

Response to Public Consultation on Bath's Clean Air Zone

Pulteney Estate Residents' Association (PERA)

PERA is a subscription-based Residents' Association representing around 600 members in the Pulteney Estate area and is one of the largest member Associations of the Federation of Bath Residents' Association.

PERA is extremely grateful to B&NES officers for the huge amount of work they have put into the development of the CAZ. We look forward to seeing its implementation as soon as possible, bringing an improvement in the quality of life of people in this area, especially those with health conditions that are caused or exacerbated by poor air quality.

For the convenience of officers these comments follow the sections of the on-line questionnaire:

1. Change of Class D to Class C

We are disappointed that the B&NES Cabinet under the previous regime decided to adopt a Class C zone rather than class D and that the present regime has decided not to reverse that decision. Not only will this significantly reduce the improvement in air quality, it will also much reduce the funds available to provide meaningful improvements in public transport and other measures necessary to support a substantial switch away from car use. Most concerning of all, we note that the Peer Review of B&NES's CAZ proposals states that *"it is unclear whether the preferred option as defined in the OBC is actually 'likely' (rather than just 'possible') to 'achieve compliance in the shortest possible time', thereby increasing the risk of potential challenge to BANES' current Clean Air Plan."* (Section 3.2 in Air Quality Review), and that the risk of challenge to the Gradient correction, which underlies the main source of uncertainty and is related to the omission of diesel cars, is assessed to be "High" (See Appendix). The report quotes the opinion of the JAQU Independent Review Panel on B&NES's proposed CAZ Class C+ scheme as follows:

"The calibration factor applied to LGV/HGV on gradient sections is far greater than an expected value as implied by other studies. As example, the study undertaken at Caerphilly suggests a calibration factor of approximately 2 to be appropriate for cars and for vans. It appears this factor has only been applied to LGV/HGV and no factor has been applied to cars within the fleet. There is concern that in not applying this factor to all diesel vehicles, this may be disproportionately over-estimating the impact of the CAZ C+ measure package."

Our understanding is that the Peer Review implies there is significant doubt over whether the modelled impact of Class C adequately reflects the fact that private diesel cars are not liable to the CAZ charge. We are concerned B&NES is potentially exposing itself to such risk and liability.

Much was said in the Cabinet meeting of 5 March 2019 that adopted CAZ Class C to suggest that the reason for electing to adopt Class C was because Class D would impact most on the least affluent. We challenge that reasoning. We submit that the least affluent are both the most exposed to emissions-generated air pollution **and the least likely to generate such pollution** [See for example Barnes, Longhurst, *"Transportation Research, Part D: Transport and Environment, Vol 73 (2019), 56-66 "Emissions vs Exposure: Increasing injustice from road traffic-related air pollution in the United Kingdom"*]. We urge B&NES to continue to work hard to challenge unnecessary car use in the city which is a source of great social injustice amongst fellow citizens.

2. Zone Boundary

As indicated above PERA is pleased that the Zone Boundary has been extended to include the Bathwick area including the local school. The council will still need to be alert to potential impacts outside the Zone boundary and be ready to provide mitigation measures to alleviate any adverse impacts. We understand the reasons for the further extension to the canal and support this assuming that, generally, feedback BANES receives from those living in the area is not unfavourable.

3. Queen Square proposals

PERA opposes measures which displace traffic from one residential area to another. The Queen Square proposals will result in displacement to various residential streets, as explicitly acknowledged in the consultation leaflet. It is essential that there should be mitigation to prevent the impact of the extra traffic on the residential roads that are adversely affected. As a general rule, displacement of traffic into residential areas is unacceptable and therefore such traffic reduction measures should not take place unless or until parallel measures are in place to ensure that there is no consequential increase in traffic in any residential area.

A “car-free city centre” (first para on page 13) can only be acceptable if it includes the historic core – not just the commercial centre. The areas of the historic core that surround the commercial centre not only have a high concentration of residents, they also often have high levels of traffic, and yet are the most unsuitable roads to carry that traffic, mostly having old Georgian vaults which are too weak to carry heavy traffic and are crumbling under its weight.

A future closure of parts of Queen Square as contemplated on page 13 of the Consultation Leaflet would clearly displace much traffic not only into streets north of Queen Square but onto Bathwick Street, Sydney Place, Darlington Street, Pulteney Road, most of which are heavily residential and made up of Georgian terraces with under-street vaults, making them wholly unsuitable to carry the traffic they currently have let alone additional displaced traffic. It would be inappropriate to consider further closure of parts of Queen Square unless or until there are other measures in place to reduce substantially overall traffic into Bath, thus ensuring that there is no overall increase in traffic on those roads.

4. (a) Support Measures

In principle we favour support measures for local businesses and bus providers. However, there is potential for this to be abused especially by organisations who are not local to Bath who may have substantial vehicle fleets that are not all used in Bath. There need to be strong measures in place to scrutinise the awarding of such funding support to ensure it is fairly and appropriately allocated.

(b) Proposed requests for additional money

We understand that extensive preparations have been made by officers for additional anti-idling and weight restriction enforcement measures to be introduced but that funding has not yet been formally promised from central government. **These are essential ancillary measures to support the CAZ and we urge B&NES to continue to exert strong pressure on central government to provide the currently missing financial support.**

Whilst it may be appropriate to provide a small number of rapid charging stations within the CAZ for vans, taxis, PHVs, it would be better for most of the proposed charging points for these vehicles to be provided at Park & Rides in order to avoid unnecessarily drawing additional vehicles into the CAZ area for charging. In any event, any EV charging points for commercial vehicles within the CAZ

should only be for **smaller** commercial vehicles (vans/taxis/PHVs). Further comments on charging infrastructure in section 8 below.

We support incentives for non-compliant van drivers to use Park & Rides.

5. Re-investing money from the zone

Whilst any improvements in provision for cycling and walking are broadly welcomed, there is, in terms of relative proportions, too much focus on these provisions that favour the able-bodied and (usually) young, and too little focus on alternative provision for elderly, disabled, and other vulnerable groups. There needs to be much more focus on public transport which is too expensive, has too few routes often in the wrong places, is too infrequent, and doesn't run in the evenings on many routes.

We also support investment in Park & Ride improvements and school transport.

Whilst an app may be useful for some groups in society, what alternative is proposed to be developed for the many elderly people who will be unable to access an app?

6. Boundary Infrastructure

We do not have particular comments on the signage and camera placements as shown in the interactive map ""Boundaries in Detail" on the "Zone Boundary" page of the "Navigation" Menu on the main Breathe consultation webpage.

[For the avoidance of doubt, it is pointed out that the "Eastern Boundary" map listed under the heading "Signage, Boundary, Camera Plans (PDFs)" on the "Final Outline Business Case" link in the same "Navigation" menu is incorrect as it does not reflect the outward extension of the CAZ boundary, as agreed by Cabinet on 5 March 2019, along Warminster Road to include Bathwick St Mary's School and King Edwards School – our comments assume that the interactive "Boundaries in Detail" map referred to above is the correct version.]

7. Draft Charging Order

We have no specific comments on the wording of the order. Clearly care is required to check that the provisions relating to qualification for support and the funding process are framed so as to provide good control and audit mechanisms to minimise the risk of wastage and/or inappropriate application of support funding.

8. Other comments

(a) Contingency Plans

We understand that work is being carried out on the recommendations in the Peer Review, including in particular those in the Air Quality Chapter in section 3.3, and that the outcome of this work will be included in the Full Business Case. In view of the uncertainties identified in the Peer Review on the treatment of gradients and application of an appropriate gradient factor to diesel cars, with the consequent conclusion of the Reviewers that the air quality modelling for the Class C zone may have been over-optimistic, it is clear that the Reviewers' recommendations for further work must be followed. Of paramount importance is the need for robust monitoring and evaluation of the performance of the scheme, alongside a willingness to review and alter the scheme as early as possible should the real-world performance differ significantly from the business case (Peer Review Executive Summary - page 5), including if necessary changing to Class D. Such robust monitoring and evaluation should not be merely at one or two locations but should be at sufficient number of

locations around the CAZ area to allow plausible extrapolation of results across the entire CAZ area. It is noted that the Reviewers described robust monitoring and evaluation, and contingency plans as "critical to the successful implementation of the CAZ".

(b) Potential new developments

We note that the traffic modelling does not include possible new developments incorporating car parking. In particular, the proposed large new car park on the Recreation Ground inside the CAZ would, if approved, add substantially to parking capacity, contrary to the Bath Transport Strategy, and add substantially to congestion and air pollution in this part of the CAZ. The impact of a large car park in this area is also likely to invalidate the assumptions on which the CAZ was designed. If the proposed car park were to be given consent by BANES, pollution and congestion would be substantially increased in our area. We therefore urge BANES not to grant consent to a car park on the Rec.

Please see Powdthavi & Oswald, Ecological Economics, October 2019, "Is There a Link Between Air Pollution and Impaired Memory? Evidence on 34,000 English Citizens" (on free access at <http://www.andrewoswald.com/>) for recently published evidence suggesting that impact of air pollution in polluted areas can be equated to the loss of memory from 10 extra years of ageing. This is in addition to the numerous other known health impacts on individuals from the unborn and children through to the elderly.

(c) Need to reduce and eventually remove heavy vehicles in Bath

As indicated above, we understand following consultation events that B&NES now has powers to enforce weight restrictions. With that in mind, we suggest that a weight restriction be reinstated on Cleveland Bridge at the same time as implementation of the CAZ. This was tried a number of years ago but failed apparently because of the unavailability of police resource to enforce it. A weight limit at this location would potentially discourage heavy vehicle through-traffic from coming through Bath. To the extent that the weight restriction did not deter HGVs, it would potentially generate income that would help to fund the repairs of the cumulative damage that these vehicles are doing to the road surfaces, fragile vaults and facades of the Georgian terraces lining most of Bath's main roads. Implementation of the CAZ provides an opportunity to make this change in the context of a much greater rearrangement within which its impact will be much reduced, and has the potential to be an effective complementary measure contributing to successful achievement of the CAZ objectives.

(d) Low Traffic Neighbourhoods

We understand that consideration is currently being given to Low Traffic Neighbourhoods. We support the principle of LTNs in residential parts of the city. There is potential for later introduction of LTNs to duplicate infrastructure and/or negate effects of the CAZ. Where possible within the extreme time constraints imposed by the direction from central government on the CAZ process, it would seem useful for some consideration to be given to the interplay between these two projects, as this may have cost benefits and reduce the amount of road furniture necessary.

(e) Particulates

It has previously been suggested that the Review of the CAZ would include particulates and we note that this has not been possible. However, for the record it is noted that the latest data, available in the 2019 Air Quality Report, shows that the level of PM_{2.5} exceeds the value recommended by the WHO Guidelines. Whilst it may be within the current EU limit, it is widely acknowledged, including by

UK government ministers, that the EU limit is too high and that the UK should be working towards the WHO Guideline figure. Whilst we accept that the narrow scope of the CAZ direction does not require consideration of particulates, we urge B&NES to increase the priority that is given to particulate pollution.

(f) Charging stations and compliance with B&NES's Climate Emergency obligations

As is increasingly becoming understood elsewhere, it is unacceptable in terms of the Climate Emergency to proceed on the assumption that existing diesel cars simply be replaced by electric cars. We support the provision of charging stations within Bath for **essential** vehicles – emergency vehicles, smaller electric delivery vehicles, council service vehicles etc. We also support the provision of some charging stations for cars at Park & Ride locations. However, the focus should be on deterring private cars from coming into the city, not provision of infrastructure to encourage them. A straight switch to e-cars would do nothing to address Bath's severe congestion problem, and in the context of Bath there are the following objections:

- E-cars do not significantly reduce fossil fuel use but largely just displace the emissions to someone else's neighbourhood; it is increasingly understood that there is currently no clearly foreseeable prospect of e-cars being mainly powered through renewables.
- They do not reduce particulate emissions. Indeed there is a school of thought that, because they are currently heavier than diesel or petrol cars, they sometimes produce more, especially in stop/start driving conditions - as occur in a congested urban environment.
- It should also be borne in mind that the extraction of the special metals currently required for the batteries is strongly associated with environmental degradation including deforestation.

These are all strong negative factors with regard to compliance with climate emergency obligations.

In these times of greater understanding of the climate emergency, B&NES should be focussing its attention on reducing traffic into Bath, on supporting services which provide everyone with genuine alternatives to car use, and not on encouraging measures which will be useful only for those wealthy enough to afford e-cars which are currently vastly more expensive than conventional cars.

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On behalf of Pulteney Estate Residents' Association

20 October 2019