

Report of the Strategic Director, Health & Wellbeing to the meeting of the Executive Committee to be held on the 2nd March 2021

Subject:

DN

Bradford Clean Air Plan (CAP)

Summary statement:

Since Autumn 2018 the Council has been working under Ministerial Direction to prepare a local plan for how it intends to deal with exceedances of the legal levels of nitrogen dioxide (NO₂) at key locations in the District. In December 2020 the Council submitted its Clean Air Plan (CAP) full business case (FBC) to Government setting out its plan to implement a category 'C' Clean Air Zone in the District. The arrangements in the FBC were assessed by representatives of the Joint Air Qualities Unit (JAQU) who have recommended a provisional funding award to Ministers for confirmation and delivery during 2021. This report updates Executive on the arrangements set out in the CAP and seeks endorsement for its implementation.

EQUALITY & DIVERSITY:

The Council has carried out an extensive Distributional Analysis and Equality Impact Assessment as part of the development of the proposals in the CAP FBC which has been approved by the Government. This work has informed the development of the Bradford CAP and supported the applications for funding to help mitigate against any adverse impacts of the CAZ.

Iain MacBeath
Strategic Director, Health & Wellbeing

Portfolio:

Healthy People & Places

Report Contact: Andrew Whittles,
Programme Manager, Bradford Clean Air
Plan

Phone: 0758 405 8868

E-mail:

Andrew.whittles@lowemissionstrategy.com

Overview & Scrutiny Area:

Regeneration & Environment

1. SUMMARY

- 1.1 Since 2018 the Council has been working under Ministerial Direction to prepare a local plan for how it intends to deal with exceedances of legal levels of Nitrogen Dioxide (NO₂) in the shortest possible time. In December 2020 the Council submitted its Full Business Case for this plan which the Government has approved.
- 1.2 The Clean Air Plan contains a number of measures to tackle NO₂ levels including the introduction of a Category 'C' Clean Air Zone (CAZ) which will require owners of non-compliant taxis, light goods vehicles and heavy goods vehicles to pay a daily charge to enter the zone. Private passenger cars are not subject to this charge. In order to achieve compliance with legal threshold limits the CAZ will need to be operational by January 2022. To mitigate the impact of the CAZ on sectors of the local economy Government has funded a range of grants and exemption initiatives through their Clean Air Fund which are also included in the FBC.
- 1.3 Whilst the focus of the CAP is primarily to improve air quality it also seeks to improve the health of residents of Bradford, help reduce greenhouse gas emissions, in line with the Council's Climate Emergency Agenda, and support clean growth.
- 1.4 The Government has approved the Council's FBC and made a provisional funding award based on the FBC arrangements. Subject to final Ministerial approval the Council will receive further funding of £2.5m for the implementation of the CAZ and further funding of £31m for supporting grant and exemption measures, meaning total funding to the Council of £39.3m for the implementation of the CAP
- 1.5 This report therefore seeks Members endorsement of:
 - i) approval for the implementation of a Clean Air Zone (CAZ) in Bradford at the beginning of 2022
 - ii) approval for the delegation of authority to the Strategic Director Place, in consultation with the Healthy People and Places Portfolio Holder, the Regeneration, Planning and Transport Portfolio Holder, the Director of Finance and the City Solicitor for the purpose of carrying out consultation on the Bradford Clean Air Zone, Charging Scheme Order (CSO) and its subsequent adoption including the confirmation of relevant grant and exemption packages
 - iii) approval for the delegation of authority to the Strategic Director Place in consultation with the Healthy People and Places Portfolio Holder and the Regeneration, Planning and Transport Portfolio Holder for the design and delivery of Clean Air Zone publicity campaigns

2. BACKGROUND

Bradford Clean Air Plan

- 2.1 Levels of nitrogen dioxide (NO₂) in the Bradford District have consistently exceeded

legal limits at key locations, including:

- Shipley Airedale Road, between Leeds Road and Barkerend Road
- City Centre
- Manningham Lane
- Bingley Road, Saltaire
- Outer Ring Road
- Mayo Avenue / Manchester Road

Figure 1: NO₂ levels in the City Centre, 2018 (areas in red exceed legal limits)



Bradford Health

- 2.2 Poor air quality is closely linked to poor health in Bradford and frequently identified in the most deprived Wards in the District. The Council fully recognises that improving local air quality is essential to attain better health outcomes for all. This is particularly important for the above national average numbers of young people in the District (22% of the total population) who are particularly sensitive to the effects of poor air quality. They may experience life-long impacts resulting from pollutant exposure in their early years.
- 2.3 Data from over 74,000 mothers across 14 European cohort studies, including Born in Bradford (BiB)¹, has demonstrated that a 10 ug/m³ increase in NO₂ is associated with a 9% increase in the odds of a low birthweight². Bradford has higher rates of low birthweight babies than the national average (3.6%). Bradford has high levels of childhood asthma with 22% of children having recorded a wheezing disorder³.

¹ <https://borninbradford.nhs.uk>

² Pedersen M, Giorgis-Allemand L, Bernard C, et al. Ambient air pollution and low birthweight: a European cohort study (ESCAPE). *The Lancet Respiratory Medicine* 2013;**1**(9):695-704 doi: 10.1016/S2213-2600(13)70192-9

³ Mebrahtu TF, Feltbower RG, Parslow RC. Incidence and Burden of Wheezing Disorders, Eczema, and Rhinitis in Children: findings from the Born in Bradford Cohort. *Paediatric and perinatal epidemiology* 2016;**30**(6):594-602 doi: 10.1111/ppe.12310

Research estimates that 38% of all annual, childhood asthma cases may be due to the negative health effects of nitrogen dioxide and nitrogen oxide. The rate of hospital admissions for asthma in Bradford is high compared with England. Emergency hospital admissions for asthma (0-19 years) are shown in table 1.

Table 1 - Emergency hospital admissions for asthma (0-19 years)

Year	Bradford		Y&H	England
	Number	Rate per 1,000	Rate per 1,000	Rate per 1,000
2012-13	324	2.2	2.1	2.2
2013-14	313	2.2	2.0	2.0
2014-15	420	2.9	2.1	2.2
2015-16	356	2.4	1.7	2.0
2016-17	397	2.7	1.8	2.0
2017-18	385	2.6	1.7	1.9
2018-19	415	2.8	1.6	1.8

2.4 Bradford has high levels of underlying ill-health which make our residents more vulnerable to the effects of air pollution. This includes higher than average mortality from cardiovascular disease in under 75 years (102.2 per 100,000). The rate of COPD⁴ admissions is far higher than the national average of 2 at 2.6 per 1,000. Bradford also has marked higher than average prevalence of respiratory disease – see table 2.

Table 2 - Under 75 Mortality Rate from all respiratory disease

Year	Bradford		Y&H	England
	Number	Rate per 100,000	Rate per 100,000	Rate per 100,000
2011-13	517	48.9	39.3	33.2
2012-14	536	50.1	38.6	32.6
2013-15	556	50.9	38.4	33.1
2014-16	569	51.4	39.0	33.8
2015-17	612	53.9	39.7	34.3
2016-17	591	50.7	41.2	34.7

2.5 Public Health England (PHE)⁵ estimates that in 2019 4.7% of mortality in Bradford was attributable to particulate pollution which is equivalent to over 200 deaths in the District. Bradford health data gives an indication of the scale of the ‘at-risk’

⁴ Chronic obstructive pulmonary disorder

⁵ <https://fingertips.phe.org.uk/profile/health-profiles>

population that have potential to be more adversely affected by poor air quality and also indicates a higher number of people who would be positively affected by improved air quality than the general UK population.

Bradford Clean Air Plan

- 2.6 Bradford Council received Ministerial Direction in Autumn 2018 to prepare a plan to achieve compliance with legal limits for NO₂ in the District in the shortest possible timeframe and by 2022 at the latest. The development of the Bradford Clean Air Plan was required to follow the Government's assurance process requiring submission of a Strategic Outline Case in January 2019 which set out the Council's "long list" of potential interventions. This was followed in October 2019 by an Outline Business Case which presented a 'preferred' solution to Government using the HM Treasury Five Case Approach. Following further detailed work on the options presented in the Strategic Outline Case the OBC detailed the Council's preferred option to introduce a Clean Air Zone Class C+ in the District in late 2021 to early 2022, whereby, all non-compliant vehicle types, except passenger cars, would be charged on a daily basis for entering the CAZ area.

To avoid the inclusion of passenger cars in the CAZ scheme, which would have the potential for severe impact on the most deprived and vulnerable sections of our communities the Council proposed to include an additional (plus) standard for non-wheelchair accessible, private hire vehicles (PHV) beyond the standard included in the national Clean Air Zone Framework⁶.

- 2.7 The development of the OBC involved extensive survey and engagement work, including:
- Stated Preference survey of the operators of approximately 4,000 vehicles
 - ANPR (automatic number plate recognition) surveys of the number & types of vehicles operating in the proposed CAZ area, including their emission standards
 - Engagement surveys involving 1,701 members of the public, 80 businesses and 569 taxi drivers and operators
- 2.8 The Bradford CAP OBC was approved by the Government and a further Ministerial Direction was issued in February 2019 requiring the Council, subject to public consultation on the Council's preferred option to improve air quality, to commence work on the implementation of a CAZ and prepare a final business case (FBC) detailing the Council's final plan.

In addition to Government funding of £1,102,550 to prepare the CAP OBC, the Council was awarded a further £614,124 to fund the preparation of the FBC and £4,069,376 of capital and revenue funding to begin CAZ implementation work.

- 2.9 The arrangements set out in the OBC were reported to the Council Executive Committee on the 18th February 2020 with approval given for consultation to be carried out on the CAP preferred option to improve air quality.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/863730/clean-air-zone-framework-feb2020.pdf

The Executive also approved the delegation of authority to the City Solicitor, portfolio holders (Health and Well Being, Planning, Regeneration and Transport) in conjunction with Strategic Director (Health and Well Being & Planning Regeneration and Transport) authority to complete any agreements necessary in the run up to clean air zone implementation.

- 2.10 The Council carried out full, public consultation on the preferred option to improve air quality from the 18th February to the 8th April 2020. 1,637 responses were received, including 744 from taxi drivers and operators and from 88 from businesses. Responses from the general public were lower than in the previous engagement exercise, however, this is thought to be due to the fact that the Council were not proposing an option that included passenger cars.

The findings of the consultation demonstrated that 67% of the public supported the implementation of a CAZ with 12% unsure. The majority of respondents who did not support the CAZ came from postcodes outside of the CAZ area to the west of the District, including Queensbury, who expressed concerns about increases in potential traffic re-routing to avoid the CAZ. In response, the Council will be carrying out extensive monitoring & evaluation of the CAZ, including any traffic displacement. See figure 2.

While there was a mixed response to the CAZ from taxi drivers and operators, 40% of the taxi trade said they were likely to move to an electric vehicle given the right incentives. The majority of responses from the taxi trade showed the need for financial support to transition to the CAZ. See figure 3.

The CAP consultation feedback report can be found on the dedicated CAP website – Breathe Better Bradford (<https://www.bradford.gov.uk/breathe-better-bradford/clean-air-zone-consultation/clean-air-zone-consultation/>)

Figure 2: Do you agree with the introduction of a CAZ (public)

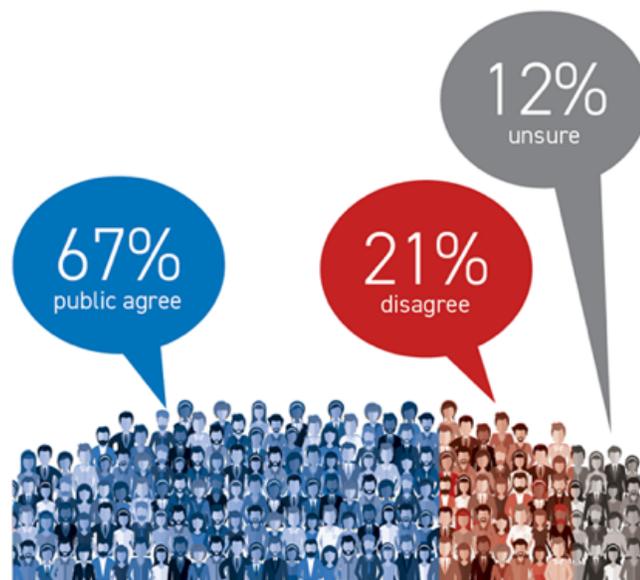
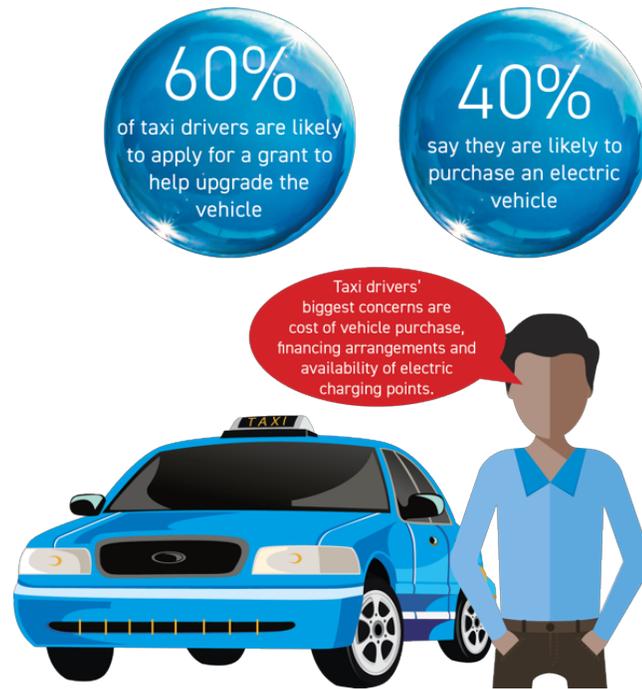
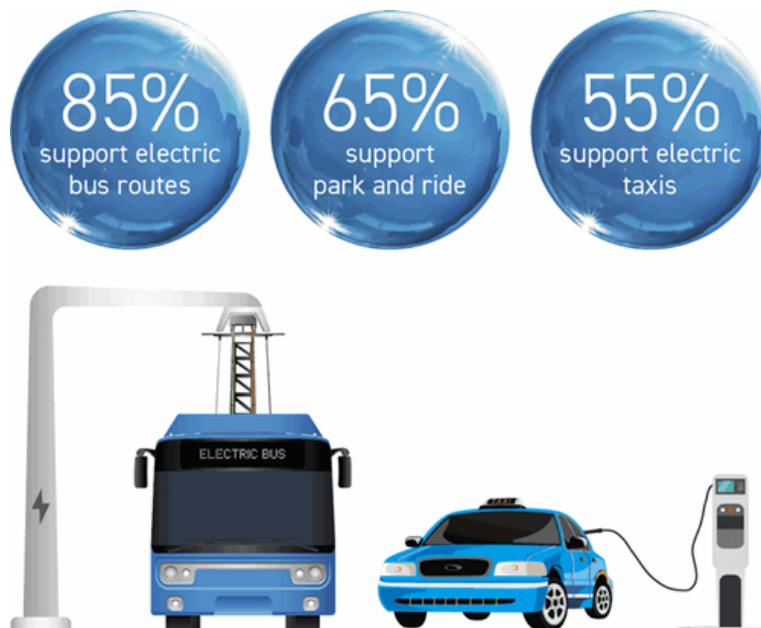


Figure 3: Taxi trade responses to consultation



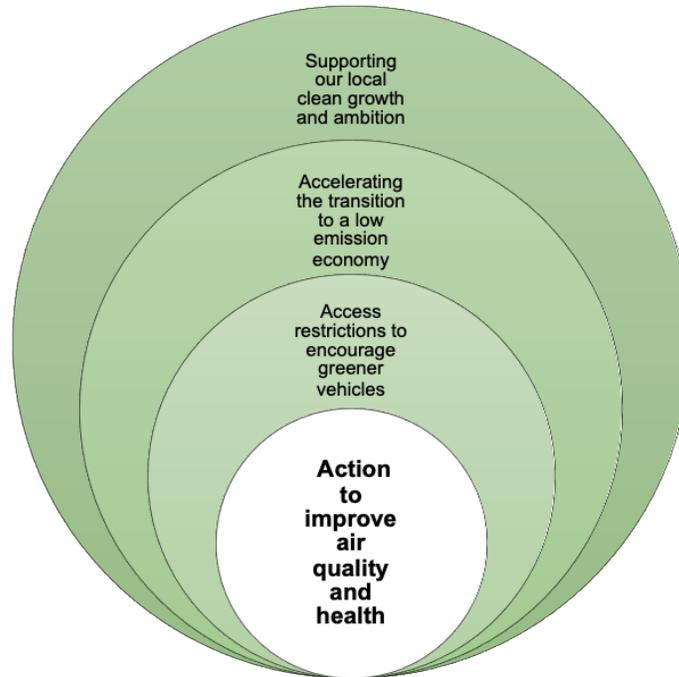
2.11 The public and businesses were asked what additional measures they would like to see in addition to the CAZ. The most popular measure for both the public and businesses is the introduction of ultra-low emission buses – see figure 4. Additionally, there was strong support for Park and Ride and 58% of businesses said they were likely to use the proposed Advanced Fuel Centre (AFC) which would allow heavy-duty fleets to convert to biomethane.

Figure 4: Support for air quality improvement measures



2.12 The Council submitted the Strategic, Economic, Management and Commercial Cases of the FBC to the Government at the beginning of December 2020, with the Finance Case submitted just before Christmas, following the conclusion of the CAZ camera procurement exercise.

Figure 4: Strategic Aims of the Bradford Clean Air Plan



2.13 The FBC Strategic Case outlines the key strategic aims for the CAP, including:

- Immediate action to improve air quality and health
- Access restrictions to encourage greener vehicles
- Accelerating the transition to a low emission economy
- Supporting our local clean growth ambition

2.14 The Strategic Case sets out the policy justifications and evidence for the need to improve air quality with the critical success factor of achieving compliance with legal limits for NO₂ in the shortest possible timeframe, with secondary success factors, including:

- Improving the health of the residents of Bradford
- Reducing greenhouse gas emissions in line with the Council's declared Climate Emergency Agenda
- Providing a platform for inward investment to support the growth of the Bradford low emission economy

2.15 The outputs of detailed modelling are laid out to explain the need for the Class C+ CAZ, including the air quality improvements that will be achieved across the District. The CAZ C+ measures are explained. These include plus (+) measures for non-wheelchair accessible, private hire vehicles (PHV) to go beyond national CAZ Framework Standards to achieve compliance. The alternative would mean consideration of a CAZ D which would include passenger cars. The Strategic Case details the health impacts arising from air pollution in Bradford and outlines the health impact assessment (HIA) of the CAP that will be undertaken

by Born in Bradford⁷ that has been supported by the Government as a project of national significance.

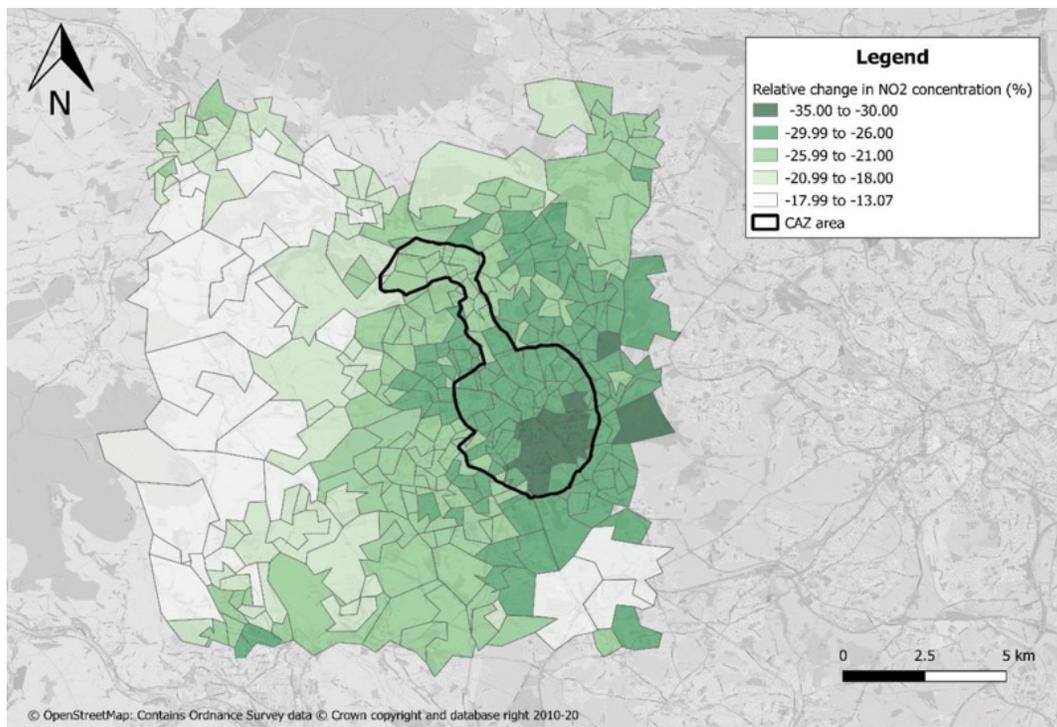
The Economic Case details the assessment of options, considered by the Council, to improve air quality and provides cost benefit analysis, distributional analysis & equality impact assessments that support the Council's Plan and applications for CAP funding.

Both the Strategic and Economic Cases consider the implications of the Covid-19 pandemic on future air quality and traffic levels and the levels of support needed for local businesses to adapt to the CAZ. The Council has shown that CAZ exemptions can be provided to some local businesses up to SME level without compromising compliance with legal limits for NO₂.

Figure 5 shows the improvements in NO₂ concentrations across the District due to the implementation of the CAZ. The effect of the CAZ will be to bring about compliance with legal limits for air quality and a reduction in levels of up to 35% in key locations, including air quality improvements in all Wards across the District.

In addition to the projected improvements in air quality, it is expected that the CAP will bring about reductions in greenhouse gas emissions of up to 150,000 tonnes over the life of the Plan.

Figure 5: NO₂ concentration changes in the District due to the implementation of the CAZ



2.16 The Management Case provides details for managing the CAP Delivery Programme, including benefits realisation and risk management. Roles involved in delivery are clearly defined and governance and reporting structures are laid out,

⁷ <https://borninbradford.nhs.uk>

including the constitution of the CAP Delivery Programme Board. The Management Case identifies that the CAP has been developed under the Senior Responsible Officer (SRO) Strategic Director, Health & Wellbeing, and will transfer SRO duties for delivery to Strategic Director, Place, subject to Executive Committee approvals to implement the CAZ.

- 2.17 The Commercial Case lays out the Council's approach to commercial aspects of the CAP, including procurement of the CAZ camera enforcement system, including digital platform and network support, and resource requirements for delivery. Unlike most other CAZ Authorities, who have procured turn-key solutions for CAZ enforcement, the Council has opted for a supply contract for the automatic number plate recognition (ANPR) camera system and will use its in-house resource for the delivery and management of the CAZ.
- 2.18 The Finance Case provides the outputs of detailed financial analysis of the implications for delivering the CAP and implementing the CAZ, including the need to establish a sinking fund and CAZ de-commissioning costs. These include capital and revenue requirements to ensure that the delivery of the CAP does not incur any cost to the Council. The costs of CAZ implementation to be borne by the Government are identified, plus any costs for the operation of the CAZ which are to be funded through any revenues arising from the CAZ. The Finance Case provides projections of CAZ revenues due to daily charges paid by non-compliant vehicle operators. The majority of CAZ revenues will be used to support resource for CAZ operations, including monitoring & evaluation and Government Central CAZ Service Charges. Any excess revenues are legally required to be used to support further initiatives to improve air quality in the District, including the Council Fleet Emission Reduction Programme and the introduction of ultra-low emission public transport.
- 2.19 The Government has approved the FBC and has agreed that the Council has justified levels of funding above national average, particularly for taxis. The expert Independent Review Panel (IRP) that advises the Government has described the CAP FBC as a thorough and detailed plan and commended the Council approach.

Similar to other CAZ authorities, a redacted version, excluding commercially sensitive information of the FBC will be published on the Breathe Better Bradford website in due course.

- 2.20 The FBC includes bids under the two Government funding streams – Implementation Fund (IF) for capital and revenue costs for implementing the CAZ and the Clean Air Fund (CAF) to provide funding for CAZ mitigation measures. The Government has provisionally approved additional funding of £33.5m (£31m CAF and £2.5m IF) to support the delivery of the CAP. This funding will require Ministerial confirmation, that will be phased from the week beginning 8th February to the end of February. The Government has stated that all funding will be released within the current financial year. Therefore, Council Executive approvals are subject to the provisional Treasury funding allocation being confirmed by the Minister and released within the current financial year.

The provisional, additional funding allocation represents total Government funding to the Council for the development and delivery of the CAP of £39,286,050.

2.21 The Government has acknowledged the Council's justification for increased funding for the taxi trade in Bradford and has provisionally awarded above national levels of grant funding for PHV upgrade and support for both Hackney Carriage and PHV to convert to electric. Total provisional funding award for the Bradford taxi trade amounts to £10,042,200, including £2,592,600 for electric taxi uptake support. The proposed grant funding level for wheelchair accessible taxis in Bradford has also increased from consultation levels. Table 3 shows the breakdown of the Clean Air Fund award for taxis in Bradford (provisional). Table 4 shows the breakdown of the Clean Air Fund awards for all vehicle classes (provisional).

Table 3: Proposed breakdown of Clean Air Fund grant awards for taxis

Taxi Type & Grant No.	CAZ Standard	Grant level	Total
<i>HC/PHV (wheelchair accessible), 427</i>	Euro 4 petrol / Euro 6 diesel	£4,000	£1,280,000
	Electric vehicle (up to 25%)	£5,000 (2 x £2,500 running costs)	£535,000
<i>Private Hire Vehicle (not WAV), 2,571</i>	Euro 5/6 petrol hybrid	£3,200	£8,227,200
	Electric vehicle (up to 25%)	(for vehicle upgrade or EV running costs)	
			£10,042,200

Table 4: Proposed breakdown of Clean Air Fund grant awards for all vehicle classes affected by the CAZ, including defrayment resource

Vehicle type, no. of grants	CAZ Standard	Grant level	Total
<i>HC/PHV (wheelchair accessible), 427</i>	Euro 4 petrol / Euro 6 diesel	£4,000	£1,280,000
	Electric vehicle (up to 25%)	£5,000 (2 x £2,500 running costs)	£535,000
<i>Private Hire Vehicle (non-WAV), 2,571</i>	Euro 5/6 petrol hybrid	£3,200	£8,227,200
	Electric vehicle (up to 25%)	(Vehicle upgrade or EV running costs)	
<i>Bus (commercial & tendered services), 102</i>	Minimum Euro 6 diesel, including alternative fuels	£16,000	£1,632,000
<i>Coach, 104</i>	Minimum Euro 6 diesel	£16,000	£1,664,000
<i>HGV, 401</i>	Minimum Euro 6 diesel, including alternative fuels	£16,000	£6,416,000
<i>LGV, inc. minibus, 2,301</i>	Minimum Euro 6 diesel	£4,500	£10,354,500

	Electric vehicle (unlimited)	£4,500 (2 x £2,250 running costs)	
<i>Defrayment resource</i>	-	-	£1,140,000
			£31,248,700

2.22 In addition to the CAF funding awards, the Government has already released £3,960,000 in Clean Bus Technology Funding (CBTF) to upgrade 217 commercial buses in Bradford to CAZ Standard. This funding has been administered on behalf of West Yorkshire Authorities by the West Yorkshire Combined Authority (WYCA).

The Government will provide early confirmation of CAP funding of £1,632,000 to upgrade the 102 remaining, non-compliant, commercial and tendered buses in the District to CAZ Standard. The Council will work in partnership with WYCA to administer this bus funding defrayment which will take the form of a competition to comply with State Aid rules.

2.23 The CAP FBC outlines the need for additional relief for businesses in Bradford affected by the CAZ in the form of exemptions which has been acknowledged by the Government. These exemptions will be in addition to the national 'white-list' of exempted vehicle classes. The Bradford 'white-list' will incorporate a register of vehicles operated by local businesses up to SME level that satisfy criteria for exemption. The Council anticipates that 30% of local vehicle operators may seek exemptions to CAZ charges while 70% are likely to take advantage of grant packages to upgrade to CAZ Standard. The projected value of exemptions for local heavy goods vehicle (HGV) operators is £2,300,000 and for local light goods vehicle (LGV) operators is £6,100,000.

2.24 The Government has provisionally awarded a further £2.5m in Implementation Funding, in addition to the £4,069,376 already awarded, to cover the costs of the CAZ enforcement system and resource cost until the CAZ goes live.

Bradford Clean Air Zone (CAZ)

2.25 The Bradford Clean Air Zone (CAZ) will operate 24 hours a day within the area shown in figure 6.

2.26 All non-compliant vehicles entering or operating with the CAZ area, unless subject to an exemption, will be required to pay a daily charge of:

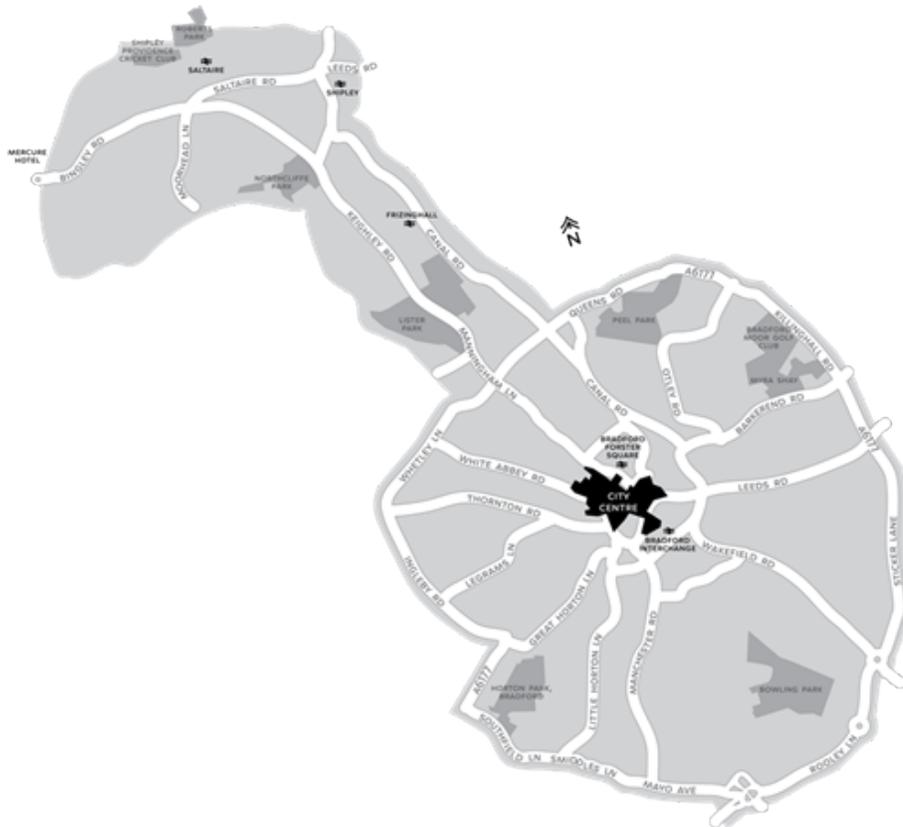
Buses & Coaches = £50

HGV = £50

LGV, including minibus = £9

Taxi (Hackney or Private Hire) = £12.50

Figure 6: Clean Air Zone (CAZ) area



Minimum emission standards for CAZ compliant vehicles are shown in table 5.

Table 5: Emission Standards for the Clean Air Zone

Vehicle Type	Category	Euro Standard
<i>Bus</i>	M3 (GVW over 5000 kg and more than 8 seats in addition to the driver)	Euro VI
<i>Coach</i>		
<i>HGV</i>	N2 (GVW over 3500 kg) N3 (GVW over 5000kg)	Euro VI
<i>Van</i>	N1 (GVW not exceeding 3500 kg)	Euro 6 (diesel) Euro 4 (petrol)
<i>Minibus</i>	M2 (GVW not exceeding 5000 kg, and more than 8 seats in addition to the driver)	Euro 6 (diesel) Euro 4 (petrol)
<i>taxi and private hire</i>	Minibus - M2 (GVW not exceeding 5000 kg, and more than 8 seats in addition to the driver) / wheelchair accessible vehicles (WAV) whether Hackney Carriage or private hire vehicle (PHV)	Euro 6 (diesel) Euro 4 (petrol) Electric upgrade option
	Passenger vehicle with up to 8 seats in addition to the driver	Euro 5 (petrol hybrid) for PHV Electric upgrade option

Ultra-low emission vehicles with significant zero emission range will never be charged for entering or moving through the Clean Air Zone

2.27 Vehicle operators will be able to check whether their vehicles are compliant with the Bradford CAZ through the Government's CAZ Vehicle Checker

(<https://www.gov.uk/check-clean-air-zone-charge>). This facility will also be accessible via the *Breathe Better Bradford* website and will become available in Summer 2021. Operators of non-compliant vehicles will be able to pay the daily charge through this portal up to 7 days in advance or 7 days in arrears of entering the CAZ. Non-compliant vehicle operators who enter the CAZ without paying the daily charge will be subject to a fine.

- 2.28 Local vehicle operators up to SME level will be able to apply for an exemption to the CAZ charges for a limited number of vehicles, in line with State Aid rules.
- 2.29 The Council is designing an extensive publicity campaign to inform vehicle operators of the CAZ introduction. This will include national CAZ promotional material that incorporates the Council's *Breathe Better Bradford* branding – see figure 7 below:

Figure 7: Example of CAZ publicity designs



- 2.30 The Council intends to provide a soft launch of the CAZ in December 2021 whereby non-compliant vehicle operators entering the CAZ area will receive letters, notifying them of the implications for driving within the CAZ following go-live on the 4th January 2022.

The CAZ will remain operational until levels of NO₂ show compliance with legal limits for a 2-year period and that the Council is satisfied that removing the CAZ will not result in a subsequent deterioration in air quality.

CAZ Charging Scheme Order (CSO)

- 2.31 The mechanism which provides the legal basis for the introduction of a CAZ is a Charging Scheme Order (CSO) which is a local charging scheme promoted under the Transport Act 2000. This order sets out the minimum emission standards for each vehicle class that may be subject to a charge if it does not meet this minimum standard. The general arrangements for the operation of the CAZ (eg. payment mechanisms for the daily charge, process for the issue of fines) are also defined within this order. The CSO will also refer to the CSO Policy document that will identify any exemptions to CAZ charges.

Subject to Executive's approval, the Council will undertake the necessary statutory consultation on the CSO and publish the final CSO, prior to the CAZ going live.

CAZ Grants and Exemptions

- 2.32 All local businesses with non-compliant vehicles who are either based in, or are likely to enter, the CAZ will be eligible to apply for grants to upgrade their vehicles or apply for exemptions to CAZ charges. Both grant and exemption schemes will be subject to State Aid rules and will be designed to encourage the take up of grants over exemptions.

Operators of HGVs for hire and reward based outside the District, but are likely to enter the CAZ frequently, will also be eligible to apply for grant funding.

The Council is currently designing the CAZ grant and exemption packages, subject to Ministerial confirmation of funding, and anticipates that applications for exemptions could begin in April/May with grant applications invited in May/June. The Council will facilitate on-line applications for grants and exemptions through the *Breathe Better Bradford* website. The final grant and exemption packages will be subject to approval by the Portfolio Holders.

Health Impact Assessment of the CAZ

- 2.33 Born in Bradford has been awarded £1.1m in national health research funding to undertake a comprehensive health impact assessment (HIA) of the CAZ. This unique project has been described by the Government as having national significance.



3. OTHER CONSIDERATIONS

- 3.1 As part of the development of the CAP, the Council has approved the development of an Advanced Fuel Centre (AFC) at the Waste Recycling Facility on Bowling Back Lane. The £6.03m project will see the Council convert its heavy-duty fleet to operate on compressed biomethane over a 7-year period from 2021. A compressed gas refuelling station will be built at Bowling Back Lane with access to the high pressure gas network in partnership with Northern Gas Networks (NGN).

The AFC will become operational in 2022. Third party haulage and bus companies will be able to use the facility which will provide a cost-effective solution to upgrade to CAZ standard and achieve up to 85% GHG reductions. It is anticipated that the Council will reduce GHG emissions of 12,000 tonnes over the first 7 years of AFC operation. Vehicle operators will be eligible to apply for CAZ grant funding to upgrade to CAZ standard, compressed gas vehicles.

The Council is currently looking at opportunities to process organic, municipal waste through anaerobic digestion with the potential to produce vehicle grade biomethane to fuel our heavy-duty Council vehicles.

- 3.2 The Council are looking at whether any measures need to be introduced as part of the Taxi Licensing process to support CAZ measures. Any measures identified will be reported to the Council Regulations and Appeals Committee.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 The total additional grant funding available is circa £39.3m, representing a mix of revenue and capital. This project is entirely grant funded which reduces the financial exposure of the Authority. Grant conditions provide a reasonable level of confidence that the Authority can meet the required conditions and mitigate the risk of grant clawback (subject to confirmation from Legal Services).
- 4.2 The financial aspect of the Business Case has been approved by the Government's Delivery Independent Review Panel (DIRP). There is confidence that the aspirational plans set out in the CAZ can be delivered within the financial envelope offered by the Government.
- 4.3 Further detailed financial and performance reviews should be undertaken in conjunction with Financial Services over the following areas:
- i) The financial business case should be assessed for impact on the Authority's finances, with clear allocation between revenue and capital costs.
 - ii) The grant conditions outline a requirement for any and all surpluses to be ringfenced in a priority sequence, as follows:
 - To be used towards CAZ operation costs in the latter years of the project when income is expected to decline due to increased compliance;
 - To be allocated towards CAZ decommissioning and removal costs; and
 - To make final payments to Government for the use of the Central Service.

Final residual balances, after grant conditions have been met, can be used for future projects that contribute to 'improvements in air quality'. This project will need to be monitored with sufficient control and a project P&L maintained to ensure the transparent use of income and funds for their intended purpose to a rigour that can withstand any future inspection and audit review from the grant funding body.

- iii) It is expected that natural compliance of fleet will be achieved over time as people upgrade their vehicles. The CAP program provides an opportunity for the Authority to use 'nudge economics' to ensure project success, by effecting long term positive changes in behaviour through low cost, high impact strategies. A key success indicator for the CAZ project is that as stakeholders in the district choose to select low emission forms of transport as the 'norm', expected income generated from the CAZ should gradually decrease and be entirely eliminated over time, effectively planned obsolescence of the CAZ project. As such, financial modelling, benefits traceability, project risk management and performance evaluation should be performed over the full project lifecycle, from the time the project is placed into operation to decommissioning, with clear project exit criteria, based on verifiable changes in stakeholder behaviour, in order to remove the CAZ. Consideration has been given to later year costs being drawn from surpluses generated in earlier years and sourcing additional funding from Government. This will require financial awareness in order to prevent or mitigate any adverse impact on the Authority's revenue position.
- 4.4 The points outlined in paragraph 4.3 will be presented to PAG on a voluntary basis in order to provide a line of sight for senior officers to this project. While this project is entirely grant funded and does not require PAG approval, this project will be discussed as an information item with PAG, in the interests of transparency.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 The Bradford CAP development has been overseen by the CAP Programme Board that meets on a monthly basis. Similarly, CAP delivery will be overseen by the CAP Delivery Programme Board. A detailed risk and issues log has been developed and will be maintained throughout the project. The log is regularly reviewed by the programme board and new risks and issues are identified, recorded, assessed and mitigated. The detailed arrangements for the governance, reporting and risk management approach on the CAP are detailed in the FBC Management Case.

Additional oversight is placed on the CAP as part of the grant conditions. The Council is required to produce annual audited accounts of income received and a regular benefits realisation report over the achievement of expected benefits will be provided to Government. Further assurance processes could include random, deep dive reviews after the CAZ is placed into operation.

- 5.2 There are a number of additional financial and non-financial risks that need to be considered that cannot be reflected in the financial modelling undertaken, these are listed below:

- i) There is significant risk of program abuse and fraudulent claims for CAZ grant and exemption packages. See paragraph 5.3 below for a detailed discussion and risk mitigation.
- ii) A potential for legal challenge to the CSO exists. The Council has yet to consult on the draft CSO which may lead to implementation delays and/or material changes to the design of the planned CSO.
- iii) The impact of the COVID pandemic has given rise to new risks and other risks have increased in their intensity. It is unknown what (if any) the pandemic and any resultant change in people's behaviour will have over the medium term, particularly if government imposed restrictions, lockdowns or limitations continue. Travel restrictions may place pressure on CAZ income projections. Increased project costs may arise due to implementation stages not progressing as planned, leading to alternative project sequencing, slowdowns, shutdowns, project delays and restarts. Restrictions on movement, stay at home orders and increased health and safety measures may also impact staff productivity. Finally, the impact of the Covid-19 pandemic on future air quality and traffic levels, absent the impact of the CAZ, should also be considered.
- iv) Security and privacy risks as a result of collecting personally identifiable information to administer CAZ charges are inherent to this project. Government has imposed strict requirements to ensure GDPR compliance that requires a privacy impact assessment and privacy design review over systems that interface to and from its applications. The Council is aware of its responsibility for securing personal information collected, used and stored within its own IT servers and will implement privacy controls to address GDPR requirements.
- v) The volume and complexity of system interfaces required to transfer data between Council and Government systems is high. While interface testing between systems

will be conducted as part of the system implementation, there is a risk of project delays if testing does not go as planned. The Council has also adopted a different delivery model to other CAZ Authorities by deciding to build the ANPR camera system in-house rather than implement a turn-key solution. This will require additional IT resources and testing.

- 5.3 Funding provided under the Clean Air Fund is intended to be awarded to local businesses to help them adapt to the CAZ. Financial relief programs offered to third parties, such as the CAZ grant to upgrade vehicles and exemption packages for CAZ charges, are highly susceptible to fraud and abuse. As such, the design of the CAZ grant and exemption packages should be assessed for design vulnerabilities. Fraud risk management should be put into place to ensure that processes to assess eligibility, award and administer grants to third parties is equitable, transparent and monies used for their intended purpose, in order to mitigate risks of fraud and abuse to an acceptable level. The Council's corporate fraud unit is providing guidance.

6. LEGAL APPRAISAL

The implementation of the proposed Bradford Clean Air Zone is required to comply with the 2018 Ministerial Direction with which failure to comply will leave the Council open to Government sanction and potential legal challenge. Implementation will require the adoption of a Charging Scheme Order following statutory consultation.

7. OTHER IMPLICATIONS

7.1 SUSTAINABILITY IMPLICATIONS

The challenges and opportunities of addressing air quality go hand in hand with wider environmental, social, health, economic and cultural issues. The Council is moving forward on District sustainable development and on a progressive approach to the Climate Emergency and the Covid-19 pandemic. The work seeks to secure multiple benefits, in addition to improving air quality including improvements to health, reducing GHG emissions and promoting and supporting clean growth.

The development of the Clean Air Plan and its implementation will be looking to develop further in 2021-22 and throughout the life of the CAZ to support sustainable development outcomes and key priorities, including climate action at pace and scale.

The CAP will seek to deliver the overall shared goals to deliver clean growth, sustainability, environmental resilience and a more inclusive and safe economy.

Making integrated progress on environmental protection and environmental quality across the District will support the most vulnerable and also support the Council's ambitions for a child friendly district and one in which investment helps secure a positive legacy for future generations.

7.2 GREENHOUSE GAS EMISSIONS IMPACTS

Reductions in GHG emissions, in line with the Climate Emergency Agenda, are a key objective of the CAP and it is projected that the delivery of the CAP will achieve reductions of 150,000 tonnes over the life of the plan.

The plus measures are aimed at encouraging the taxis to go beyond the CAZ standards and incentivises electric taxis which have zero tailpipe emissions, which is in line with our clean growth and Climate Emergency aims of expanding the network of electric vehicle (EV) charging points and numbers of EV vehicles in the Bradford district.

Any revenue received from the CAZ is to be reinvested in transport projects within the district to further reduce NOx emission and improve air quality. Ultra-low or zero emission projects should be prioritised for investment giving regard the reduction in carbon / greenhouse gas emissions alongside the air quality benefits.

7.3 COMMUNITY SAFETY IMPLICATIONS

None identified

7.4 HUMAN RIGHTS ACT

The proposals set out for implementation in Bradford's Clean Air Plan support achievement of the right to breath clean air in England and Wales as set out in the Clean Air (Human Rights) Bill 2019-20 which is currently on its second reading in the House of Lords.

7.5 TRADE UNION

No issues identified

7.6 WARD IMPLICATIONS

All Wards affected

7.7 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

No issues identified

7.8 IMPLICATIONS FOR CORPORATE PARENTING

No issues identified

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

The introduction of a Clean Air Zone in Bradford will require extensive processing of personal data for both the administration of grant defrayments and operation of the Clean Air Zone via its ANPR camera network. Data from the latter will require handling and processing by both the Council and central Government in order to ensure that payments of the daily charge for entering the CAZ can be reconciled, or

where non-payment is found to process the relevant penalty charge notice. A Data Privacy Impact Screening Assessment has been undertaken which indicates a number of areas which require a full Data Privacy Impact Assessment (DPIA) to be produced, principally due to the requirements of data matching across multiple sources including locally hosted 'white' lists. The full DPIA is currently being prepared in conjunction with the Government and once signed off will be incorporated and reviewed throughout the implementation phase of the programme.

8. NOT FOR PUBLICATION DOCUMENTS

The Bradford Clean Air Plan (CAP) final business case (FBC) contains commercially, sensitive information, however, it is intended that once such information has been removed the FBC will be published on the *Breathe Better Bradford* website.

9. OPTIONS

The Executive can either approve the introduction of the Clean Air Zone or choose not to.

The implementation of the CAZ will mean that compliance will be achieved in respect of legal limits for NO₂, the health of residents of Bradford will improve and significant reductions in greenhouse gas emissions will be achieved.

Should the Executive choose not to implement the CAZ, the Council will be in breach of Ministerial Direction and subject to possible legal action. In these circumstances Judicial Review may also be undertaken by interested 3rd parties. Under this option, the significant impact of air pollution on the health of Bradford residents will not improve and significant reductions in GHG will not be achieved to support the Climate Emergency Agenda.

10. RECOMMENDATION

It is recommended that the Executive:

i) approve the implementation of a Clean Air Zone (CAZ) in Bradford at the beginning of 2022

ii) approve the delegation of authority to the Strategic Director Place, in consultation with the Healthy People and Places Portfolio Holder, the Regeneration, Planning and Transport Portfolio Holder, the Director of Finance and the City Solicitor for the purpose of carrying out consultation on the Bradford Clean Air Zone, Charging Scheme Order (CSO) and its subsequent adoption including the confirmation of relevant grant and exemption packages

iii) approve the delegation of authority to the Strategic Director Place in consultation with the Healthy People and Places Portfolio Holder and the Regeneration, Planning and Transport Portfolio Holder for the design and delivery of Clean Air Zone publicity campaigns

11. APPENDICES

None

12. BACKGROUND DOCUMENTS

The Bradford Clean Air Plan (CAP) Final Business Case (FBC)