

## SHEFFIELD CITY COUNCIL



## Individual Cabinet Member Report

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<b>Report of:</b>	Executive Director, Place
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<b>Report to:</b>	Cabinet Member for Environment, Recycling and Streetscene
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<b>Date:</b>	12 December 2013
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<b>Subject:</b>	Sheffield Low Emission Zone (LEZ) Feasibility Study – Phase 2
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<b>Author of Report:</b>	Julie Meese (0114 273 4286)
	Ogo Osammor (0114 273 4655)

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### Summary:

Sheffield aspires to be a city where health inequalities are eliminated and air is healthy for all to breathe. At the moment, around 500 people die prematurely per year in Sheffield through poor air quality. The economic cost of poor air quality is understood to be £160m per year to the Sheffield economy.

Sheffield City Council is committed to help improve the health and wellbeing of the people of Sheffield and to ensure we are an environmentally-responsible city. A key component of this is protecting and improving air quality.

A feasibility study into a Low Emission Zone is a key action within the Air Quality Action Plan for Sheffield 2015, which was approved at Cabinet on 11 July 2012. This report was overseen by a broad Steering Group consisting of both private and public sector partners. They were:

- Sheffield City Council;
- South Yorkshire Passenger Transport Executive;
- South Yorkshire Local Transport Plan Partnership;
- Road Haulage Association;
- Freight Transport Association;
- First Group;
- Stagecoach;
- TM Travel; and

- Institute for Transport Studies, University of Leeds

The purpose of this report is to confirm that the Low Emission Zone Feasibility Study has now concluded and to recommend that Sheffield City Council undertakes a comprehensive policy and strategy review in light of its findings. The report is a factual, academic, evidence-based document. Its purpose is to provide the data for policy development.

The Air Quality Action Plan for Sheffield 2015 will then be reviewed and updated.

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### **Reasons for Recommendations:**

Air pollution impacts negatively on Sheffield people's health and economy and contributes to climate change. Sheffield reflects the national picture, in that generally air quality is improving. However in many areas, near the motorway and within the busy urban centre, it has not improved, with some places seeing air quality worsening.

At the moment, around 500 people die prematurely per year in Sheffield through poor air quality. The economic cost of poor air quality is understood to be £160m per year to the Sheffield economy.

Reflecting national trends and many other major cities in the UK, Sheffield currently breaches UK and European Union thresholds for air quality. There is the potential for the UK government to be fined if the EU limit values are exceeded past 2015, and the fines imposed could be significant, consequently this is a recognised risk for the Council.

The Air Quality Action Plan for Sheffield 2015 seeks to reduce air pollution in Sheffield to achieve national air quality objectives and EU limit values by 2015. This will provide a better quality of life for all, particularly those living alongside the city's main transport corridors where exposure to elevated pollution levels is more likely.

### **Recommendations:**

1. To note that the Sheffield Low Emission Zone Feasibility Study has been completed.
2. To agree that Sheffield City Council should now undertake a comprehensive policy and strategy review in response to the findings of the Low Emission Zone Feasibility Study, with a view to updating the Air Quality Action Plan for Sheffield 2015.
3. To delegate authority to the Executive Director of Place, in consultation with the Cabinet Member for Environment, Recycling and Streetscene, to take any steps considered appropriate to implement the findings of the Sheffield Low Emission Zone Feasibility Study and to update the Air Quality Action Plan for Sheffield, subject to any necessary funding being identified and due regard being had to

the legal implications set out in this report.

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**Background Papers:**

Air Quality Action Plan (AQAP) for Sheffield 2015 – Cabinet Report dated 11 July 2012

[www.sheffield.gov.uk/environment/air-quality/action-plan.html](http://www.sheffield.gov.uk/environment/air-quality/action-plan.html)

Low Emission Zone (LEZ) Feasibility Study Phase 1 - Final Report dated 09 November 2012

<https://www.sheffield.gov.uk/environment/air-quality/LEZ-feasibility.html>

Low Emission Zone (LEZ) Feasibility Study Phase 2 - Final Report dated 29 November 2013

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**Category of Report:**      **OPEN/CLOSED\***

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## Statutory and Council Policy Checklist

<b>Financial Implications</b>
YES    Cleared by: Catherine Rodgers
<b>Legal Implications</b>
YES    Cleared by: Deborah Eaton
<b>Equality of Opportunity Implications</b>
YES    Cleared by: Ian Oldershaw
<b>Tackling Health Inequalities Implications</b>
YES
<b>Human rights Implications</b>
NO
<b>Environmental and Sustainability implications</b>
YES
<b>Economic impact</b>
YES
<b>Community safety implications</b>
NO
<b>Human resources implications</b>
NO
<b>Property implications</b>
NO
<b>Area(s) affected</b>
All
<b>Relevant Cabinet Portfolio Leader</b>
Councillor Jack Scott, Cabinet Member for Environment, Recycling and Streetscene
<b>Relevant Scrutiny Committee if decision called in</b>
Economic and Environmental Wellbeing
<b>Is the item a matter which is reserved for approval by the City Council?</b>
NO
<b>Press release</b>
YES

## **Report to the Cabinet Member for Environment, Recycling and Streetscene**

### **Sheffield Low Emission Zone (LEZ) Feasibility Study – Phase 2**

#### **1.0 SUMMARY**

- 1.1 Sheffield aspires to be a city where health inequalities are eliminated and air is healthy for all to breathe. At the moment, around 500 people die prematurely per year in Sheffield through poor air quality. The economic cost of poor air quality is understood to be £160m per year to the Sheffield economy.
- 1.2 Sheffield City Council is committed to help improve the health and wellbeing of the people of Sheffield and to ensure we are an environmentally-responsible city. A key component of this is protecting and improving air quality.
- 1.3 A feasibility study into a Low Emission Zone is a key action within the Air Quality Action Plan for Sheffield 2015, which was approved at Cabinet on 11 July 2012. This report was overseen by a broad Steering Group consisting of both private and public sector partners. They were:
- Sheffield City Council;
  - South Yorkshire Passenger Transport Executive;
  - South Yorkshire Local Transport Plan Partnership;
  - Road Haulage Association;
  - Freight Transport Association;
  - First Group;
  - Stagecoach;
  - TM Travel; and
  - Institute for Transport Studies, University of Leeds
- 1.4 The purpose of this report is to confirm that the Low Emission Zone Feasibility Study has now concluded and to recommend that Sheffield City Council undertakes a comprehensive policy and strategy review in light of its findings. The report is a factual, academic, evidence-based document. Its purpose is to provide the data for policy development.
- 1.5 The Air Quality Action Plan for Sheffield 2015 will then be reviewed and updated.

#### **2.0 WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE**

- 2.1 The implementation of the Air Quality Action Plan (AQAP) for Sheffield 2015 seeks to reduce air pollution in Sheffield to achieve national Air Quality objectives and EU Limit Values by 2015.
- 2.2 By reducing air pollution, the AQAP 2015 will help deliver our commitments as set out in the “Standing up for Sheffield Corporate Plan 2011-14”,

specifically:

- Better Health and Wellbeing
- An Environmentally Responsible City
- A Great Place to Live

- 2.3 Failing to take action on air quality could have financial implications for Sheffield taxpayers. If national air quality objectives are not met, the UK Government could face European Union (EU) fines, and the recently passed Localism Act provides central government with powers to pass those fines on to local authorities if they have failed to take action when they could.

### 3.0 OUTCOME AND SUSTAINABILITY

- 3.1 The AQAP 2015 aims to reduce nitrogen dioxide (NO<sub>2</sub>) and fine particle (PM<sub>10</sub>) pollution in Sheffield in order to improve the health of local people, by protecting areas of low air pollution and improving areas where pollution is elevated.
- 3.2 The Low Emission Zone (LEZ) Feasibility Study, which is a key action within the AQAP 2015, quantifies the potential costs, benefits, air quality impacts, targeted emissions reductions and timescales associated with the implementation of a LEZ in Sheffield.
- 3.3 "A Low Emission Zone is a geographically defined area, subject to enforcement powers, where operators of vehicles must comply with a specified low emissions policy".

### 4.0 REPORT

- 4.1 The full version of the Low Emission Zone (LEZ) Feasibility Study Phase 2 Report clearly sets out the potential costs, benefits, air quality impacts, targeted emissions reductions and timescales associated with the implementation of a LEZ in Sheffield. It is included as **Appendix A** to this report.
- 4.2 The factual, academic, evidence-based report makes a number of recommendations. These will now be considered by the Council in developing its response to the study. These are the recommendations from the study only. **They are not Council policy:**
1. Minimum NOx emission standard (EURO VI) for Buses
  2. Maximum NOx emissions rate levels for:
    - Taxis – affecting the 'worst polluting' 50% of the current fleet
    - Light Goods Vehicles (LGV < 3.5T) – affecting the 'worst polluting' 15% of the current fleet

- Other Goods Vehicles (OGV > 3.5T) – affecting the ‘worst polluting’ 10% of the current fleet
3. Measures to encourage 10% private car users to switch from diesel back to petrol
  4. 5% reduction in emissions from both petrol and diesel private cars, by reducing car use, encouraging more-efficient driving styles and promoting travelling at different times
  5. 5% reduction in emissions from Other Goods Vehicles (OGVs > 3.5T) by more efficient routing and more efficient driving styles
- 4.3 Further work is now required to analyse the costs and benefits of the documents recommendations.
- 4.4 Legal Implications**
- 4.5 Under Part IV of the Environment Act 1995, Local Authorities are required to review and assess air quality in their areas and to report against objectives for specified pollutants<sup>1</sup> of concern, to the Department for Environment, Food and Rural Affairs (DEFRA).
- 4.6 Action to manage and improve air quality is required by EU legislation. The 2008 ambient air quality directive (2008/50/EC) sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health including particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>). This was transposed into UK legislation by the Air Quality Standards Regulation 2010 and came into force on 11<sup>th</sup> June 2010.
- 4.7 As part of this process, Sheffield City Council declared an Air Quality Management Area across the whole of the urban area of the city for NO<sub>2</sub> and PM<sub>10</sub> in March 2010, following a report to Cabinet<sup>2</sup>. This declaration was based on the evidence reported in the formal Detailed Assessment (2008) and Updating and Screening Assessment (2009) reports respectively, to DEFRA, showing areas of Sheffield where NO<sub>2</sub> and PM<sub>10</sub> amounts are likely to breach national and EU legislation.
- 4.8 This meant that the Council had to produce an Air Quality Action Plan to cover the period (up) to 2015, with the aim of improving NO<sub>2</sub> and PM<sub>10</sub> levels, such that the annual limit of 40µg.m<sup>-3</sup> for NO<sub>2</sub> and the daily limit of 50µg.m<sup>-3</sup> for PM<sub>10</sub> (which is not to be exceeded more than 35 times a year) do not continue to be breached.
- 4.9 Not achieving the air quality objectives nationally means not complying with EU law and consequently, this is a risk for the Council. There is the potential for the UK Government to be fined if EU limit values are exceeded.

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<sup>1</sup> Environment Act 1995

<sup>2</sup> Air Quality Management in Sheffield, Sheffield City Council Cabinet Report 13 January 2010

Potentially the fines which can be imposed are significant. The reserve powers in the Localism Act to passport EU fines to local authorities and public bodies (where they have failed to take action when they could) is significant and helps to highlight the need for a clear line of sight between EU obligations and Local Authority responsibilities to improve air quality and provide clarity on the role local authorities play. The Government however, can only pass the fines on if they can show that we have not taken appropriate steps to comply with EU law.

- 4.10 Where appropriate, further approvals or consents may need to be obtained in order to develop and implement specific proposals contained within the Air Quality Action Plan. Where the proposal relates to a licensing function such approval will need to be obtained from the relevant Council committee and in certain circumstances external approval may be required, for example from the Traffic Commissioner. Where further approvals are required in accordance with the Council's constitution and / or legislation, implementation of the proposal in question will be subject to obtaining such approval.

#### **4.11 Resource Implications**

- 4.12 The majority of the current actions being implemented to improve air quality are funded from existing budgets and programmes. Limited funding has also been made available annually through DEFRA Air Quality Grant for specific projects, including the Sheffield Low Emission Zone Feasibility Study.
- 4.13 Importantly, the Council will need to continue to receive financial support for key projects linked to the Air Quality Action Plan from the Sheffield City Region Local Transport Board (SCRLTB), which will replace the South Yorkshire Integrated Transport Authority (SYITA) as key funding body from 01 April 2014.
- 4.14 The Council will also need to be mindful of the internal staff resources required to undertake the comprehensive policy and strategy review recommended in this report and the implications this will have for those Divisions responsible for delivering each of the key actions contained within the Air Quality Action Plan.

#### **4.15 Finance Implications**

There are no specific financial implications as a result of this report. The policy and strategy review and any subsequent works will be undertaken subject to necessary funding being identified and this will be spent in accordance with any specific grant conditions.

#### **4.16 Equal Opportunities Implications**

An Equality Impact Assessment (EIA) has been conducted for the Air Quality Action Plan for Sheffield 2015, which concludes that it will provide universal positive benefit to all Sheffield people regardless of age, sex, race, faith,



disability, sexuality, etc. No negative equality impacts were identified. In addition the most vulnerable members of the community, that is, those with health problems, the old and the very young, whom are those most affected by poor air quality, will particularly benefit from the AQAP 2015. The implementation of the AQAP will help to restore environmental equity to individuals most affected.

- 4.17 Following completion of the Low Emission Zone Feasibility Study, Sheffield City Council will undertake a comprehensive policy and strategy review in light of its findings, with a view to updating the AQAP 2015 and preparing a new EIA.

## **5.0 ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 Doing nothing. However, this would mean that Sheffield would risk a possible fine, particularly if no additional efforts to tackle the problem were made, if the national air quality objectives and EU limit values are exceeded by 2015.

## **6.0 REASONS FOR RECOMMENDATIONS**

- 6.1 Air pollution impacts negatively on Sheffield people's health and economy and contributes to climate change. Sheffield reflects the national picture, in that generally air quality is improving. However in many areas, near the motorway and within the busy urban centre, it has not improved, with some places seeing air quality worsening.
- 6.2 At the moment, around 500 people die prematurely per year in Sheffield through poor air quality. The economic cost of poor air quality is understood to be £160m per year to the Sheffield economy.
- 6.3 Reflecting national trends and many other major cities in the UK, Sheffield currently breaches UK and European Union thresholds for air quality. There is the potential for the UK government to be fined if the EU limit values are exceeded past 2015, and the fines imposed could be significant, consequently this is a recognised risk for the Council.
- 6.4 The Air Quality Action Plan for Sheffield 2015 seeks to reduce air pollution in Sheffield to achieve national air quality objectives and EU limit values by 2015. This will provide a better quality of life for all, particularly those living alongside the city's main transport corridors where exposure to elevated pollution levels is more likely.

## **7.0 RECOMMENDATIONS**

- 7.1 To note that the Sheffield Low Emission Zone Feasibility Study has been completed.
- 7.2 To agree that Sheffield City Council should now undertake a comprehensive policy and strategy review in response to the findings of the Low Emission

Zone Feasibility Study, with a view to updating the Air Quality Action Plan for Sheffield 2015.

- 7.3 To delegate authority to the Executive Director of Place, in consultation with the Cabinet Member for Environment, Recycling and Streetscene, to take any steps considered appropriate to implement the findings of the Sheffield Low Emission Zone Feasibility Study and to update the Air Quality Action Plan for Sheffield, subject to any necessary funding being identified and due regard being had to the legal implications set out in this report.

Author: Julie Meese / Ogo Osammor  
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Date: December 2013