



**REGENERATION AND HOUSING SCRUTINY
REVIEW BOARD
22 JANUARY 2019**

ITEM 8

Report sponsor: Acting Director of Planning and Transportation
Report author: Head of Traffic and Transportation

Air Quality – Reducing NO2

Purpose

- 1.1 In November 2015 the Government selected Derby as one of five cities to lead on air quality improvements, focusing on the reduction of nitrogen dioxide (NO2) from vehicle emissions.
- 1.2 The original national plan was to legally mandate the five Local Authorities to implement access restrictions with charges for non-compliant vehicles.
- 1.3 In July 2017 the national plan was revised and the legal mandate removed, though Government has continued to promote chargeable restrictions as being the most effective intervention and any alternative measure must demonstrate at least the same impact.
- 1.4 The Council is legally obliged to deliver compliance with the NO2 levels, at the defined points of exceedance, and to do this in the quickest possible time. Any measure must be demonstrated to be at least as effective as a chargeable access restriction.

Recommendations

- 2.1 To note the current position on the project and support the Council's preferred option.
- 2.2 To support the Clean Air Fund application as part of a package of beneficial measures.

Reason(s)

- 3.1 The Council has carried out two consultation exercises to establish the preferred option and this option has been approved by Council Cabinet.

Supporting information

- 4.1 The legal obligation is only directly related to NO2 reduction, at the roadside, and relates to areas where the Government minimum modelling requirements identify exceedances.
- 4.2 In Derby the modelling, with locally refined traffic data, has established that there is only one point of exceedance, Stafford Street - where the level of NO2 exceeds 40 micro-grams, per cubic metre of air.

- 4.3 To achieve compliance the Council's preferred option is a complex traffic management scheme to restrict the flow of traffic in Stafford Street and reduce the NO2 levels to below the legal limit.
- 4.3 This scheme will deliver compliance in the quickest possible time and is directly effective on the area of exceedance. It will also avoid the negative economic impacts associated with chargeable access schemes.
- 4.4 It is a requirement that the Council can demonstrate that the scheme works and that it does not lead to non-compliant NO2 levels in other streets. This work is nearing completion and the extent of tests of potential distributional impact has been widened to achieve greater confidence.
- 4.5 As part of the preferred option there will be a need to implement an advanced dynamic urban traffic management and control system, which will provide a wider benefit on a large section of the inner ring road. The scheme will also require changes to junctions.
- 4.6 The biggest change will be to the junction of Uttoxeter Old Road and Ashbourne Road. Concerns about the proposed changes were raised during the public consultation and the detailed design is expected to resolve the key concerns of public transport operators and representatives of cycling groups.
- 4.7 Alongside the preferred option, the Council has also proposed complimentary measures, to be included in the business case submission to Government. These measures will be submitted as a bid for funding from the Clean Air Fund. This package includes an expansion of the electric car charging network and the need to support business users and home charging; a proposal for a local vehicle replacement scheme, and the implementation of a local Mobility Credit scheme. We are also intending to seek support for marketing and campaigning to support the take up of these schemes and the impact of travel behaviour on air quality.
- 4.8 The preferred option and Clean Air Fund measures require the final approval of the Secretary of State. The Government will fund all of the measures that are approved.
- 4.9 The Council is now working to revised deadlines, set out in a Ministerial Direction issued on 18 December 2018. This sets out that the Council must;
- Produce the necessary *final air quality and transport modelling outputs* for the *baseline* and *scenario* modelling, which includes *assessment of all potential displacement routes* and accompanying *financial, commercial and management evidence* that feed into the outline business case as soon as possible and by **12 February 2019** at the latest.
 - The *outline business case* must be submitted to the Secretary of State as soon as possible and by **25 February** at the latest.
 - The *full business case* must be submitted to the Secretary of State as soon as possible and by **26 March 2019** at the latest.

- 4.10 The Leader of the Council has responded to the Direction and a subsequent letter from the Government Legal Department, accepting the deadlines and requesting the necessary assistance from DEFRA to support Derby to achieve these deadlines.

Public/stakeholder engagement

- 5.1 There has been significant engagement with the public and stakeholders including two public consultations and open public events along with targeted workshops for specific stakeholders such as public transport providers.

Other options

- 6.1 No other options are considered in relation to this report.

Financial and value for money issues

- 7.1 None arising from this report.

Legal implications

- 8.1 None arising from this report.

Other significant implications

- 9.1 None arising from this report.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	N/A	
Finance	N/A	
Service Director(s):	Verna Bayliss, Acting Director of Planning and Transportation	11 Jan 2019
Report sponsor	As above	
Other(s)		

Background papers:	None
List of appendices:	None