extending the CAZ to include Bathwick.
- We support a class D zone – however we favour a concession for residents to mitigate the effect of the CAZ on residents with higher emission cars, especially those working outside normal business hours. Such a concession should not extend to non-residents, for whom alternative transport options are far more effective.

CAZ boundary

The location of the CAZ boundary on this side of Bath is illogical, inappropriate and disproportionately disadvantages our residents. This area is closely adjacent to the most visited sites in Bath (including the Roman Baths, the Abbey, the Rec). The exclusion of this area will allow higher emission vehicles effectively to access the very centre of the city without paying a CAZ charge, dropping off passengers in Laura Place, Great Pulteney Street or other local streets which are just a couple of minutes' walk from their City Centre destination, and waiting or parking within this CAZ charge-free area. [For further details see "Technical" section below.]

At the same time, the illogical CAZ boundary is so located that residents in our area with higher emission vehicles are almost completely enclosed by the CAZ, and would have to pay the CAZ charge to drive to any location other than via the A36. To put this in perspective, residents in some areas outside the CAZ boundary are typically complaining that they will have to pay to access the RUH, residents in other areas complain they will have to pay to travel across the city from north to south, or residents in yet further areas complain they will have to pay to travel across the city from east to

west - whilst our residents with higher emission cars will have to pay to travel **in all of those directions and more**. They will have to pay to get to the RUH, the M4, the south and the west, and in the East will escape the charge only if they go South East, not North East.

Ours is the only area in the whole of Bath that has been disadvantaged in this way of being so close to the centre whilst still being outside the CAZ, and it is obvious that this area will be targeted by drivers of higher emission vehicles who wish to access the centre of the city and drop off or park without paying the CAZ charge.

Consultation of residents in entire Bathwick area

We believe that the consultation has shown inclusion of the entire Bathwick area into the CAZ to be the wish of the vast majority of local people. In terms of consultations undertaken:

(i) PERA membership:

We have surveyed the views of our members with a very simple survey sent to them by email. We had a response rate of over 40%. The key data collected were:

- **93%** of respondents were supportive of the general principle of having a CAZ in Bath
- **A massive 98%** of respondents considered that the Pulteney Estate should be included in the CAZ.
- Additionally, we asked our members whether they felt residents with higher emission cars should be given a little longer to replace their cars – just over 88% of respondents agreed this was a good idea.

(ii) Bathwick Estate

Bathwick Estate Residents' Association (BERA) held a meeting for all Bathwick Estate residents which was addressed by Council officers, and our representative was invited to explain PERA's views. At the end of the meeting, a show of hands indicated approximately 3 to 1 attendees supported asking to be in the CAZ. Subsequently BERA decided to adopt this as their RA's policy and we are aware that they have made BANES aware of their wish to be included in the CAZ.

(iii) St John's Road/Grove Street

These two roads do not fall within the catchment areas of PERA or BERA – they fall within the area of the Abbey Residents' Association. A local concerned resident arranged a meeting for local residents – this was publicised by flyers delivered to properties in St John's Road and Grove Street. A meeting was held on 20 November, at which a Council officer presented information about the CAZ proposals. BERA and PERA representatives were invited to the meeting to explain their respective positions. A show of hands at the end of the meeting was overwhelmingly in favour of asking to be in the CAZ.

(iv) Clean Air for Bathwick campaign

We were invited by one of our members at Upper Sydney Place to attend a meeting with concerned residents of that terrace and one of their Councillors, Matt Cochrane. The meeting was attended by about thirty people, representing the vast majority of residents of Upper Sydney Place. Some were PERA members but the majority were not. We are aware that this group has now evolved into the Clean Air for Bathwick campaign group, which we know have submitted strong support for extension of the CAZ to include the Bathwick area.

(v) Bathwick Hill Residents' Association

We note that the Bathwick Hill Residents' Association also record on their website that their residents have discussed the CAZ proposals and that *"The general consensus in the meeting was that the CAZ needs to be extended to include the A36 from Pulteney Rd along Sydney Place to the Beckford Rd junction with North Rd to prevent our area being used as a rat run."* That is of course entirely consistent with what PERA are asking for.

(vi) Individual responses

We also know that numerous residents from this area have responded individually to the online consultation supporting inclusion of the Pulteney Estate in the CAZ, and/or written to Councillors expressing their strong support for this position.

In summary, we believe that we have done far more to show that there is strong support for inclusion of this area than have many areas with no plausible air quality issues to the West and North which have been included in the CAZ.

Class D

The primary focus of the CAZ should be on the health and wellbeing of residents of Bath and on reducing the exposure of vulnerable residents, including children and the elderly, to NOx. **We therefore support a Class D zone** – given the proportion of emissions contributed by cars, we believe they **must** be included. We have seen and agree with the Response of Lansdown Crescent Association with regard to the disadvantages of proceeding with a Class C Zone. We believe that other residents' organisations that have focused on relatively small residual exceedances in the 2021 modelling for Class C zone have failed to take account of the requirement for compliance "in the shortest possible time", and to recognise that 2021 is merely a backstop. Furthermore, in view of the inevitable uncertainties in modelling, a Class C zone clearly increases the risk that compliance will not be achieved by the backstop date of 2021, with the consequential health detriment to residents and potential penalty cost to council tax payers.

Exemptions and Concessions

Our members support an additional concession for cars of **local** residents **ONLY**. We submit that a grace period of two years to the end of 2022 would be appropriate. This would be appropriate mitigation given that, for many residents of Bath, the journeys they are making are not such that they can be avoided by use of public transport or use of the Park & Ride. This would greatly assist key workers who work shifts. Such a concession for non-residents is unnecessary as there is always an option to use alternative transport for them.

Unless the same concession is given to residents, we object to the concession for Euro 5 taxis. It is not a sustainable position to be suggesting that residents who have had to dispose of their car or refrain from using it for a journey may have to travel in a taxi which is just as polluting as their car was.

Usage of revenue

We note that much opposition to the CAZ outside Bath is related to the poor public transport provision, and we submit that providing more frequent and less costly public transport over longer hours should be a priority with any funding generated by the CAZ charges. Improving walking and cycling infrastructure will be irrelevant for many commuters.

Technical issues

NOx modelling assumptions

The objectives of the CAZ to eliminate exceedances of NOx have been framed with bare compliance with the legal threshold in mind. Bare compliance leaves no margin for error. This makes the use of absolutely correct assumptions essential when carrying out modelling of future NOx levels. However, at least the assumed background figure of NOx is clearly an underestimate. The assumed background figure apparently uses meteorological data from Filton which is unsuitable as a basis for modelling NOx in the very different conditions in Bath. It must be assumed that using Filton meteorological data will understate the NOx concentration in a “canyon” locality such as many of the main streets in Bath, including Sydney Place.

Response to certain specific points

It has been suggested to us or to various residents from this area that this area does not need to be in the CAZ for various reasons, none of which are plausible or supported by the facts. Our response to these points are summarised below:

Reason suggested by BANES or modellers	PERA comments
“The air quality measurements in this area show it’s unnecessary”	This is not true. The only relevant measurement in recent years was at Sydney Place and is reported in the BANES 2017 Air Quality Report. That BANES report disclosed a roadside NO ₂ measurement of over 50µg/m ³ , and explicitly noted that it could be indicative of exceedance at the location. Whilst these worrying readings are apparently dismissed by BANES as unreliable, the report’s acknowledgement of potential exceedance has surprisingly NOT been followed up with further measurements, as confirmed in the response to our recent FoI request. In other words, the only measurements taken along this very busy road show that there does appear to be a serious problem with air quality.
There aren’t many children walking in this area	On Beckford Road at the junction with Bathwick Street, measurements unequivocally show that there is an air quality problem and this is acknowledged by BANES – Beckford Road is one of the main walking routes to Bathwick St Mary’s Primary School. Whilst we recognise that a modelled reading of, say, 39.5 on Beckford Road might be “on target” in a literal legal sense, we do not consider it acceptable to be aiming at bare compliance in this way since it fails to allow for any tolerance. A much lower target level is essential on a road which is a frequent walking route

	<p>for young children. Similarly large numbers of children walking down from St Mary's school and King Edward's school cross the A36 at the end of Great Pulteney Street, in a part of the A36 where as noted above the only measurements taken in recent years are not officially accepted, but point to potential exceedance.</p>
<p>"This area will benefit from the improvements in air quality arising from the CAZ as currently proposed"</p>	<p>It is possible that the main roads passing through the PERA area would benefit from some improvement in air quality, but it is clear that air quality will deteriorate in the rest of the PERA area as a result of its becoming the target area for higher emission vehicles</p>
<p>"No reason to think that higher emission vehicles will seek to park in this area"</p>	<p>This area already has the worst provision of parking for residents in the whole of Bath, with the lowest number of residents' bays relative to permits, the highest parking demand figures, very high numbers of business permits (including around 90 hotel and guest house permits) and lots of pay and display bays that effectively can't be used by residents. There is already a problem with non-residents seeking to park here (and a desperate need to reduce shared P&D/Resident bays and increase Resident-only bays to reduce currently unacceptable availability of parking to residents). This problem is not just during business hours, but is at its worst when residents' parking restrictions are not in force e.g. evenings (use by non-residents eating out, visiting theatre, rugby matches etc.) and Sundays (Abbey services, tourist attractions, rugby matches, shopping etc.). Making this the "go to" area for higher emission vehicles will not only increase this problem, but disproportionately bring higher emission vehicles into the area to avoid the CAZ charge.</p>
<p>"Modelling shows slight reductions in traffic through the area"</p>	<p>We understood BANES's advisers to say in a meeting on 24 October that the JAQU modelling used can model traffic post-CAZ implementation but is "not permitted" to take account of drivers who are cruising an area looking for parking. Cruising to look for parking is an existing problem in this area because of its proximity to the City Centre and the Rec. Without taking into account this factor and in particular without taking into account the fact that the CAZ would encourage higher emission vehicles to preferentially seek out this area, the modelled changes to traffic are meaningless – they would be completely overwhelmed by the impact of even a relatively small number of higher emission vehicles attracted to this area and cruising around it looking for parking at slow speeds, which are known to be associated with inefficient engine operation/high levels of toxic emissions. In fact, it is far more likely that as a result of the "unmodelled" higher emission vehicles seeking to drop off and park here the traffic and emissions would increase significantly.</p>
<p>The impact on drawing higher emission vehicles in will be less than we anticipate</p>	<p>This assertion does not appear to take account of the unique way in which this area has been singled out as the only area that is outside the CAZ and yet in such close proximity to the busiest visitor attractions in Bath. Whilst Jacobs say that they have modelled for "avoidance", we have questioned whether this has adequately taken account of avoidance manoeuvres further afield than the Bath area – for example, not just within a few miles of the city, but further away such as the South East of England and the M25 South, where accessing Bath along the A303/A36 will be an easy avoidance option that doesn't add to mileage relative to M4 routes but will enable avoidance of the £100 CAZ charge for coaches or £9 charge for cars. [This is a very important factor given the number of</p>

	tourists whose journey within the UK will start from the South East – it was raised in our meeting with officers and Jacobs on 24 October but we have not yet received an answer.]
The river was a sensible boundary as it included the heritage area	The Pulteney Estate contains a very high proportion of the Grade I listed properties within Bath, and by far the highest concentration – see the local listed buildings map. Grade I listed buildings include the entirety of Great Pulteney Street, Johnston Street, Henrietta Street, Sydney Place and Upper Sydney Place. Sydney Place, a Grade I listed terrace containing Jane Austen’s house, fronts onto the A36 and the poor air quality there is so bad at busy times it is detectable by smell and taste.
The existing proposed boundary would catch vehicles using a proposed 600-800 vehicle car park at the Rec, if built	It is true that the stated “preferred” entrance for the proposed car park at the Rec would be within the current proposed boundary. However, this would potentially make things worse rather than better in that the thousands of vehicles making for the car park each day will encounter the CAZ signs just before the car park and the inevitable consequence is that most will choose to go into the Pulteney Estate where they will look to park to avoid the CAZ charge. This will yet further contribute to the disproportionate increase in higher emission cars here that will not be shared by any other area outside the CAZ.

We believe we have made an overwhelming case for inclusion of the entire Bathwick area in the CAZ. For the avoidance of doubt, we remain of the opinion that the scientific justification of a CAZ boundary that excludes the A36 is seriously flawed and we do not believe that a decision not to include this area will prove to be sustainable in the long run.

Pulteney Estate Residents’ Association
 Ceris Humphreys – PERA Lead on Air Quality and CAZ

26 November 2018