

GREATER MANCHESTER AIR QUALITY ADMINISTRATION COMMITTEE

DATE: Thursday, 13th July, 2023

TIME: 1.00 pm

VENUE: Boardroom, GMCA Offices, 56 Oxford Street,
Manchester, M1 6EU

AGENDA

Annual Meeting Business

- 1. APOLOGIES**
- 2. APPOINTMENT OF CHAIR**

To seek a nomination for the Chair to the GM Air Quality Administration Committee for the 2023/2024 municipal year.

- 3. APPOINTMENT OF VICE CHAIR**

To seek a nomination for the Vice-Chair to the GM Air Quality Administration Committee for the 2023/2024 municipal year.

BOLTON	MANCHESTER	ROCHDALE	STOCKPORT	TRAFFORD
BURY	OLDHAM	SALFORD	TAMESIDE	WIGAN

4. MEMBERSHIP OF THE GM AIR QUALITY ADMINISTRATION COMMITTEE 2023/24

To note the appointment of the following members by the GM Local Authorities and the GMCA to the GM Air Quality Administration Committee for the 2023/24 municipal year:

District	Member	Substitute
GMCA	Eamonn O'Brien	
Bolton	Richard Silvester (Labour Co-operative)	Shafaqat Shaikh (Lab)
Bury	Alan Quinn (Lab)	Noel Bayley (Lab)
Manchester	Tracey Rawlins (Lab)	Linda Foley (Lab)
Oldham	Abdul Jabbar (Lab)	Josh Charters (Lab)
Rochdale	Tom Besford (Lab)	Richard Jackson (Lab)
Salford	Mike McCusker (Lab)	Jane Hamilton (Lab)
Stockport	Mark Roberts (Lib Dem)	Grace Baynham (Lib Dem)
Tameside	Denise Ward (Lab)	George Newton (Lab)
Trafford	Aiden Williams (Lab)	Steve Adshead (Lab)
Wigan	Paul Prescott (Lab)	Joanne Marshall (Lab)

5. MEMBERS CODE OF CONDUCT AND ANNUAL DECLARATION OF INTEREST FORM 1 - 10

To be completed by Members of the Committee and returned to the Governance & Scrutiny Officer.

6. TERMS OF REFERENCE 11 - 12

To note the Terms of Reference of the GM Air Quality Administration Committee.

ORDINARY BUSINESS

7. CHAIRS ANNOUNCEMENTS AND URGENT BUSINESS

8. DECLARATIONS OF INTEREST 13 - 16

To receive declarations of interest in any item for discussion at the meeting. A blank form for declaring interests has been circulated with the agenda; please ensure that this is returned to the Governance & Scrutiny Officer at least 48 hours in advance of the meeting.

9. MINUTES OF THE MEETING HELD ON 27 FEBRUARY 2023 17 - 22

To consider the approval of the minute of the meetings held on 27 February 2023.

10. GM CLEAN AIR PLAN - JULY 2023 UPDATE 23 - 50

Report of Councillor Eamonn O'Brien, Portfolio Lead for Clean Air.

11. DATE OF NEXT MEETING

To be confirmed by the Governance and Scrutiny Officer after the meeting.

For copies of papers and further information on this meeting please refer to the website

www.greatermanchester-ca.gov.uk. Alternatively, contact the following

Governance & Scrutiny Officer: Ninoshka Martins

✉ ninoshka.martins@greatermanchester-ca.gov.uk

This agenda was issued on 07.07.2023 on behalf of Julie Connor, Secretary to the Greater Manchester Combined Authority, Broadhurst House, 56 Oxford Street, Manchester M1 6EU

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GM AIR QUALITY ADMINISTRATION COMMITTEE

Date: 13 July 2023
Subject: Members' Code of Conduct and Annual Declaration Form
Report of: Gillian Duckworth, Monitoring Officer, GMCA

PURPOSE OF REPORT:

To remind Members that the GMCA's Member Code of Conduct sets out high expectations with regard Members' conduct. As Members are co-opted on to a GMCA Committee the GMCA's code applies to them when they are acting in this capacity.

RECOMMENDATION:

Members are requested to:

1. Note the GMCA's Member Code of Conduct (Appendix A) and to complete an annual register of interest form (Appendix B).

CONTACT OFFICER:

Ninoshka Martins, Governance & Scrutiny Officer, GMCA
ninoshka.martins@greatermanchester-ca.gov.uk

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Appendix A

SECTION A: CODE OF CONDUCT FOR MEMBERS

Part 1 General Provisions

1 Introduction and Scope

- 1.1 The Greater Manchester Combined Authority is determined to promote and maintain high standards of conduct by its Members, Co-opted Members and those councillors from Greater Manchester's districts appointed to roles in which they act on behalf of the GMCA. The GMCA has adopted a Code of Conduct for Members in line with its obligations under section 27(2) of the Localism Act 2011.
- 1.2 This Code mandatorily applies to those acting as Members of the GMCA (including the **directly elected** Mayor and Substitute Members), voting Co-opted Members of the GMCA's committees or Appointed Members of Joint Committees, and references to "official capacity" are to be construed accordingly.
- 1.3 Compliance with this Code is a statutory requirement for those identified in paragraph 1.2. To promote good governance the GMCA strongly recommends voluntary compliance with the Code by non-voting Co-opted Members of the GMCA's committees and by elected members from Greater Manchester's ten districts when they otherwise act for or represent the GMCA. Where a member is only subject to the Code through voluntary compliance (as described in this paragraph) they will not in law be subject to the statutory obligations relating to member conduct under Chapter 7, Part 1 of the Localism Act 2011 nor can the conduct of such a member, insofar as it concerns that member's GMCA role, amount to any of the criminal offences referred to in this Code. However, the conduct of a member who has agreed to voluntarily be subject to the Code may be considered under the GMCA's arrangements for determining whether a member has breached the Code.
- 1.4 In this Code – 'meeting' means any meeting of:
- the GMCA; or
 - any of the GMCA's Committees or Sub-Committees, Joint Committees or Joint Sub-Committees.
- For the purposes of this Code "Committee" includes any Fire Committee that may be established by the Mayor.
- 1.5 This Code does not have effect in relation to a member's conduct other than where it is in that member's official capacity.
- 1.6 This Code will be reviewed every two years by the GMCA's Standards Committee or earlier if required by a change in legislation.

2 General Principles

- 2.1 The Code and the associated guidance are based on the following general principles.
- 2.2 Members must behave according to the highest standards of personal conduct in everything they do when acting as a Member or voting Co-opted Member (or in the case of those voluntarily subject to compliance with the Code in accordance with paragraph 1.3 above, where they are otherwise acting on behalf of the GMCA). They must observe the following principles of conduct, some of which are set out in law. The seven principles of Standards in Public Life known as the Nolan Principles underpin the provisions of the GMCA's Code of Conduct for Members. They are set out in paragraphs 2.3 to 2.9 below.
- 2.3 Selflessness: holders of public office should act solely in terms of the public interest.
- 2.4 Integrity: holders of public office **must avoid** placing themselves under any obligation to **people or** organisations that might try inappropriately to influence them in the work. **They should not act or take decisions on order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.**
- 2.5 Objectivity: **Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.**
- 2.6 Accountability: Holders of public office are accountable for their decisions and must submit themselves to whatever scrutiny is appropriate to **ensure this.**
- 2.7 Openness: Holders of public office should **act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.**
- 2.8 Honesty: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- 2.9
- 2.10 Leadership: Holders of public office should **exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.**Where those covered by this Code act as a representative of the GMCA:
- (a) on another relevant authority, they must, when acting for that other authority, comply with that other authority's code of conduct; or
 - (b) on any other body, they must comply with this Code, unless it conflicts with any other lawful obligations to which that other body may be subject.

2.11 It is an individual's responsibility to comply with this Code. Failure to do so may result in a sanction being applied by the GMCA. A failure by a Member coming within the scope of paragraph 1.2 above to declare a Disclosable Pecuniary Interest may result in a criminal conviction and an unlimited fine and/or disqualification from office for a period of up to 5 years.

3 General Obligations for Members

3.1 You must not:-

- a. Do anything which may knowingly cause the GMCA to breach the Equality Act 2010;
- b. Bully or be abusive to any person;
- c. Intimidate or attempt to intimidate any person who is or is likely to be:
 - a complainant
 - a witness, or
 - involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with the GMCA's Code of Conduct; or
- d. do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the GMCA.

3.2 You must not:

- a. Disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - i. You have the consent of a person authorised to give it;
 - ii. You are required to do so by law;
 - iii. The disclosure is made to a third party for the purpose of obtaining professional **legal** advice, provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure:
 - is reasonable and in the public interest; and
 - is made in good faith and in compliance with the reasonable requirements of the GMCA; **and I have consulted with the Monitoring Officer prior to its release or**
- b. **Do not improperly use knowledge gained solely as a result of your role as a Councillor for the advancement of yourself, friends, family members, employer or business interests**
- c. Prevent another person from gaining access to information to which that person is entitled by law.

3.3 You must not conduct yourself in such a way which could reasonably be regarded as bringing your office or the GMCA into disrepute.

3.4 You:

- a. must not use or attempt to use your position as a Member improperly to **the advantage or disadvantage** for myself or any other person, ; and
- b. must, when using or authorising the use by others of the resources of the GMCA:
 - act in accordance with the GMCA’s reasonable requirements;
 - ensure that such resources are not used improperly for political purposes (including party political purposes) **or be conductive to, the discharge of the functions of the GMCA or of the office to which I have been appointed;** and
- c. must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

3.5 When reaching decisions on any matter you must have regard to any relevant advice provided to you by:

- a. The GMCA’s Treasurer (section 73 officer); or
- b. The GMCA’s Monitoring Officer

where that officer is acting pursuant to his or her personal statutory duties.

3.6 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the GMCA.

Greater Manchester Waste & Recycling Committee – 13 July 2023

Declaration of Councillors' Interests in Items Appearing on the Agenda

Name: _____

Date: _____

Minute Item No. / Agenda Item No.	Nature of Interest	Type of Interest
		Personal / Prejudicial / Disclosable Pecuniary
		Personal / Prejudicial / Disclosable Pecuniary
		Personal / Prejudicial / Disclosable Pecuniary
		Personal / Prejudicial / Disclosable Pecuniary
		Personal / Prejudicial / Disclosable Pecuniary
		Personal / Prejudicial / Disclosable Pecuniary

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Please see overleaf for a quick guide to declaring interests at GMCA meetings.

Quick Guide to Declaring Interests at GMCA Meetings

Please Note: should you have a personal interest that is prejudicial in an item on the agenda, you should leave the meeting for the duration of the discussion and the voting thereon.

This is a summary of the rules around declaring interests at meetings. It does not replace the Member's Code of Conduct, the full description can be found in the GMCA's constitution Part 7A.

Your personal interests must be registered on the GMCA's Annual Register within 28 days of your appointment onto a GMCA committee and any changes to these interests must notified within 28 days. Personal interests that should be on the register include:

1. Bodies to which you have been appointed by the GMCA
2. Your membership of bodies exercising functions of a public nature, including charities, societies, political parties or trade unions.

You are also legally bound to disclose the following information called Disclosable Personal Interests which includes:

1. You, and your partner's business interests (eg employment, trade, profession, contracts, or any company with which you are associated).
2. You and your partner's wider financial interests (eg trust funds, investments, and assets including land and property).
3. Any sponsorship you receive.

Failure to disclose this information is a criminal offence

Step One: Establish whether you have an interest in the business of the agenda

1. If the answer to that question is 'No' then that is the end of the matter.
2. If the answer is 'Yes' or Very Likely' then you must go on to consider if that personal interest can be construed as being a prejudicial interest.

Step Two: Determining if your interest is prejudicial

A personal interest becomes a prejudicial interest:

1. where the wellbeing, or financial position of you, your partner, members of your family, or people with whom you have a close association (people who are more than just an acquaintance) are likely to be affected by the business of the meeting more than it would affect most people in the area.
2. the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

For a non-prejudicial interest, you must:

1. Notify the governance officer for the meeting as soon as you realise you have an interest.
2. Inform the meeting that you have a personal interest and the nature of the interest.
3. Fill in the declarations of interest form.

To note:

1. You may remain in the room and speak and vote on the matter
2. If your interest relates to a body to which the GMCA has appointed you to, you only have to inform the meeting of that interest if you speak on the matter.

For prejudicial interests, you must:

1. Notify the governance officer for the meeting as soon as you realise you have a prejudicial interest (before or during the meeting).
2. Inform the meeting that you have a prejudicial interest and the nature of the interest.
3. Fill in the declarations of interest form.
4. Leave the meeting while that item of business is discussed.
5. Make sure the interest is recorded on your annual register of interests form if it relates to you or your partner's business or financial affairs. If it is not on the Register update it within 28 days of the interest becoming apparent.

You must not:

Participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business, participate in any vote or further vote taken on the matter at the meeting.

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GM Clean Air Quality Administration Committee – Terms of Reference

General

The Air Quality Administration Committee is a joint committee created by the ten Greater Manchester local authorities (“the Constituent Authorities”) and the Greater Manchester Combined Authority (“the GMCA”) under section 101(5) of the Local Government Act 1972 and Part 4 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.

Membership of the Committee

The membership of the committee shall be eleven, consisting of the lead executive member for clean air of each of the Constituent Authorities and the relevant portfolio holder responsible for clean air of the GMCA from time to time. The Constituent Authorities and the GMCA shall also each nominate a substitute executive member/GMCA member to attend and vote in their stead.

Role of the Committee

To enable the joint discharge of the GMCA’s and Constituent Authorities’ functions under sections 82 to 84 of the Environment Act 1995 (Air Quality) and in relation to the Greater Manchester Clean Air Plan (excluding such decisions that must be taken by the charging authorities jointly under Part 3 of, and Schedule 12 to, the Transport Act 2000 and regulations made thereunder).

Powers to be discharged by the Committee

The Committee shall have the power to discharge jointly:

- the GMCA’s and the Constituent Authorities’ functions under sections 82 to 84 of the Environment Act 1995
 - the GMCA’s functions in relation to the Greater Manchester Clean Air Plan (including the taking of action likely to promote or improve the economic, social or environmental well-being of Greater Manchester in connection with it and the use of grants made by the Secretary of State under section 31 of the Local Government Act 2003 to implement that plan).
- the Constituent Authorities functions under the Greater Manchester Clean Air Plan including those under Part 3 of, and Schedule 12 to, the Transport Act 2000 and regulations made thereunder (excluding any decision thereunder that must be taken jointly by charging authorities) including, but not limited to:
 - action required under the Environment Act 1995 (Greater Manchester) Air Quality Direction 2020 (other than the making of the joint local charging scheme);
 - the exercise of their powers under sections 176, 177 and 192 of the Transport Act 2000;

- the application of the Constituent Authorities' shares of any net proceeds of a joint local charging scheme made by them.

The discharge of such functions includes the doing of anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of those functions.

Operation of the Committee

- The Committee shall appoint a chair at its first meeting;
- The Quorum of the Committee shall be 8 members;
- Each member shall have one vote;
- The Chair shall not have a casting vote;
- Unless required by law, decisions shall be made by a simple majority.

Declaration of Councillors' Interests in Items Appearing on the Agenda

Name and Date of Committee.....

Agenda Item Number	Type of Interest - PERSONAL AND NON PREJUDICIAL Reason for declaration of interest	NON PREJUDICIAL Reason for declaration of interest Type of Interest – PREJUDICIAL Reason for declaration of interest	Type of Interest – DISCLOSABLE PECUNIARY INTEREST Reason for declaration of interest

Please see overleaf for a quick guide to declaring interests at GMCA meetings.

Quick Guide to Declaring Interests at GMCA Meetings

Please Note: should you have a personal interest that is prejudicial in an item on the agenda, you should leave the meeting for the duration of the discussion and the voting thereon.

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A personal interest becomes a prejudicial interest:

1. where the wellbeing, or financial position of you, your partner, members of your family, or people with whom you have a close association (people who are more than just an acquaintance) are likely to be affected by the business of the meeting more than it would affect most people in the area.
2. the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

For a non-prejudicial interest, you must:

1. Notify the governance officer for the meeting as soon as you realise you have an interest.
2. Inform the meeting that you have a personal interest and the nature of the interest.
3. Fill in the declarations of interest form.

To note:

1. You may remain in the room and speak and vote on the matter

If your interest relates to a body to which the GMCA has appointed you to, you only have to inform the meeting of that interest if you speak on the matter.

For prejudicial interests, you must:

1. Notify the governance officer for the meeting as soon as you realise you have a prejudicial interest (before or during the meeting).
2. Inform the meeting that you have a prejudicial interest and the nature of the interest.
3. Fill in the declarations of interest form.
4. Leave the meeting while that item of business is discussed.
5. Make sure the interest is recorded on your annual register of interests form if it relates to you or your partner's business or financial affairs. If it is not on the Register update it within 28 days of the interest becoming apparent.

You must not:

Participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business, participate in any vote or further vote taken on the matter at the meeting.

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MINUTES OF THE MEETING OF THE GREATER MANCHESTER AIR QUALITY ADMINISTRATION COMMITTEE HELD ON 27 FEBRUARY 2023 AT GMCA OFFICES

PRESENT:

GMCA Portfolio Leader for Clean Air	Councillor Eamonn O'Brien
Bolton	Councillor Nadim Muslim
Bury	Councillor Alan Quinn
Manchester	Councillor Tracey Rawlins
Oldham	Councillor Abdul Jabbar
Rochdale	Councillor Tricia Ayrton
Salford	Councillor Mike McCusker
Stockport	Councillor Mark Roberts
Trafford	Councillor Aidan Williams
Wigan	Councillor Paul Prescott

OFFICERS IN ATTENDANCE:

GMCA	Eamonn Boylan
GMCA	Kerry Bond
TfGM	Simon Warburton
TfGM	Frank Tudor
TfGM	Megan Black
TfGM	Nigel Bellamy

AQC 22/24 APOLOGIES

No apologies for absence were received.

AQC 22/25 APPOINTMENT OF CHAIR

Eamonn Boylan, GMCA and TfGM Chief Executive opened the meeting and invited nominations for the role of Chair for the 2022/23 Municipal Year.

The Committee agreed the appointment of Councillor Eamonn O'Brien, GMCA Portfolio Lead for Clean Air as Chair for the 2022/23 Municipal Year.

RESOLVED /-

That Councillor Eamonn O'Brien be appointed as Chair for the 2022/23 Municipal Year.

AQC 22/26 CHAIR'S ANNOUNCEMENTS AND URGENT BUSINESS

There were no Chair's announcements or urgent business.

AQC 22/27 DECLARATIONS OF INTEREST

There were no declarations of interest received in relation to any item on the agenda.

AQC 22/28 MINUTES OF THE MEETING HELD ON 26 OCTOBER 2022

RESOLVED /-

That the minutes of the meeting held on 26 October 2022 be approved, as a correct record.

AQC 22/29 GREATER MANCHESTER CLEAN AIR PLAN – FEBRUARY 2022 UPDATE

The Chair opened the item by requesting that thanks to all officers involved in the work on the Greater Manchester (GM) Clean Air Plan (CAP) and for their support to residents and businesses throughout this process be placed on record.

The Chair gave a brief update on the GMCA and the ten districts position and its broad agreement on the case for an investment led approach of a non-charging clean air zone (CAZ). Following a meeting with Minister Pow a case for an investment led approach to GM's CAZ has been submitted to government. GM have been asked to provide modelling results for a benchmark CAZ to address the persistent exceedances identified in central Manchester and Salford, for these to be compared against our existing proposals. Public investment in the introduction of electric buses as part of the franchising proposal has led to commensurate investment from the private sector, highlighting the effectiveness of an investment led approach.

Megan Black, Interim Head of Logistics & Environment, TfGM introduced the report that provided an update on the case for a new Greater Manchester Clean Air Plan (GM CAP) including:

- details on the latest position with Government
- the approach to address persistent exceedances of nitrogen dioxide (NO₂) on the A58 Bolton Road, Bury
- the approach as requested by Government to model a Central Manchester Clean Air Zone (CAZ) as a benchmark
- the proposals to support electric buses and to open the funds for taxis and private hire vehicles (PHVs)
- Local Authority funding distribution
- targeted engagement and research that was undertaken as part of the Participatory Policy Development activity and the delivery of electric vehicle (EV) charge points funded by the GM CAP.

Government have requested that we provide additional evidence to support the case for an investment led Clean Air Plan, to demonstrate that the new plan will achieve legal limits for nitrogen dioxide within the shortest possible time, that the proposal are deliverable and that we have sufficient uptake in funding to achieve compliance. GM have provided a first draft of the requested evidence to Government setting out how investment in zero emission buses will help meet legal NO2 limits on the A58 in Bury and through the launch of the regulated bus services in Bolton and Wigan.

GM have also been asked to model how an investment led approach performs in terms of delivering compliance against the benchmark of a CAZ to address the persistent exceedances in Salford and Central Manchester, this evidence will be provided to government by the end of June 2023.

Further evidence has also been requested on the ask for further funding to support electric buses and the upgrade of taxis and private hire vehicles (PHV's), proposals to open the funding will be submitted to the Government's Joint Air Quality Unit.

The allocation of funding through the City Region Sustainable Transport Settlement (CRSTS) has enabled clean air standard compliant upgrades and retrofit of 89% of the bus fleet serving Greater Manchester.

Headlines from the engagement and research as part of the participatory approach to the development of the CAP along with the Participatory Policy Development (PPD) Summary of Stakeholder Engagement Report and the AECOM PPD Online Survey and report are set out in Appendix 5 and 6 of the report.

The Early Measures project have delivered 22 of the 24 EV rapid charging points funded by the Clean Air Funds. Work is underway through the Taxi EV Project to deliver 60 rapid charging points across GM for use by private hire and hackney vehicles licensed by a GM Authority, and will become part of the Be.EV charging network, these works are due for completion by the end of the summer.

Members expressed their concerns around the delay caused by Government in progressing this piece forward and the request to model against a benchmark of CAZ and asked that we impress on government that GM have a strong data backed case that the proposal for an investment led non-charging Clean Air Plan can achieve compliance.

Members were advised that evidence continues to be gathered around the Regent Road corridor and officers continue to meet with National Highways and have a positive data sharing arrangement.

TfGM will continue to promote alternative travel arrangements; the GM Mayor continues to request through government further collaborative powers be extended to GM around the rail network.

Following review of replacement vehicle costs, investment funds can be directed to best effect where licence allows, critically around becoming a fully compliant GM bus fleet. An inflation related factor is being built into the proposed investment model for businesses.

Officers will continue to respond to Government and will raise the points discussed including around the removal of signage and the importance of the involvement of National Highways particularly around the Regent Road corridor.

Members were advised that officers will continue to work on clear communications, including that it is the government's request for GM to provide modelling results for a benchmark CAZ to address the persistent exceedances identified in central Manchester and Salford.

RESOLVED /-

1. To note the latest position with Government.

2. To agree the report 'Greater Manchester's approach to address persistent exceedances of nitrogen dioxide identified on the A58 Bolton Road, Bury' attached at Appendix 3 of the report as final to the Secretary of State.
3. To note the approach to modelling a Central Manchester Clean Air Zone as a benchmark.
4. To agree the delegation to the Chief Executive of GMCA and TfGM, in consultation with the Chair to approve the submission of proposals to support electric buses and to open the funds for taxis and PHVs to the Government's Joint Air Quality Unit.
5. To note the Clean Air funding distribution to end January 2023 by Local Authority.
6. To note headlines from targeted engagement and research that was undertaken as part of the Participatory Policy Development activity as detailed at Appendix 4 of the report.
7. To note the update to deliver Electric Vehicle charge points funded by the Greater Manchester Clean Air Plan.
8. To agree that thanks to all officers involved in the work on the Greater Manchester (GM) Clean Air Plan (CAP) and for their support to residents and businesses throughout this process be placed on record.

AQC 22/30 DATE OF NEXT MEETING

RESOLVED /-

That the future meeting dates be confirmed by the Governance and Scrutiny Officer following the meeting.

GM AIR QUALITY ADMINISTRATION COMMITTEE

Date: 13 July 2023
 Subject: GM Clean Air Plan – July 2023 Update
 Report of: Councillor Eamonn O’Brien, Portfolio Lead for Clean Air

Purpose of Report

This report provides an update on the Case for a new Greater Manchester Clean Air Plan.

Recommendations:

The Air Quality Administration Committee is requested to:

1. Note the latest position with the government’s National Bus Retrofit Programme and the implications for the GM Clean Air Plan.
2. Note that government has commenced a six-month focused research programme to quickly investigate the causes of poor bus retrofit performance and scope how performance can be improved, anticipated to be reporting in the Autumn.
3. Write to the Secretary of State setting out the Authorities’ desire to align the reporting of GM’s programme of work with the government’s given their interdependency to deal with this unprecedented issue.
4. Agree to allow GM CAP funded bus retrofits to proceed where an operator has made a financial commitment but where an operator has not made a financial commitment, to pause any new bus retrofit applications.
5. Note the 2022 GM CAP monitoring data indicates that nitrogen dioxide air pollution has increased compared with 2021 but is below levels recorded pre-pandemic in 2019. Analysis of the factors influencing pollution emissions and air quality indicate that the concentrations have been affected by:
 - An increase in car traffic compared with 2021, and associated congestion although traffic is still below 2019;
 - Differing weather conditions in 2022 compared with 2021, reducing dispersion of pollutants – likely driven by warmer sunnier conditions over the year; and

<u>BOLTON</u>	<u>MANCHESTER</u>	<u>ROCHDALE</u>	<u>STOCKPORT</u>	<u>TRAFFORD</u>
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- Bus fleet emissions as a result of the impact of the variable performance of the government's bus retrofit programme, as set out in section 5.

Contact Officers

Eamonn Boylan – Chief Executive, GMCA and TfGM –

eamonn.boylan@greatermanchester-ca.gov.uk

Gill Duckworth – GMCA Solicitor and Monitoring Officer –

gillian.duckworth@greatermanchester-ca.gov.uk

Megan Black – Interim Head of Logistics & Environment –

megan.black@tfgm.com

Equalities Impact, Carbon and Sustainability Assessment:

The GM CAP is a place-based solution to tackle roadside NO₂ which will have a positive impact on carbon.

Risk Management

Initial risk register set out in Clean Air Plan OBC (March 2019).

Legal Considerations

On 8th February 2022 *The Environment Act 1995 (Greater Manchester) Air Quality Direction 2022* (the Direction) was issued. The Direction requires that the GM local authorities:

- review the measures specified in the existing Plan; and
- determine whether to propose any changes to the detailed design of those measures, or any additional measures.

The GM authorities must ensure that the Plan with any proposed changes will secure that:

- compliance with the legal limit value for NO₂ is achieved in the shortest possible time and by no later than 2026; and
- exposure to levels above the legal limit for NO₂ is reduced as quickly as possible.

This Direction revoked the Direction dated March 2020 which required the ten Greater Manchester Local Authorities to implement a Category C Clean Air Zone to achieve compliance with the legal limit value for NO₂ in the shortest possible time and by 2024 at the latest.

Financial Consequences – Revenue

Initial Financial Case set out in Clean Air Plan OBC (March 2019), with all development and delivery costs to be covered by central government.

Financial Consequences – Capital

Initial Financial Case set out in Clean Air Plan OBC (March 2019), with all development and delivery costs to be covered by central government.

Number of attachments to the report: **three**

Comments/recommendations from Overview & Scrutiny Committee

Not applicable.

Background Papers

- 27 February 2023, Report to AQAC: GM Clean Air Plan – February 2023 Update
- 26 October 2022, Report to AQAC: GM Clean Air Plan – Expenditure Update
- 26 October 2022, Report to AQAC: GM Clean Air Plan – October 2022 Update
- 17 August 2022, Report to AQAC: GM Clean Air Plan – August 2022 Update
- 1 July 2022, Report to AQAC: GM Clean Air Plan – July 22 Update
- 23 March 2022, Report to AQAC: GM Clean Air Plan – March 22 Update
- 28 February 2022, Report to AQAC: GM Clean Air Plan – February 22 Update
- 2 February 2022, report to CACC: GM Clean Air Plan – update to the temporary exemption qualification date for GM-licensed hackney carriages and private hire vehicles
- 20 January 2022, report to AQAC: GM Clean Air Plan – A628/A57, Tameside – Trunk Road Charging Scheme update
- 20 January 2022, report to AQAC: GM Clean Air Plan – Financial Support Scheme Jan 22 Update
- 20 January 2022, report to AQAC: GM Clean Air Plan – Clean Air Zone Discount & Exemptions Applications
- 18 November 2021, report to AQAC: GM Clean Air Plan – GM Clean Air Funds assessment mechanism
- 18 November 2021, report to CACC: GM Clean Air Plan – GM Clean Air Plan Policy updates
- 13 October 2021, report to AQAC: GM Clean Air Plan – Operational Agreement for the Central Clean Air Service
- 13 October 2021, report to CACC: GM Clean Air Plan – Showmen’s Vehicle Exemption
- 13 October 2021, report to CACC: GM Clean Air Plan – Clean Air Zone daily charge refund policy
- 13 October 2021, report to CACC: GM Clean Air Plan – A628/A57, Tameside – Trunk Road Charging Scheme
- 21 September, report to AQAC: GM Clean Air Plan – Clean Air Zone: Camera and Sign Installation
- 21 September, report to AQAC: GM Clean Air Plan – Bus Replacement Funds
- 25 June 2021, report to GMCA: GM Clean Air Final Plan
- 31 January 2021, report to GMCA: GM Clean Air Plan: Consultation

- 31 July 2020, report to GMCA: Clean Air Plan Update
- 29 May 2020, report to GMCA: Clean Air Plan Update
- 31 January 2020, report to GMCA: Clean Air Plan Update
- 26 Jul 2019, report to GMCA: Clean Air Plan Update
- 1 March 2019, report to GMCA: Greater Manchester's Clean Air Plan – Tackling Nitrogen Dioxide Exceedances at the Roadside - Outline Business Case
- 11 January 2019, report to GMCA/AGMA: Clean Air Update
- 14 December 2018, report to GMCA: Clean Air Update
- 30 November 2018, report to GMCA: Clean Air Plan Update
- 15 November 2018, report to HPEOS Committee: Clean Air Update
- 26 October 2018, report to GMCA: GM Clean Air Plan Update on Local Air Quality Monitoring
- 16 August 2018, report to HPEOS Committee: GM Clean Air Plan Update
- UK plan for tackling roadside nitrogen dioxide concentrations, Defra and DfT, July 2017.

Tracking/ Process

Does this report relate to a major strategic decision, as set out in the GMCA Constitution

No

Exemption from call in

Are there any aspects in this report which means it should be considered exempt from call in by the relevant Scrutiny Committee on the grounds of urgency? No

GM Transport Committee – Not applicable

Overview and Scrutiny Committee – Not applicable

1 Background

- 1.1 The government has instructed many local authorities across the UK to take quick action to reduce harmful Nitrogen Dioxide (NO₂) levels following the Secretary of State (SoS) issuing a Direction under the Environment Act 1995. In Greater Manchester, the 10 local authorities, the Greater Manchester Combined Authority (GMCA) and Transport for Greater Manchester (TfGM) are working together to develop a Clean Air Plan to tackle NO₂ exceedances at the roadside, herein known as Greater Manchester Clean Air Plan (GM CAP).
- 1.2 The development of the GM CAP is funded by government and is overseen by Joint Air Quality Unit (JAQU), the joint DEFRA and DfT unit established to deliver national plans to improve air quality and meet legal limits. The costs related to the business case, implementation and operation of the GM CAP are either directly funded or underwritten by government acting through JAQU and any net deficit over the life of the GM CAP will be covered by the New Burdens Doctrine, subject to a reasonableness test¹.
- 1.3 The GM CAP is a package of measures to deliver NO₂ reductions to within legal limits within the shortest possible time and by 2026 at the latest.
- 1.4 Throughout the development of the GM CAP the ten GM local Authorities have made clear the expectation that the UK government would support the plans through:
 - Clear arrangements and funding to develop workable, local vehicle scrappage / upgrade measures;
 - Short term effective interventions in vehicle and technology manufacturing and distribution, led by national government;
 - Replacement of non-compliant buses; and

¹ The new burdens doctrine is part of a suite of measures to ensure Council Tax payers do not face excessive increases. [New burdens doctrine: guidance for government departments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/new-burdens-doctrine)

- A clear instruction to Highways England² to implement measures which deliver compliance with legal limits for NO₂ on the strategic road network, for which they are responsible, in the shortest possible time³.
- 1.5 The GMCA Clean Air Update report of 29 May 2020² detailed that in March 2020 the government provided initial funding of £41m for clean vehicle funds to award grants or loans to eligible businesses: £15.4m for bus retrofit, £10.7m for Private Hire Vehicles, £8m for HGVs, £4.6m for coaches and £2.1m for minibuses. These figures include Joint Air Quality Unit (JAQU) estimated delivery costs at 5%.
 - 1.6 The GMCA – Clean Air Final Plan report detailed that GM had been awarded £14.11m for Hackney Carriages and £73.5m for Light Goods Vehicles. The Hackney Carriage award comprises £10.61m to support grants and loans to upgrade vehicles. These figures include JAQU estimated delivery costs at 5%.
 - 1.7 The GMCA – Clean Air Final Plan report on 25 June 2021⁴ endorsed the GM Final Clean Air Plan and policy following a review of all of the information gathered through the GM CAP consultation and wider data, evidence and modelling work. This included the GM Clean Air Plan Policy, that outlined the boundary, discounts, exemptions, daily charges of the formerly proposed Clean Air Zone (CAZ) as well as the financial support packages offered towards upgrading to a compliant vehicle, including the eligibility criteria to be applied. The aim of the funding is to support an upgrade to a compliant vehicle and to mitigate the negative socio-economic effects of the former GM CAZ.
 - 1.8 The 25 June 2021 GMCA report set out that the Air Quality Administration Committee has the authority to establish and distribute the funds set out in the agreed GM Clean Air Plan policy.
 - 1.9 On 21 September 2021 the Air Quality Administration Committee approved the establishment and distribution of the agreed bus replacement funds.

² On 19 August 2021 it was announced that Highways England changed its name to ‘National Highways’ reflecting the new focus the company has on delivering the government’s £27bn strategic roads investment programme, while also continuing to set highways standards for the whole UK.

³ GM Authorities are directed to take action on the local road network. Those roads managed by National Highways, such as motorways and trunk roads are excluded from the Clean Air Plan.

⁴ Also considered by the GM authorities through their own constitutional decision-making arrangements.

- 1.10 On 13 October 2021 the Air Quality Administration Committee agreed the distribution of Clean Air funds set out in the agreed GM Clean Air Plan policy as follows:
- From 30 November 2021 applications for funding would open for HGVs.
 - Opened the funds to applications from LGV, Hackney, PHV and Minibus owners who were detrimentally impacted by the decision to defer the wider opening of the Financial Support Scheme.
- 1.11 On 18 November 2021 the Air Quality Administration Committee agreed the assessment mechanism to allow for Clean Air Funds to be adapted, if necessary (including a process for considering whether additional funding is required), if the impacts of the Clean Air Zone prove to be more severe than forecast once opened.
- 1.12 On 20 January 2022 the Air Quality Administration Committee considered the findings of an initial review of conditions within the supply chain of Light Good Vehicles which is impacting the availability of compliant vehicles. The Committee agreed that a request should be made to the Secretary of State (SoS) for Environment, Food and Rural Affairs to agree to pause the opening of the next phase of Clean Air Funds to enable an urgent and fundamental joint policy review with government to identify how a revised policy can be agreed to deal with the supply issues and local businesses' ability to comply with the GM CAP.
- 1.13 On 28 February 2022 the Air Quality Administration Committee noted the submission of a report "*Issues Leading to Delayed Compliance Based on the Approved GM CAP Assumptions*", attached as Appendix 3. The report concluded that on balance, the latest emerging evidence suggests that with the Approved Plan [Summer 2021 Clean Air Plan] in place, it was no longer more likely than not that compliance would be achieved in 2024. The government subsequently issued a new Direction which stated that proposals for a revised plan were required to be submitted to the SoS by 1st of July, requiring the revised plan to achieve compliance with the legal limit value for NO₂ in the shortest possible time and by no later than 2026. The committee also noted the interim arrangements for delivery arrangements for the Clean Air Zone in the meantime, including signage, funding and discount/exemption applications.
- 1.14 On 23 March 2022 the Air Quality Administration Committee noted the scope of the review of the Clean Air Plan and the participatory policy development approach, as well as delivery arrangements, including signage and funding.

- 1.15 On 1 July 2022 the Air Quality Administration Committee noted the 'Case for a new Greater Manchester Clean Air Plan' document and associated appendices would be submitted to the Secretary of State on the 1 July as a draft document subject to any comments of Greater Manchester local authorities.
- 1.16 On 17 August 2022 the Air Quality Administration Committee agreed to submit the 'Case for a new Greater Manchester Clean Air Plan' to the Secretary of State as a final Case for a new Greater Manchester Clean Air Plan and Approved the Case for a New Plan - Air Quality Modelling Report for submission to the government's Joint Air Quality Unit.
- 1.17 On 26 October 2022 the Air Quality Administration Committee noted the non-compliant vehicles that have been upgraded through Clean Air Funds; the targeted engagement being undertaken with key stakeholders to inform the policy development process, that Greater Manchester Police have advised that the disclosure requests from the Clean Air Zone ANPR cameras have been very useful in detecting crime and the update on the funding received from government, the expenditure made and the funding requirements that have emerged as the new Greater Manchester Clean Air Plan is developed.
- 1.18 On 27 February 2023, the Air Quality Administration Committee agreed to submit the report 'Greater Manchester's approach to address persistent exceedances of nitrogen dioxide identified on the A58 Bolton Road, Bury' to the Secretary of State; noted the parameters of a Central Manchester CAZ benchmark scenario, the Clean Air funding distribution to end January 2023 by Local Authority, the headlines from targeted engagement and research that was undertaken as part of the Participatory Policy Development activity and the update to deliver EV charge points funded by the GM CAP.

2 Overview

2.1 The primary focus of the 'Case for a new Greater Manchester Clean Air Plan' is to identify a plan to achieve compliance with the legal limit value for NO₂ in a way that considers the current cost of living crisis and associated economic challenge faced by businesses and residents. This would be achieved through an investment-led approach combined with all the wider measures that GM is implementing and aims to reduce NO₂ emissions to within legal limits, in the shortest possible time and at the latest by 2026. Unlike the previous charging-led scheme defined by government guidance, the investment-led scheme seeks to factor in the cost-of-living crisis, actively considers the impacts of the pandemic and wider global economic instability on supply chains, can be delivered more quickly, and crucially considers the significant beneficial effects that the delivery of electric buses can have along key routes. In particular:

- The **cost-of-living crisis** means that businesses are less able to afford to invest in vehicle upgrades, whilst households are less able to absorb any costs that may be passed on to them.
- This is exacerbated by **rising vehicle prices** and – for some vehicle types – lower residual values of non-compliant vehicles. There is evidence that illustrates the demand for new and compliant second-hand vehicles is exceeding supply, leading to longer wait times and rising prices.
- A charging Clean Air Zone could therefore cause **unacceptable financial hardship** and contribute to business failures.
- In addition, **new opportunities have arisen** – via the approval of bus franchising and new funding for electric buses – this means that GM has the opportunity to tackle emissions in a different way.
- The exceedances become more localised in 2025 and 2026, therefore **action can be targeted** at those locations suffering the worst air quality.
- It is clear that the GM-wide Clean Air Zone category C as approved in summer 2021 could lead to hardship in GM and that implementing a materially revised charging CAZ, for example with a different boundary, vehicles in scope or discounts and exemptions, would take time to design and consult upon and then implement.

2.2 The core objectives of the New GM CAP are:

- To reduce NO₂ concentrations to below the legal limits in the shortest possible time and by 2026 at the latest;

- To achieve compliance in a way that is fair to businesses and residents, and does not damage business or cause financial hardship to people in GM; and
- To ensure the reduction of harmful emissions is at the centre of GM's wider objective for delivering the Bee Network's⁵ core objectives.

2.3 The 'Case for a new Greater Manchester Clean Air Plan' therefore proposed using the £120 million of Clean Air funding that the government has awarded to Greater Manchester to deliver an investment led approach to invest in vehicle upgrades, rather than imposing daily charges and in particular through the delivery of zero emission buses in the Bee Network (a London-style integrated transport network). The new plan would ensure that the reduction of harmful emissions is at the centre of GM's wider objectives.

2.4 The Bee Network – a high volume, low fare, transport system – will be transformational for the city-region. It will make it much easier for people to travel more affordably and sustainably and it will help us to reduce all types of air pollution, not just nitrogen dioxide, but other pollutants such as fine particulate matter. It will also cut emissions of carbon dioxide. Progress to date includes:

- Introduction of new low bus fares - £2 adult single fares, £1 for a child/£5 adult daily fares, £2.50 for a child - which have contributed to a 12% increase in patronage already.
- Investment to upgrade the bus fleet, which includes orders for 270 electric buses, which will be zero emission at the tail pipe – with the first 50 hitting our streets in a little over two months' time.
- Operators running the first two phases of franchising have also committed to providing around 200 more electric buses. These will be coming onto our streets over the next two years, with funding secured for even more still and plans for a zero-emission bus fleet by 2032.
- Tranche 1 of bus franchising in Wigan and Bolton going live on 24 September 2023 will have a positive impact on many more boroughs, including Manchester city centre, given the routes those buses will take.

⁵ The Bee Network is a vision for GM to deliver an integrated London-style transport system. The transport system will see buses, trams, rail as well as cycling and walking being joined together to revolutionise travel across the city-region.

- Operators have also ordered cleaner new Euro VI compliant buses. This includes the purchase of 67 Euro VI buses by Rotala.
- To support the roll out of a new fleet of world-class, environmentally friendly buses, two state-of-the-art electric bus depots will be built in Stockport and Central Park in Manchester.
- Delivering the first fully connected cycle network in the UK, connecting every area and community in Greater Manchester with 1,800 miles of safe routes and 2,400 new crossing.
- Work to deliver the largest active travel network in the country also continues, making it easier for people to switch from car journeys to active travel for shorter journeys.
- Over £100m of schemes funded through the Mayor's Cycling and Walking Challenge Fund (MCF) now having Full Business Case Approval.
- Bee Network hire bikes and e-bikes are available in areas of Manchester, Salford and Trafford right now – with ridership recently surpassing 1 million kilometres cycled.
- Across the city-region, schools and colleges continued to receive Active Travel grants in 2022, with over £360,000 now spent on active travel grants across Greater Manchester schools delivering over 1,000 new and improved cycle parking spaces.
- 13 School Streets were delivered in Greater Manchester in 2022, providing cleaner and safer air for our children, and funding is allocated for the introduction of more schemes.
- A new £535K programme, funded through the Department for Transport and Active Travel England Capability and Ambition Fund, means businesses, community groups and other organisations in Greater Manchester can apply for grants to help get more people walking, cycling and wheeling, reducing lorry and van travel in urban areas.
- To support the move towards a cleaner taxi fleet, in 2023, 60 rapid charging points at 32 sites across Greater Manchester are being installed dedicated for EV private hire (PHV) and hackney vehicles licensed by a Greater Manchester Authority.

3 Latest Position

3.1 Having submitted the Case for a New Clean Air Plan in July 2022 GM was asked by government in January 2023 to:

(i) provide modelling results for a benchmark CAZ to address the persistent exceedances identified in central Manchester and Salford, in order for these to be compared against your proposals.

(ii) Identify a suitable approach to address persistent exceedances identified in your data on the A58 Bolton Road in Bury in 2025, and to propose a suitable benchmark.

(iii) Set out how the measures you have proposed will be modelled and evidenced overall, and to ensure that they are modelled without any unnecessary delay.

3.2 Since the last report in February 2023 the Greater Manchester Authorities have been undertaking the work required to supply this further evidence and on 8 March 2023 submitted *Approach to Address Persistent Exceedances Identified on the A58 Bolton Road, Bury*. In February, the GM Authorities anticipated that the remainder of this work would be concluded by end of June 2023.

3.3 On 19 April 2023 government advised TfGM, by a letter attached at Appendix One⁶, that it is to pause any new spending on bus retrofit as they now have evidence that bus retrofit solutions that have been fitted have poor and highly variable performance in real world conditions.

3.4 Government has commenced a six-month focused research programme to quickly investigate the causes of this poor performance and scope how performance can be improved, anticipated to be reporting in the Autumn. This issue is addressed in more detail in section 4.

⁶ The letter refers to a report summarising the results of the remote sensing monitoring and the data tables for the campaign undertaken in Manchester City Centre between 21 November and 12 December 2022. Government have marked this information as sensitive. JAQU have advised Transport for Greater Manchester that it will not be disclosing the information under Regulation 12(4)(d) - Material in the course of completion, unfinished documents, and incomplete data (Environmental Information Regulations 2004).

4 Bus Retrofit Issue – DfT Programme Update

- 4.1 In 2022 JAQU funded a study to quantify NO_x and NO₂ emissions from buses under real-world driving conditions in three cities across the UK, including Manchester, (monitoring took place in Manchester City Centre between 21 November and 12 December 2022).
- 4.2 The monitoring indicated the retrofitted buses were not reducing emissions as expected, with significant variation in performance between bus models with different retrofit technologies. Furthermore, emissions of primary-NO₂ (as opposed to NO_x) were highly variable, potentially worsening roadside NO₂ concentrations despite an overall reduction in NO_x emissions. Further details are summarised in Appendix Two.
- 4.3 Government is not at this stage proposing any changes to the Clean Air Zone (CAZ) compliance status of buses that have already been retrofitted with Selective Catalytic Reduction (SCR) technology whilst they carry out further studies.
- 4.4 However, they do not recommend any further retrofit purchases are made until this research has been completed.
- 4.5 DfT have advised a limited number of Bus Companies through their regular liaison meetings.
- 4.6 The apparent impact of the variable performance of the government's bus retrofit programme may be reflected in the 2022 GM CAP monitoring data, set out in section 7, which shows that air pollution has increased compared with 2021 but is below levels recorded pre-pandemic in 2019. Analysis of the factors influencing pollution emissions and air quality indicate that the concentrations have been affected by:
- An increase in car traffic compared with 2021, and associated congestion although traffic is still below 2019;
 - Differing weather conditions in 2022 compared with 2021, reducing dispersion of pollutants – likely driven by unusually warm conditions over the year; and
 - Bus emissions as a result of the impact of the poor performance of the government's bus retrofit programme.

5 GM's Bus Retrofit Programme – Latest position

- 5.1 Between 2015 – 2019 TfGM awarded £3.1m of Clean Bus Technology Fund⁷ (CBTF) funding to retrofit 170 buses. In 2020 as part of the GM CAP government awarded a further £14.7m to retrofit all remaining retrofittable buses. The GM CAP funding was considered a continuation of the CBTF and it opened to applications in December 2020.
- 5.2 GM developed a robust retrofit programme based on grants of up to £16,000 towards retrofit to a compliant standard via a Clean Vehicle Retrofit Accreditation Scheme (CVRAS) certified system.
- 5.3 Grants have been issued in accordance with standard grant agreements, which require that operators use approved suppliers and install accredited emissions abatement systems. In addition, operators must supply TfGM with a 'completion certificate' for each system installed (this is a condition of payment of 75% of the £16,000 per-vehicle grant) post-installation the buses have operated in accordance with any supplier recommendations.
- 5.4 As of May 2023:
- 972 individual vehicles awarded grants (£15.137m)
 - 931 vehicles completed and fully retrofitted (52 of these vehicles are owned by TfGM.)
 - 926 vehicles paid out (£14.477m)
 - 41 vehicles left to be completed and are in process (TfGM have paid £4k deposits for 14 vehicles although the remaining vehicle operators could have paid their own deposits).
- 5.5 Given the government's position is to not recommend any further retrofit purchases are made until their research has been completed TfGM has contacted those operators with vehicles in the process of being retrofitted. Many operators have made a financial commitment, e.g. placed a deposit that is non-refundable and wish to complete the retrofit of their vehicle.

⁷ The DfT launched the Clean Bus Technology Fund (CBTF) in September 2015 it is a nationally funded programme to apply Selective Catalytic Reduction technology to reduce Euro V levels of NO₂ emissions to Euro VI Standards (i.e. NO₂ reductions from 2g/kWh to 0.4 g/kWh)

5.6 Given that bus operators have retrofitted their vehicles in good faith in reliance on CVRAS, it would seem unfair for those operators to be penalised due to government's decision to suspend the bus retrofit programme. It is therefore recommended to allow retrofits to proceed where an operator has made a financial commitment, e.g. placed a deposit that is non-refundable and where an operator has not made a financial commitment, to pause any new bus retrofit applications in relation to GM funding at this time.

6 Implications for the GM CAP

- 6.1 Buses are an essential component of the public transport offer in Greater Manchester, and in many parts of the region are the only public transport available. When GM submitted its Outline Business Case in 2018 it was made clear that it is vital that action to clean up the bus fleet does not have the unintended consequence of reducing the number or frequency of bus services in the region.
- 6.2 In March 2023 and prior to government's notification, nearly 90% of GM's Bus Fleet complied with the emissions standards set by the Clean Air Zone Framework⁸, compared with around 10% prior to GM's retrofit programme commenced in 2018. 1,153 of the 2,063 buses operating in Greater Manchester have been retrofitted to meet the minimum emissions standards.
- 6.3 Given the scale of upgrade required in GM's bus fleet the retrofit of buses was considered a relatively inexpensive way to deliver compliance, using the government's accredited scheme. The government's Clean Air Zone Framework⁹ states that:

“Retrofitting a vehicle can provide an alternative to buying a new vehicle to meet the standards for a clean air zone. There are a range of existing and emerging retrofitting options for vehicles and it can be difficult for purchasers and local authorities to know whether a particular technology is credible.”

⁸ Made possible due to financial support from the GM Clean Air Bus fund to support the retrofit or replacement of non-compliant vehicles.

⁹ [Clean air zone framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/clean-air-zone-framework)

“The government has developed the Clean Vehicle Retrofit Accreditation Scheme (CVRAS) to provide independent evidence that a vehicle retrofit technology will deliver the expected pollutant emissions reductions and air quality benefits. The scheme enables drivers, technology manufacturers, businesses and local authorities to be confident that the retrofit technologies being used provide the appropriate emissions reductions for free entry to a clean air zone. Retrofitted vehicles which meet the requirements of a clean air zone as accredited under this scheme will be exempt from a charge.”

- 6.4 In the light of the government’s new evidence the JAQU science team have issued revised general guidance applicable to CAZ authorities nationwide, along with GM-specific guidance reflecting the fact that GM-specific roadside monitoring data is available. JAQU’s general guidance, in summary, requires that Air Quality modelling should not assume any benefits from a retrofitted bus. JAQU’s GM-specific guidance gives GM the option to develop a bespoke process to model emissions from retrofitted buses which utilises the available monitoring data. GM is currently working with JAQU to develop and agree a bespoke modelling approach.
- 6.5 Incorporating this revised guidance into the modelling for the GM CAP will have an impact on the baseline scenario underlying all of GM’s modelling work and scheme development to date and, given the large number of retrofitted buses in the region, the impact is likely to be significant.
- 6.6 Notwithstanding these issues the GM authorities are committed to implementing an investment led plan that delivers compliance with the legal limit value in the shortest possible time and by no later than 2026, in accordance with the Direction.
- 6.7 In line with the core objectives of the New GM CAP, as set out at para 2.2, GM is therefore as a matter of priority determining how bus service deployment in 2025 can be targeted to direct lower emitting buses on routes with NO₂ exceedances, and to seek to incorporate this into its modelling.
- 6.8 This is possible as buses are being brought under local control and will be run by Transport for Greater Manchester (TfGM), on behalf of the Greater Manchester Combined Authority (GMCA), in the biggest change to public transport in the city-region in over 30 years.

- 6.9 Under franchising, GMCA will coordinate the bus network and contract bus companies to run the services. This will enable GMCA to develop an integrated, multimodal public transport network that can meet the demands of both passengers and the city-region's economy.
- 6.10 Critically for the GM CAP, it allows Greater Manchester to invest in buses with the confidence that they have control of the strategic delivery. Crucially, franchising allows TfGM to specify the vehicles to be used on the network, meaning lower emitting buses (OEM Euro VI¹⁰ and electric vehicles) may be specified to run on routes with NO₂ exceedances.
- 6.11 The Franchising Scheme applies to the entire Greater Manchester area, which has, in turn, been divided into three franchising scheme 'sub-areas' (namely Franchising Scheme Sub-Areas A, B & C) to allow the transition from the existing deregulated market to a franchised model to take place over a period of time.
- Tranche 1 (Sub-Area A) will principally cover the north-west of Greater Manchester (operational start date of 24 September 2023),
 - Tranche 2 (Sub-Area B) will principally cover the north-east of Greater Manchester (operational start date of no later than 24 March 2024), and
 - Tranche 3 (Sub-Area C) will principally cover the south of Greater Manchester (operational start date of 5 January 2025).
- 6.12 GM is now working to:
- incorporate the revised JAQU guidance into GM's models;
 - work closely with JAQU to develop a bespoke approach to modelling emissions from retrofitted buses, as per JAQU's "Bus Retrofit Update - Additional Technical Guidance for Greater Manchester." This is fundamental to the assessment of a benchmark charging Clean Air Zone scenario, GM's investment-led proposals and additional measures (e.g. locally targeted road traffic management); and
 - determine bus fleet composition and service deployment assumptions for 2025 to incorporate into modelling.

¹⁰ Original Equipment Manufacturer – Euro 6

- 6.13 These tasks will take a significant period of time to complete and means GM is no longer in a position to submit the further evidence it said it would be able to provide at the end of June 2023.
- 6.14 Given that government's programme of work to fully understand the cause(s) of variability on bus retrofit performance is ongoing and due to report in the Autumn¹¹ there is a risk that GM's modelling work or scheme proposals developed in the interim may be undermined by the outcome of that research. This could result in a change of government's understanding of the impacts and potential benefits of bus retrofit.
- 6.15 In addition, government has undertaken further roadside remote emissions of bus performance in Manchester to address their potential concerns about the original study being undertaken in November and December 2022 due to the cold weather conditions. Therefore, the outcomes of this research may materially change government's understanding of bus retrofit. This in turn could lead to additional work, and associated delays, to reflect the outcomes of the research or an increased risk of legal challenge if GM's proposals could be seen as founded on an evidence base that is not accurate or up-to-date.
- 6.16 The Committee is recommended to write to the Secretary of State, setting out the Authorities desire to align the reporting of GM's programme of work with the government's given their interdependency to deal with this unprecedented issue.
- 6.17 An update on progress will be provided at the September meeting of the Committee.

7 Nitrogen Dioxide (NO₂) Monitoring Results 2022

- 7.1 Greater Manchester publishes its Air Quality data annually in June each year via the Air Quality Annual Status Report submitted to DEFRA.
- 7.2 Since 2018, the Greater Manchester Clean Air Plan has been using diffusion tube monitoring equipment to measure roadside levels of NO₂.

¹¹ TfGM is working with the JAQU's science programme to assist in their study on the performance of retrofitted buses

- 7.3 Additional monitoring sites have gradually been added to the diffusion tube network used in the development of the plan, helping to provide a clearer picture of NO₂ levels in Greater Manchester – with almost twice as many monitoring sites in 2022 as there were in 2021.
- 7.4 In 2022, 432 roadside monitoring locations (210 more than in 2021), showed that there were 95 sites of exceedance, a further 108 locations were at risk of exceedance, and this was consistent with the air quality modelling that was used to inform the location of monitoring.
- 7.5 Analysis of the factors influencing pollution emissions and air quality indicate that the concentrations have been affected by:
- An increase in car traffic compared with 2021, and associated congestion although traffic is still below 2019;
 - Differing weather conditions in 2022 compared with 2021, reducing dispersion of pollutants – likely driven by warmer conditions over the year;
 - bus fleet emissions as a result of the impact of the variable performance of the government’s bus retrofit programme, as set out in section 4.
- 7.6 For comparison, of the diffusion tubes that were in place in both 2022 and 2021, the number of exceedances in 2022 was 50 up from 45 in 2021. Full results can be found in Appendix Three.

8 Recommendations

- 8.1 The recommendations are set out at the front of the report.

9 Appendix One – DfT letter to TfGM – 19 April 2023

- 9.1 Attached as a supplementary paper.

10 Appendix Two – Summary of JAQU Bus Emissions Testing

10.1 What testing was undertaken?

- 10.2 Vehicle emissions standards are set against specific driving cycles and test conditions, with an average emission rate to be achieved over the full test cycle (e.g. 15 minutes). This allows for the variation in emissions within this time period, e.g. under acceleration or stop-start conditions and free flowing phases. It is applied to a small group of specific vehicles under laboratory conditions sampling directly from the tailpipe.

- 10.3 The current testing reported by JAQU takes a different approach, by siting equipment at roadside and measuring concentrations from passing vehicles via light backscatter (reflection). This approach enables real-world testing, with a large sample of vehicles (approx. 30% of the GM bus fleet). However, it only captures a limited range of driving conditions occurring over time passing the measurement location.
- 10.4 **What does the testing show?**
- 10.5 This survey identified that genuine Euro V and Euro VI buses were producing emission rates that are consistent with known emissions performance, with relatively low variability between vehicle type (manufacturer, vehicle size). A Euro VI bus reduces NO_x emissions by c90% compared to a Euro V. Both Euro V and Euro VI buses have low proportions on NO_x emitted as NO₂ (or primary NO₂). Primary NO₂ is important because it leads to a greater NO₂ concentration at roadside where air quality standards are measured and apply.
- 10.6 However, emissions from retrofit vehicles varied significantly between vehicles. On average retrofit buses produced limited reduction in emissions from a Euro VI, but measured emissions from specific vehicles varied significantly with some approaching the expected the Euro VI performance, whereas others appear worse than the overall Euro V results. Furthermore, the proportion of primary NO₂ emitted is much greater from retrofitted vehicles.
- 10.7 **What does it mean for the result for GM?**
- 10.8 Over 90% of the non-compliant fleet in GM have been retrofitted as opposed to replaced by a new Euro VI vehicle. These vehicles were fitted and commenced operation during 2021 and 2022. Therefore, the expected improvements in air quality associated with a 90% reduction in bus emissions is unlikely to have occurred. Additionally, because the primary-NO₂ emissions are increased by a retrofit vehicle this could lead to a worsening of air quality despite the overall reduction in bus emissions.
- 10.9 Air quality monitoring for 2022 is consistent with this and has shown a general slight worsening compared to 2021. Whilst there are many factors which influence air pollution concentrations (traffic flows, fleet age/fuel, speeds, weather conditions), it would have been expected that if retrofit buses were performing as expected, improvements could be distinguished in the monitoring data.

11 Appendix Three – Nitrogen Dioxide (NO₂) Monitoring Results 2022

11.1 Why does Greater Manchester monitor Nitrogen Dioxide?

11.2 Greater Manchester undertakes NO₂ monitoring to determine compliance with NO₂ legal limit values in accordance with GM CAP and government Direction and the 10 districts also monitor NO₂ in accordance with the requirements of the Environment Act 1995 and associated statutory guidance, also called Local Air Quality Management or 'LAQM'. The two monitoring regimes have different siting criteria to assess exposure in different types of locations

11.3 What are the legal limit standards for Nitrogen Dioxide?

11.4 The GM CAP monitoring assesses exposure as defined by the Air Quality Standards Regulations (England) 2010 Limit Values, with roadside being typically worst-case and hence the focus for monitoring. The LAQM monitoring is concerned with exposure at locations of relevant public exposure¹² where the Air Quality Objectives apply, which can include the roadside but only in exceptional circumstances. LAQM monitoring also includes measurements at background¹³ and industrial locations and is not limited to road traffic sources.

¹² All locations where members of the public might be regularly exposed. Building façades of residential properties, schools, hospitals, care homes etc. Kerbside locations are on the whole excluded, unless members of the public are likely to be exposed for longer than the time used to determine the legal limit for the pollutant concerned. Box 1.1 for TG16 give more detail [LAQM-TG16-April-21-v1.pdf \(defra.gov.uk\)](#)

¹³ Background sites are used to provide useful information such as long-term trends, general population exposure and an indication of reduction in pollution away from roadside sources, as opposed to measuring exceedances.

11.5 Additionally, the two regimes have different values by which they determine an exceedance. LAQM determines that the legal limit of $40\mu\text{g}/\text{m}^3$ has been exceeded by any result over $39.9\mu\text{g}/\text{m}^3$ ¹⁴, whereas for the GM CAP, JAQU (government's Joint Air Quality Unit,) determine anything over $40.4\mu\text{g}/\text{m}^3$ to be an exceedance¹⁵. These differences in definition should be taken into consideration when comparing the results from individual monitoring locations. There are two legal limits in relation to NO_2 :

- A short-term hourly limit of $200\mu\text{g}/\text{m}^3$ (not to be exceeded more than 18 times a calendar year).
- The long-term annual average limit of $40\mu\text{g}/\text{m}^3$.

11.6 To determine compliance with the NO_2 1-hour mean Air Quality Limit Values, research undertaken on behalf of Defra and outlined in Technical Guidance Note LAQM.TG (16) (Defra, 2021) identified that road traffic emission related exceedances are unlikely to occur where the annual mean concentration is below $60\mu\text{g}/\text{m}^3$.

11.7 For the purpose of the GM CAP, the government has directed GM (and other areas) under the Environment Act 1995 to address NO_2 exceedances at the roadside in the shortest possible time. In GM this direction specifically focuses on the long-term annual average legal limit ($40\mu\text{g}/\text{m}^3$).

11.8 **How do we monitor Nitrogen Dioxide?**

11.9 The GM local authorities carry out air quality monitoring for NO_2 using a combination of:

- Continuous automatic monitoring sites: There are currently 21 continuous air quality monitoring stations, twelve of which are located at the roadside.
- Diffusion tubes: 436 sites are set up for local air quality management (LAQM) purposes. In addition, approximately 460 sites are set up for GM Clean Air Plan monitoring and evaluation purposes.

¹⁴ An exceedance defines a period of time during which the concentration of a pollutant is greater than, or equal to, the appropriate air quality criteria. For Air Quality Standards, an exceedance is a concentration greater than the Standard value. For Air Pollution Bandings, an exceedance is a concentration greater than, or equal to, the upper band threshold. <https://uk-air.defra.gov.uk/air-pollution/glossary#E>

¹⁵ The IPR guidance underpinning the Air Quality Standards Regulations 2010 stipulates that compliance should be assessed using data of 'the same numeric accuracy' as the limit value, therefore a value of $40.4\mu\text{g}/\text{m}^3$ is rounded down to $40\mu\text{g}/\text{m}^3$ and is not exceeding. https://ec.europa.eu/environment/air/quality/legislation/pdf/IPR_guidance1.pdf

11.10 Monitoring for NO₂ for GM Clean Air Plan purposes uses diffusion tubes at sites where “target determination”¹⁶ modelling predicted illegally high levels of NO₂ for 2021. Three new continuous automatic air quality monitoring stations were in 2022. The GM CAP monitoring campaign was expanded in 2022 to cover all modelled road links in exceedance, aiming to site three diffusion tubes along each road link.

11.11 **What are the results for Nitrogen Dioxide in 2022?**

11.12 Table 1 below summarises NO₂ concentrations and exceedances of the annual mean objective (AMO) across sites set up for local air quality management (LAQM) purposes (automatic and non-automatic) across GM in 2021.

11.13 Maps showing the location of the LAQM monitoring sites are provided on the CleanAirGM Data Hub.

¹⁶ The government’s Joint Air Quality Unit undertook a process called ‘target determination’, which involves comparing the outputs of the local and national modelling, verifying the local modelling methodology and then agreeing the forecast concentration assessment to be compared to the limit value for each exceedance. The outcome of this is an agreement of the NO₂ problem Greater Manchester must resolve (“target determination”) and the basis for the Greater Manchester Clean Air Plan.

Table 1 Summary of LAQM NO₂ monitoring in GM in 2022

Authority	Automatic sites (with valid data capture 2022) ¹⁷	Non-automatic sites	Concentration range (all sites) (µg/m ³)	Exceedances of NO ₂ Annual Mean (non-automatic sites)		Increase / Decrease of Exceedances on Year
				In AQMA	Outside AQMA	
Bolton MBC	1	47	39.7 - 10.7	-	-	-1
Bury MBC	3	20	40.5 - 20.9	1	-	0
Manchester CC	4	40	49.8 - 15.2	4	-	1
Oldham MBC	1	27	47 - 15.4	3	-	1
Rochdale MBC	1	26	36.4 - 12.9	-	-	0
Salford CC	3	49	45.2 - 11.9	3	1	1
Stockport MBC	2	30	36.0 - 6.8	-	-	0
Tameside MBC	2	52	45.9 - 9.8	3	-	1
Trafford MBC	3	18	31.7 - 11.5	-	-	0
Wigan MBC	2	127	45.3 - 12.9	-	1	0
Total	22	436	49.8 - 6.8	14	2	3

11.14 Table 2 shows how the diffusion tube survey has been extended, and new diffusion tube monitoring sites were installed along roads predicted to be in exceedance by the GM CAP target determination modelling process.

¹⁷ >25% (3 months or more) data capture.

Table 2 Number of GM CAP Monitoring Sites

	Number of monitoring Sites				
Authority	2018	2019	2020	2021	2022
Bolton	5	14	14	14	32
Bury	5	16	16	16	36
Manchester	20	91	91	91	160
Oldham	0	9	9	9	19
Rochdale	0	12	12	12	15
Salford	5	27	27	27	60
Stockport	10	19	19	19	47
Tameside	5	14	14	14	32
Trafford	5	14	14	14	18
Wigan	0	6	6	6	13
Total	55	222	222	222	432

11.15 Table 3 below summarises NO₂ concentrations and exceedances of the annual mean across sites set up for GM CAP purposes between 2018 and 2022. Maps showing the location of the GM CAP monitoring sites are provided on the CleanAirGM Data Hub.

Table 3 Number of GM CAP Exceedances

	Number of Exceedances (>40.4µg/m³)				
Authority	2018	2019	2020	2021	2022
Bolton	1	4	1	2	4
Bury	2	10	0	2	6
Manchester	14	65	8	25	49
Oldham	0	5	0	1	5
Rochdale	0	4	1	1	1
Salford	1	16	0	7	13
Stockport	6	15	2	3	8
Tameside	4	6	4	4	8
Trafford	1	3	0	0	0
Wigan	0	1	0	0	1
Total	29	129	16	45	95



Department for Transport

Simon Warburton
Transport for Greater Manchester
Simon.Warburton@tfgm.com

19 April 2023

Dear Simon,

Update on HMG Funding for Selective Catalytic Reduction Bus Retrofits

I am writing to inform you that Government is pausing new funding for Selective Catalytic Reduction (SCR) exhaust retrofitting pending the outcome of further studies to ensure that the implementation of retrofitting is delivering the air quality benefits we expect. Our most recent in-service monitoring has highlighted evidence to suggest that the SCR technology on retrofitted buses is not, in the sample studied, reducing NO_x emissions to the levels expected.

There is considerable variability in performance, therefore we have put in place a further focused research programme to quickly investigate the causes of this poor performance and the scope for improving performance, which we expect to be completed in Autumn this year.

We are not at this stage proposing any changes to the Clean Air Zone (CAZ) compliance status of buses that have already been retrofitted with SCR whilst we carry out further studies. However, we do not recommend any further retrofit purchases are made until this research has been completed. Your dedicated JAQU Account Manager will be happy to discuss impacts and mitigations specific to your area. We will also be engaging bus operators and retrofit suppliers to assist in the further studies.

I know that local authorities which have received funding for bus retrofit will have a number of questions about what this means for their area. We are setting up a call where you will have the opportunity to ask those questions.

Attached to this letter is a report summarising the results of the remote sensing monitoring and the data tables for the campaign undertaken in Manchester City Centre between 21 November and 12 December 2022. This information is sensitive and we request that you do not share beyond your authority without prior approval from the Joint Air Quality Unit.

The Government remains committed to achieving cleaner air. The UK has a high ambition for domestic air quality, as set out in the Clean Air Strategy and enshrined in the Environment Act 2021 and Environmental Improvement Plan 2023. We will continue to work with you and all of the other local authorities through the NO₂ Programme to deliver legal levels of NO₂ by helping to develop and implement local air quality plans and to support those affected by these plans.

Yours sincerely,



Claire Wren



Henry Shennan

Directors, Future Transport Systems and Environment (Job Share)