

No to Low Emission Zones and Low Traffic Neighbourhoods

This council notes that:

Local authorities including Bath & North East Somerset Council and Oxford City Council have brought forward the concept of '15 minute cities' and '15 minute neighbourhoods'. In practice, the realisation of these concepts has taken the form of Low Emission Zones and Low Traffic Neighbourhoods, enforced by physical infrastructure (vehicle filters, bus gates, bollards) and ANPR recording systems, backed by a schedule of fees and penalties for non-compliance.

The recent extension of the Labour Mayor of London's Ultra Low Emission Zone (ULEZ) to all boroughs of London, **directed by Conservative Secretary of State for Transport Grant Shapps as a requirement of the Transport for London financing agreement (Appendix A)** has attracted wide condemnation and opened a debate across the country about the suitability of such schemes.

The landmark ruling by Southwark Coroner's Court in the sad case of nine year old Ella Adoo-Kissi-Debrah of Lewisham, who died in 2013 following an acute asthma attack. The coroner ruled that air pollution "made a material contribution" to her death.

This council believes that:

- **Given the well documented health risks posed by air pollution, in the form of nitrogen dioxide and particulate matter, it is critical that local and national government work together to ensure documented dangerously high levels of air pollution in the borough a remedied immediately.**

Ultra Low Emission Zones, Low Emissions Zones and Low Traffic Neighbourhoods are:

- ~~Ineffective at reducing pollution and emissions,~~ **Effective at reducing levels of Nitrogen dioxide and particulate matter in the atmosphere of the areas concerned. Though** risk pushing vehicles onto other roads and often increasing dangerously the traffic and pollution at the perimeter of such zones
- Harmful to the local economy, discouraging visitors and raising unnecessary extra costs to businesses
- ~~Unethical tools of local and devolved government, designed to bring in revenue and exert control over individual freedoms, and not a sincere effort to cut pollution or improve lives~~
- **Represent an undue financial burden on residents, with disproportionate impact on lower earners, who are unable to afford more sustainable transport solutions.**

This council further notes:

Newcastle Borough Council's excellent environmental record and previous commitments to reduce carbon emissions as set out in its Sustainable Environment strategy. Over the last few years, the council has committed to eliminate single-use plastics; and to embrace the UN's Sustainable Development Goals.

The ministerial directive from then Conservative Parliamentary Under Secretary of State for the Environment Thérèse Coffey, mandating the council to "introduce the option which will deliver compliance with legal limits for nitrogen dioxide in the area for which the authority is responsible, in the shortest possible time." (Appendix C)

The North Staffordshire Local Air Quality Plan outline business case, submitted to Government in response to the ministerial directive, commissioned and endorsed by Conservative controlled

Staffordshire County Council, Newcastle Borough Council and Stoke-on-Trent City Council, recommended a preferred option of the introduction of a “Bus Gate” on Basford Bank. (Appendix D)

The minutes of the Newcastle borough council cabinet meeting on 9th December 2020, approving the introduction of a bus gate on Basford Bank as the preferred option in response to the ministerial directive, including the introduction of a low emission vehicle exemption. (Appendix E)

This council resolves:

To oppose fully and unambiguously any proposal to introduce Ultra Low Emission Zones, Low Emission Zones or Low Traffic Neighbourhoods in any part of our borough.

To ask the ~~Council~~ **cabinet to formally reverse its previous endorsement of a “Bus Gate” on Basford Bank, and work with the county council to submit an alternative proposal to reduce air pollution levels, in response to the ministerial directive.**

To work with local MP’s to lobby government in support of an alternative proposal to reduce air pollution levels, in response to the ministerial directive.

Proposed: Dave Jones

Seconded: Andrew Fox-Hewitt

Appendix A:



Department
for Transport

Sadiq Khan
Mayor of London
City Hall
London
SE1 2AA

From the Secretary of State
The Rt. Hon. Grant Shapps

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: grant.shapps@dft.gov.uk

Web site: www.gov.uk/dft

14 May 2020

Dear Sadiq,

**TRANSPORT FOR LONDON: EXTRAORDINARY FUNDING AND
FINANCING AGREEMENT**

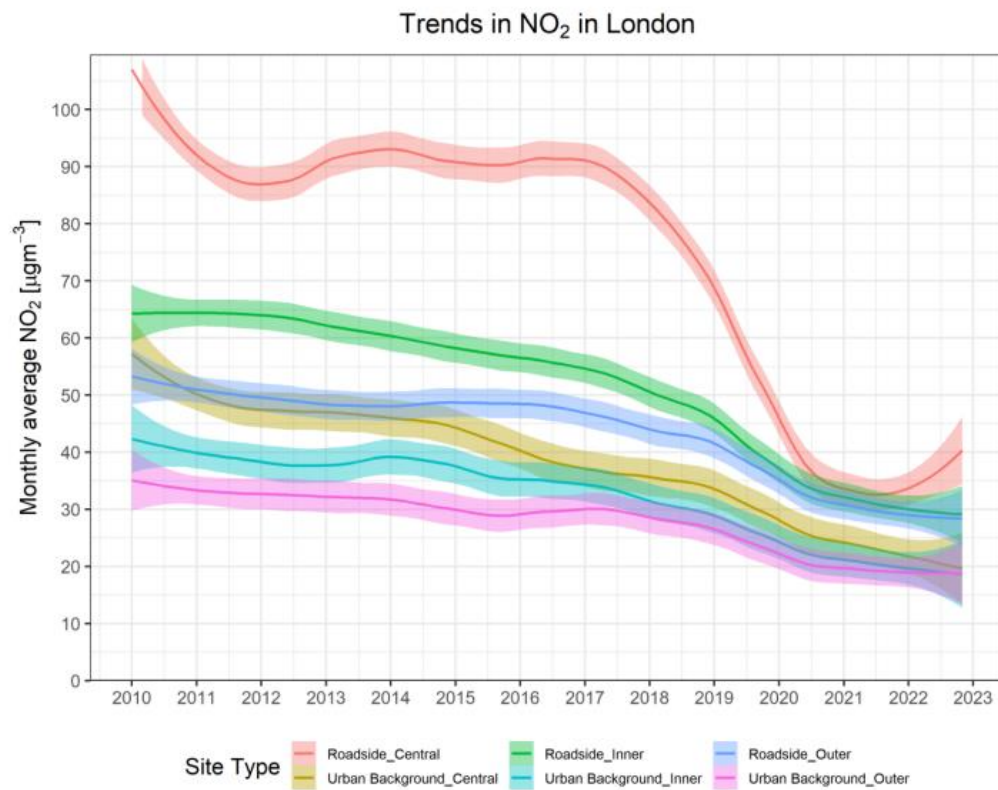
1. This letter sets out an extraordinary funding and financing agreement for Transport for London (TfL) for the period to October 2020.

Service Levels

12. During the Support Period, Transport for London will work in unison with HMG on taking steps to support the safe restart to the transport system and agrees to joint action and oversight by the London Covid Transport Task Force, terms of reference for which are attached. Subject to TfL's statutory responsibilities (particularly in relation to safety), TfL agrees to:

- h. The immediate reintroduction of the London Congestion Charge, LEZ and ULEZ and urgently bring forward proposals to widen the scope and levels of these charges, in accordance with the relevant legal powers and decision-making processes.

Appendix B:



Atmospheric nitrogen dioxide concentrations following introduction of Low emission zones (LEZ) and ultra-low emission zones (ULEZ) in London.

Inner London ULEZ Expansion 1 Year Report

<https://www.london.gov.uk/sites/default/files/2023-02/Inner%20London%20ULEZ%20One%20Year%20Report%20-%20final.pdf>

MINISTERIAL DIRECTION

ENVIRONMENT ACT 1995
Environment Act 1995 (Feasibility Study for Nitrogen
Dioxide Compliance) (No. 2) Air Quality Direction 2018

The Secretary of State, in exercise of the power conferred by section 85(5) of the Environment Act 1995^(a), gives the following direction.

In accordance with section 85(6) a copy of this direction will be published in the London Gazette.

The Secretary of State makes this direction having determined that it is necessary in order to meet obligations placed upon the UK under the EU Ambient Air Quality Directive^(b).

Citation, commencement and application

1.—(1) This direction may be cited as the Environment Act 1995 (Feasibility Study for Nitrogen Dioxide Compliance) (No. 2) Air Quality Direction 2018 and comes into force on 5 October 2018.

(2) This direction applies to England.

Interpretation

2. In this direction—

“specified authorities” means the local authorities listed in Schedule 1;

“specified activities” means the activities described in Schedule 2.

Requirement to take certain steps

3. Each of the specified authorities must complete the specified activities by the dates specified in Schedule 2.

Thérèse Coffey MP
Parliamentary Under Secretary of State for the Environment
Department for the Environment Food & Rural Affairs

4 October 2018

(a) 1995 c25.

(b) 2008/50/EC OJ No. L 152, 11.06.08, p.1.

SCHEDULE 1

Paragraph 3

Specified Authorities

Bolsover District Council
Broxbourne Borough Council
City of Bradford Metropolitan District Council
Leicester City Council
Liverpool City Council
Newcastle-under-Lyme Borough Council
Portsmouth City Council
Stoke-on-Trent City Council

SCHEDULE 2

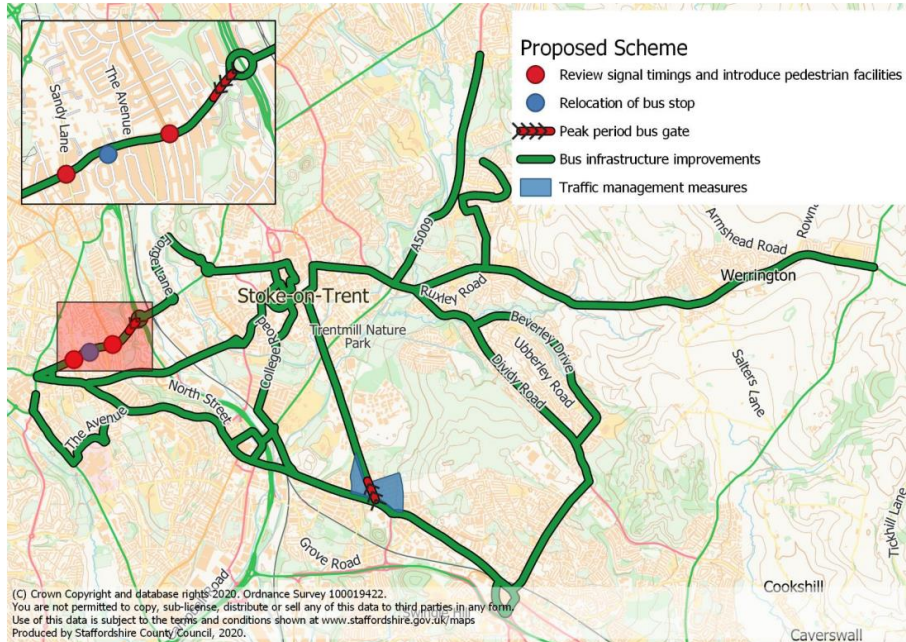
Paragraph 3

Specified Activities

| <i>Activity</i> | <i>Description of activity</i> | <i>Deadlines</i> |
|---|---|--|
| Undertake as part of the UK plan for tackling roadside nitrogen dioxide concentrations 2017, together with the Supplement to that plan published on 5 October 2018, a Feasibility Study in accordance with the HM Treasury's Green Book approach, to identify the option which will deliver compliance with legal limits for nitrogen dioxide in the area for which the authority is responsible, in the shortest possible time. | Initial Plan: Setting out the case for change and the first stage in identifying, exploring, analysing and developing options for measures which the local authority will implement to deliver compliance in the shortest possible time, with indicative costs for those options. | As soon as possible and by 31 January 2019 at the latest. |
| As above | Final Plan: Identifying the preferred option for delivering compliance in the | As soon as possible and by 31 October 2019 at the latest. |

Appendix D:

Figure 1-15: Summary of the proposed NSLAQP



North Staffordshire Local Air Quality Plan, Outline Business Case

[North Staffordshire Local Air Quality Plan - Unapproved OBC May 2020.pdf \(newcastle-staffs.gov.uk\)](http://newcastle-staffs.gov.uk)

Appendix E:

56. **NORTH STAFFORDSHIRE LOCAL AIR QUALITY PLAN - OUTLINE BUSINESS CASE**

Councillor Johnson presented the Air Quality report which set out how the Council, along with Stoke on Trent City Council and Staffordshire County Council, proposed to meet the legal requirements of two directives served under the provisions of The Environment Act 1995. The directives required both councils to jointly investigate EU exceedances of nitrogen dioxide on roads and what measures could be introduced to achieve compliance. In Newcastle under Lyme Borough there had been one exceedance and this was on the A53 Etruria Road between Victoria Street and Basford Park Road, the main route between Newcastle and Hanley. The report outlined the preferred option which would see the introduction of a virtual bus gate limiting use by certain vehicles including cars during peak times. Cabinet discussed making an exemption for low emission vehicles which was agreed; and seeking the support of the local MP regarding urging Government to reconsider the need for the action.

The second directive required this Borough Council to implement a bus engine retrofit programme and progress with this was outlined in the report.

Resolved: That:-

(a) The comments made in relation to the North Staffordshire Local Air Quality Plan from Economy, Environment & Place Scrutiny Committee held on 12 November 2020 be received.

(b) The Outline Business Case for the North Staffordshire Local Air Quality Plan for tackling roadside nitrogen dioxide exceedances, including technical addenda, as contained in Appendices C and D, be approved for submission to Government, in line with the requirements of the Environment Act 1995 (Implementation of Measures for Nitrogen Dioxide Compliance) Air Quality Direction 2018 (the "2018 Direction") and subsequent amendments by the Secretary of State for the Environment.

(c) Subject to approval of (b), Cabinet request a further report from the Head of Environmental Health Services in June 2021, setting out the Full Business Case, including the detailed costs and proposed funding bid to Government.

(d) Subject to approval of (b), that Cabinet delegates authority to the Director of Operational Services alongside Portfolio Holder for Environment & Recycling to enter into a legal agreement with Staffordshire County Council (SCC) and Stoke-on-Trent City Council (SOTCC) to jointly submit the Full Business Case and deliver the preferred option in line with the requirements of the Environment Act 1995 (Implementation of Measures for Nitrogen Dioxide Compliance) Air Quality Direction 2018 and subsequent amendments by the Secretary of State for the Environment.

(e) The Chief Executive be authorised to enter into a contract to complete the Full Business Case (and inform the Cabinet Member for Environment and Recycling), by direct award to the supplier for the delivery of the Outline Business Case for the North Staffordshire Local Air Quality Plan.

(f) The progress made in relation to the delivery of the Ministerial Direction requiring a bus retrofit scheme for busses operating on the A53 be noted.