

Public Report  
Improving Places Select Commission

---

**Committee Name and Date of Committee Meeting**

Improving Places Select Commission – 02 February 2021

**Report Title**

Clean Air Zone (CAZ) Update

**Is this a Key Decision and has it been included on the Forward Plan?**

No

**Strategic Director Approving Submission of the Report**

Paul Woodcock, Strategic Director of Regeneration and Environment

**Report Author(s)**

Tom Smith, Assistant Director, Community Safety and Street Scene  
tom.smith@rotherham.gov.uk

**Ward(s) Affected**

Borough-Wide

**Report Summary**

Air quality is a major issue of growing interest and significance at a national and international level. There is categorical evidence that long-term exposure to everyday air pollutants contributes to cardiovascular disease (including heart diseases and stroke), lung cancer, and respiratory disease (including asthma and chronic bronchitis).

Rotherham Metropolitan Borough Council and Sheffield City Council have been legally mandated to work together, supported by DEFRA's Joint Air Quality Unit (JAQU), to identify options to reduce levels of Nitrogen Dioxide below the legal limit of 40µg per cubic metre of air, on an annual average, in the 'shortest possible time'.

An Outline Business Case, describing the proposals to deliver compliance in Rotherham and Sheffield was submitted to Government in December 2018. It was agreed by Government in February 2020.

Since the onset of the Covid-19 in March 2020, Rotherham and Sheffield have seen changes in travel behaviour, leading to improvements in air quality across both areas. It is clear however that the majority of the proposals for Rotherham are unlikely to be impacted by Covid-19, are highly likely to still be necessary for Rotherham to reach compliance and would deliver genuine benefit to our communities

This paper therefore provides Improving Places Select Commission with an update on the current status of the Clean Air Zone measures in Rotherham and an indication of the future programme of work.

**Recommendations**

Improving Places Select Commission are recommended to note and comment on this report.

**List of Appendices Included**

- Appendix 1 Clean Air Zone Proposals – Consultation Summary

**Background Papers**

- “Improving Air Quality in Rotherham”, Report to Cabinet, 17<sup>th</sup> December 2018
- Minutes of Improving Places Select Commission, 6<sup>th</sup> June 2019

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Improving Places Select Commission – 26 April 2019

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Clean Air Zone (CAZ) Update**

### **1. Background**

- 1.1 Air quality is a major issue of growing interest and significance at a national and international level. There is categorical evidence that long-term exposure to everyday air pollutants contributes to cardiovascular disease (including heart diseases and stroke), lung cancer, and respiratory disease (including asthma and chronic bronchitis).
- 1.2 The Department for Environment, Food and Rural Affairs (DEFRA) published its final National Air Quality Plan in July 2017, in response to a High Court ruling in December 2016. This Plan details how compliance with the European Union (EU) Ambient Air Quality Directive will be delivered in the United Kingdom, through focussing on improving air quality in a number of Local Authority areas. Those Local Authorities that have areas that are not compliant with the Directive were identified through national air quality modelling. 28 Local Authorities were included ('mandated') in the plan, including Rotherham Metropolitan Borough Council (RMBC) and Sheffield City Council (SCC). RMBC and SCC were 'jointly mandated' on the basis that the Parkway in both Sheffield and Rotherham was identified as being non-compliant.
- 1.3 Both Local Authorities were therefore required to work together, supported by DEFRA's Joint Air Quality Unit (JAQU), to identify options to reduce levels of Nitrogen Dioxide below the legal limit of 40µg per cubic metre of air, on an annual average, in the 'shortest possible time'. The two Councils were required to undertake local feasibility studies to identify the measures that would reduce levels of nitrogen within the 'shortest possible time'. The Councils were required by DEFRA to include options for charging polluting vehicles, where this would deliver compliance in the shortest possible time.
- 1.4 A report to Cabinet in December 2018 outlined the outcome of these feasibility studies. It concluded that a charging zone is not required in Rotherham for the Borough to achieve compliance. It did however identify measures that will need to be taken at four specific locations across Rotherham to achieve compliance. The proposals in Rotherham focussed on changes to speed limits on the Rotherham section of the Parkway, improvements to the Rotherham bus fleet and the routing of buses on Rawmarsh Hill and Fitzwilliam Road, and the restriction of HGVs on Wortley Road. These options were proposed to be accompanied by a number of additional measures, which aim to support businesses to improve their fleet and improve air quality, such as targeted support to upgrade vehicles.
- 1.5 Cabinet approved the proposed mitigating measures and agreed that consultation on the measures could begin in early 2019. Cabinet also agreed that following that a further report outlining the final proposed measures and the Full Business Case for submission to government should be presented in 2019.

### **2. Key Issues**

- 2.1 In line with the recommendations in the Cabinet report described above, and within the timescale set out within the Ministerial Direction to RMBC and SCC,

the Outline Business Case for funding was submitted to Government in December 2018. The proposed public consultation about the mitigating measures also took place in 2019, the results of which are outlined in more detail below. The final proposals and Full Business Case have not been submitted to Cabinet and then onto Government to date for a number of reasons.

### **DEFRA Approval of the Outline Business Case**

- 2.2 In order to progress to development of the Full Business Case, the Outline Business Case was required to be approved by Government. Having submitted the Outline Business Case in December 2018, the Council expected approval by March 2019. However, after a number of requests from JAQU and DEFRA for additional evidence, approval was not received until February 2020. As part of this approval the Council was directed to submit the Full Business Case by March 2020. Given that the Direction was not received until February, both Councils responded to say that this timescale could not be met, suggesting a more realistic June 2020 submission date.

### **Impact of Covid-19**

- 2.3 On 23<sup>rd</sup> March 2020 the Prime Minister announced significant restrictions to prevent the spread of Covid-19. This first lockdown asked residents to stay at home, and to only travel for essential reasons. Since then the situation in terms of air quality has changed significantly and unexpectedly due to the global Covid-19 pandemic. Rotherham and Sheffield have seen reductions in air pollution of up to 33% in January to August of this year compared to the same period in 2019.
- 2.4 Both Councils have also recognised that many businesses and jobs are under unprecedented stress arising from the economic impacts of the pandemic. At the same time, following on from the lockdowns, required to control the spread of the virus, there have been a number of changes to travel behaviour which has led to improvements in air quality. The current situation across Rotherham and Sheffield, is very different to the one in which the proposals were originally developed, albeit potentially not a permanent change.

### **2.5 Review of Proposals**

- 2.5.1 The current Direction from Government to implement a Clean Air Zone was based on options developed in 2017/18 across Rotherham and Sheffield, that was submitted in December 2018, which set out proposals for the most appropriate measures at that time, including a charging zone in Sheffield.
- 2.5.2 RMBC remains under joint legal direction with SCC, to implement measures to achieve compliance with national air quality legislation in 'the shortest possible time'. This remains in place notwithstanding any challenges due to the COVID-19 pandemic, or its immediate or possible future impacts on travel behaviour and air quality. However, it is incumbent upon both Councils to ensure that the proposals take account of the possible impacts of COVID-19

on businesses, transport, and air quality, in order to assess whether changes to the proposals should be made, or if the same actions are still required.

2.5.3 A number of potential areas of review have been identified and are currently being assessed. They include:

- Whether there are non-charging options for Sheffield that might now contribute towards compliance?
- If a charging zone is still necessary for Sheffield, what form should that take?
- Whether the rate of vehicle improvements and upgrades has changed since it was last analysed, i.e. is the vehicle fleet getting cleaner more quickly or slowly than predicted?
- Will reductions in traffic and pollution resulting from Covid-19 remain over the medium/longer term?

2.5.4 Whilst RMBC and SCC are still undertaking work on scenarios for demand for travel and impacts on air quality, RMBC has taken an initial view as to whether any changes to the proposals within the Outline Business Case are likely to be required. This initial assessment is outlined below.

#### **Wortley Road North-West-Bound HGV Prohibition**

2.5.5 Given that the air quality issue at this location predominantly relates to commercial vehicles, and because the HGV prohibition offers wider benefits in respect of residential amenity, this measure is considered to be highly likely to still be required, even following changes in traffic patterns following the pandemic. The limited impact of the pandemic on heavy goods vehicle traffic is demonstrated by heavy goods vehicle flows on the A629 being only 4% lower in the first full working week of 2021, compared to the same period in 2018, despite the current national lockdown.

2.5.6 The current intention is that the measure will include a requirement for the restrictions to be suspended as required to retain the use of Wortley Road as an emergency diversion route (for example in the case of an incident on the M1 motorway). This will be affected with the use of remotely operated variable signs. This will require RMBC to enter into agreements with Highways England, enabling them to operate RMBC Urban Traffic Control assets within agreed parameters. In this case, this would also enable Highways England to suspend the weight limit during incidents.

#### **Meadowbank Road Improvement**

2.5.7 This scheme is proposed to make the use of Meadowbank Road more attractive, relative to Wortley Road, for traffic accessing the M1 motorway. Current modelling indicates however that it is not likely to be required to achieve air quality compliance.

2.5.8 Concerns in terms of the potential increase in traffic on Meadowbank Road, due to the HGV prohibition have been noted, with the team assessing whether additional measures to ensure the safety of pedestrians may be necessary.

## **Rawmarsh Hill Bus Priority and Routing Changes**

2.5.9 There are two elements to this scheme:

- The diversion of half of the buses on Rawmarsh Hill to Barbers Avenue; and
- Junction improvements at Bellows Road to facilitate the above.

2.5.10 The intention was to work with bus operators and the Passenger Transport Executive, to conduct a market research exercise including surveys of passengers, to inform the decision as to which services were diverted. Clearly, given Covid-19, this work is currently on hold.

2.5.11 Evidence to date suggests that some diversion of buses is likely to be required, even in a post-COVID-19 scenario, and even if all buses are upgraded to the Euro VI standard. However, COVID-19 impacts may mean a lesser proportion of buses may ultimately need to be diverted.

2.5.12 Notwithstanding the above, work on the highway scheme is progressing, on the grounds that the need for the diversion of buses, and for measures to minimise adverse impacts of this on bus journey times and reliability, remains. The scheme also delivers a pedestrian crossing which is identified as a local priority. For these reasons, the scheme is considered to be at low risk of being rendered obsolete by any changes in traffic patterns following the pandemic.

## **Fitzwilliam Road bus stop improvement**

2.5.13 This scheme is proposed to reduce disruption to the free flow of traffic caused by buses standing in the carriageway. This is intended to reduce stop start traffic movement and so emissions. However, modelling indicates it is likely to no longer be required to achieve air quality compliance.

## **Sheffield Parkway 50mph speed limit**

2.5.14 A speed limit reduction on Sheffield Parkway is required in order to ensure air quality compliance and is therefore considered to be essential in terms of the legal direction received from the Secretary of State. It is at low risk of being rendered obsolete by changes in traffic patterns following the pandemic.

2.5.15 The reduced speed limit is also required as a road safety measure, in light of the narrower lanes to be provided as part of the widening scheme between Catcliffe and M1 junction 33.

2.5.16 The proposal will include Rotherway (between M1 Junction 33 and existing 50mph speed limits beyond Rotherway Roundabout), to ease driver comprehension and to avoid encouraging unnecessary acceleration on Rotherway, between the new 50mph limit on Sheffield Parkway and the existing 50mph limits beyond Rotherway.

## **Additional Measures**

2.5.17 A series of measures to support businesses, such as taxi, HGV and LGV and public transport operators to upgrade their fleets, were also proposed as part of the Outline Business Case, mainly linked to the impact of the Sheffield Charging Zone. It is currently believed that these measures are necessary to achieve compliance across Sheffield and Rotherham, to encourage businesses to switch to less polluting vehicles.

2.5.18 In particular, these measures included a support package to enable all service buses in Rotherham to be upgraded to the Euro VI standard as a minimum. This is currently believed to be required to achieve compliance across Rotherham, including where additional site-specific measures are proposed.

### **3. Options considered and recommended proposal**

3.1 Given the current analysis above, the Council is working with SCC and JAQU to progress a number of proposals as quickly as possible. Whilst the Outline Business Case has been agreed by Government, and grant funding has been awarded for implementation on this basis, there are financial risks in progressing further work prior to the Final Business Case being agreed by Government. Given the current status of the overall Rotherham and Sheffield programme, it is unlikely that a Final Business Case will be signed off by Government prior to the summer of 2021.

3.2 Without formal agreement of the Final Business Case, any budget spent is at risk of 'clawback' if the proposals are not subsequently agreed. In addition, any potential increase in costs could also fall to the Council.

3.3 It is clear however that the majority of the proposals for Rotherham are unlikely to be impacted by Covid-19, are highly likely to still be necessary for Rotherham to reach compliance and would deliver genuine benefit to our communities. With that in mind RMBC are working with JAQU to identify a potential route to remove the financial risk to the Council of progressing the schemes prior to the Final Business Case being signed off, to allow Rotherham to begin delivery of our proposals as soon as possible.

### **4. Consultation on Proposals**

4.1 In line with the recommendations to Cabinet in December 2018, a public consultation on the above proposals took place between May and September 2019. Prior to this, Officers attended Improving Places Select Commission in April 2019, to provide an update on the programme of work, and to consult the Commission prior to consultation beginning. This resulted in two recommendations, both of which were subsequently been completed:

- That the Head of Highway Services for Community and Street Scene look at providing information, at Ward level, in relation to Public Rights of Way to Members.
- That officers meet with relevant Members to discuss any potential impact on their Wards in light of the proposed changes listed as part of the Clean Air Zone to improve the air quality in Rotherham.

- 4.2 A summary of the outcome of the public consultation, conducted between May and September 2019 can be found at Appendix 1.

## **5. Timetable and Accountability for Implementing this Decision**

- 5.1 The Council is mandated to implement measures to achieve compliance with national air quality legislation in 'the shortest possible time'. The Council also remains under joint legal direction with SCC, with the Final Business Case covering both Local Authority areas.
- 5.2 Whilst the Council is therefore keen to progress as quickly as possible with the measures that it has identified, the development of the Final Business Case is intrinsically linked with SCC and can therefore only be completed following the more detailed review taking place in Sheffield.

## **6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)**

- 6.1 There is a risk of 'clawback' of funding should any schemes proceed without formal agreement of the Final Business Case by government. In addition, without any agreement, any potential increase in costs could also fall to the Council.

## **7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)**

- 7.1 The National Air Quality Plan, published by Department for Environment, Food and Rural Affairs (DEFRA) in July 2017, identified those Local Authorities with areas that are not compliant with the European Union (EU) Ambient Air Quality Directive were identified through national air quality modelling. RMBC and SCC were 'jointly mandated' on the basis that the Parkway in both Sheffield and Rotherham was identified as being noncompliant.
- 7.2 Rotherham and Sheffield are therefore under a legal duty to improve the Borough's air quality by reducing NO<sub>2</sub> emissions below the legal limits in the shortest possible time. The Councils are required to submit a proposal to Government (a Final Business Case) to demonstrate how they will reduce emissions in the shortest possible timescale

## **8. Human Resources Advice and Implications**

- 8.1 There are no specific Human Resources implications resulting from this report.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 The implications of poor air quality for the health and well-being of children and young people, and for the adult population, are significant. Poor air quality is strongly linked with poor health outcomes, and with increased mortality rates. The proposed actions to deliver improvements in air quality will therefore impact positively on the lives of children, young people and vulnerable adults



## 10. Equalities and Human Rights Advice and Implications

10.1 There are no specific equalities or human rights implications from this report.

## 11. Implications for Partners

11.1 Work is ongoing with a number of partners including South Yorkshire Passenger Transport Executive (SYPTe) and Highways England to ensure that the mitigating proposals can be delivered fully to achieve compliance.

## 12. Risks and Mitigation

12.1 The Council is mandated to reduce emissions in the shortest possible timescale. Any unreasonable delay presents a risk of non-compliance with the legal requirements.

12.2 There is a risk, as outlined above, of financial 'claw back' of funding should any schemes proceed, prior to the agreement of a Final Business Case by government.

## 13. Accountable Officer(s)

Tom Smith, Assistant Director Community Safety and Street Scene

Approvals obtained on behalf of:-

	Named Officer	Date
Chief Executive		Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Named officer	Click here to enter a date.
Assistant Director of Legal Services (Monitoring Officer)	Named officer	Click here to enter a date.
Assistant Director of Human Resources (if appropriate)		Click here to enter a date.
Head of Human Resources (if appropriate)		Click here to enter a date.

*Report Author:* Tom Smith, Assistant Director, Community Safety and Street Scene

*tom.smith@rotherham.gov.uk*

This report is published on the Council's [website](#).

## **Appendix 1 - Summary of Responses from Rotherham Clean Air Zone consultation**

### **Residents**

- 642 respondents, of which 540 (84%) are from Rotherham
- Opinions were split on the proposal to introduce a 50 mph speed limit on the A630 Sheffield Parkway – 52% agree or strongly agree with the proposal, whilst 43% disagree (of which 29% strongly disagree)
- Just less than half (47.4%) of respondents agreed or strongly agreed with the proposed bus rerouting and road improvements to Rawmarsh Hill. 22.3% disagreed or strongly disagreed with the proposal being able to reduce air pollution, with 13.4% strongly disagreeing with the intervention. A large proportion (30%) did not know
- Support for electric charging points was the most popular additional measure that respondents thought RMBC should implement, with 76% agreeing or strongly agreeing that the council should make this investment

### **Businesses**

- Only 25 respondents, of which all but one were from Rotherham
- Nearly 50% of respondents currently use a low emission vehicle to reduce pollution (11), and 25% said they would be prepared to use low emission vehicles in the future
- Respondents are most likely to agree with the proposals to upgrade buses operating on Rawmarsh Hill.
- Respondents are less supportive of the proposals to reroute buses from Rawmarsh Hill and bring in a reduced speed limit on the Sheffield Parkway. The Parkway proposal was the only measure where more respondents were opposed than supportive (48% disagreed and 40% agreed). Again, like residents, a high number of business respondents did not know (36%) whether or not to support the Rawmarsh hill rerouting, with 52% agreeing with the measure
- Support for electric vehicle charging points is paramount, with 80% of respondents agreeing that RMBC should be providing more charging infrastructure and none disagreeing (20% don't know)

A full breakdown of the support for the Rotherham Schemes below:

	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know
Ensure that all buses, are upgraded or retrofitted	50.9%	37.7%	2.6%	3.4%	4.5%
Support for buses on Fitzwilliam Road	50.8%	33.5%	4.7%	5.1%	5.8%
Support to upgrade all buses on Rawmarsh Hill	51.7%	32.1%	4.2%	5.3%	6.2%
Improve traffic flow on the A630 Fitzwilliam Road	29.9%	42.8%	7.0%	6.4%	13.7%
Financial packages for SME's and LGVs	34.1%	36.6%	9.5%	8.7%	10.6%
Northbound HGV ban on the A629 Wortley Road	37.7%	27.4%	10.1%	11.7%	12.8%
Support for taxi drivers in Rotherham	26.8%	30.2%	16.7%	16.5%	9.0%
50mph on Sheffield Parkway and Sheffield City Centre	24.1%	27.6%	13.9%	29.3%	5.1%
Reroute buses from Rawmarsh Hill to Barbers Avenue	22.7%	24.6%	8.9%	13.4%	29.8%

### Rotherham Taxi driver responses from Sheffield Consultation

These are the two most relevant taxi driver responses from the Sheffield Taxi responses. Exactly 100 Rotherham-licensed drivers responded to Sheffield's consultation. About 70% of Rotherham licensed drivers enter the CAZ 4 or more days a week. Responding to the CAZ Rotherham drivers are *less likely* to upgrade their vehicles based off the charge, more likely to divert journeys around the CAZ and more likely to leave the trade.

This is how they would respond to the support packages:

- They are comparatively *more likely to be encouraged* to upgrade based on grant funding, interest free loans and maintenance/license incentives
- The preferred packages on offer in the CAZ plans are also much *more favourable* with Rotherham taxis than their equivalent in Sheffield – however it should be said that there is still a minority of the total who are in favour of these measures.

Data tables from the reports below.

**Q22. "If the proposed charges are introduced, how are you likely to respond?" (Most Likely)**

	Pay the Charge	Replace my Vehicle	Work More Hours	Divert Journeys	Work Elsewhere	Change License Type	Leave the Taxi Trade
<b>Licence issued by</b>							
Sheffield	24.1%	27.4%	31.6%	54.1%	35.4%	33.9%	34.4%
Rotherham	28.3%	15.8%	36.5%	61.5%	34.6%	33.3%	60.6%

**Q27. "If you currently drive a taxi/private hire vehicle that would be charged to drive in the Clean Air Zone, what would most encourage you to change or upgrade to a compliant vehicle? (Would Encourage Me)"**

	Charge for Entering the City Centre	Grant Funding for Replacement Vehicle	Interest Free Loan for Replacement Vehicle	Maintenance and License Incentives	Fuel Vouchers	Priority for Taxis, Buses and Cycles	Customers Wanted Non-Polluting Taxis	Understanding of Health Impacts	Taxi Rank Restrictions
<b>Licence issued by</b>									
Sheffield	3.4%	38.9%	12.2 %	35.8%	34.0%	10.1%	6.2%	5.8%	18.5%
Rotherham	14.1%	62.8%	50.0 %	58.2%	44.0%	45.1%	27.5%	22.0%	16.5%

**Q28. “To what extent would the proposed support packages help you to upgrade to a cleaner vehicle that would not be subject to the charge? (To A Great and Moderate Extent)”**

	<b>Grant Funding for Retrofitting Technology</b>	<b>Interest Free Loan for Upgraded Vehicle</b>	<b>A Period of Free Service / MOT</b>	<b>Vouchers for Free Electric Charging</b>
<b>Licence issued by</b>				
Sheffield	7.7%	8.8%	7.5%	6.5%
Rotherham	29.7%	34.4%	33.3%	28.4%