

## **GM Clean Air Charging Authorities Committee**

Date: 13<sup>th</sup> October 2021

Subject: GM Clean Air Plan – A628/A57, Tameside – Trunk Road Charging Scheme

Report of: Simon Warburton, Transport Strategy Director, TfGM

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### **PURPOSE OF REPORT:**

To seek agreement that all ten Greater Manchester local authorities (the charging authorities for the Greater Manchester Clean Air Zone) request the Secretary of State to make a trunk road charging scheme on sections of the A628/A57 part of the Strategic Road Network (SRN) in Tameside

### **RECOMMENDATIONS:**

#### **The Clean Air Charging Committee is requested to:**

1. Agree that all ten GM charging authorities, as the local traffic authorities, request the Secretary of State to make a trunk road charging scheme on sections of the A628/A57 part of the Strategic Road Network (SRN) in Tameside pursuant to section 167(2) Transport Act 2000.

### **CONTACT OFFICERS:**

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BOLTON

BURY

MANCHESTER

OLDHAM

ROCHDALE

SALFORD

STOCKPORT

TAMESIDE

TRAFFORD

WIGAN

## **Equalities Impact, Carbon and Sustainability Assessment:**

The GM CAP is a place-based solution to tackle roadside NO<sub>2</sub> which will have a positive impact on carbon.

## **Risk Management:**

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

## **Legal Considerations:**

The legal consideration has been set out in the GMCA report of the GM Clean Air Plan, published on 21 June 2021<sup>1</sup>

## **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:** 0 (zero)

## **Comments/recommendations from Overview & Scrutiny Committee:**

Not applicable

## **BACKGROUND PAPERS:**

- 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

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<sup>1</sup> <https://democracy.greatermanchester-ca.gov.uk/documents/s15281/GMCA%20210621%20Report%20Clean%20Air%20Plan%20-%20FINAL%20FINAL.pdf>

- 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

<b>TRACKING/PROCESS</b>
Does this report relate to a major strategic decision, as set out in the GMCA Constitution? No
<b>EXEMPTION FROM CALL IN</b>
Are there any aspects in this report which means it should be considered to be exempt from call in by the relevant Scrutiny Committee on the grounds of urgency? N/A
GM Transport Committee N/A
Overview & Scrutiny Committee N/A

## 1. BACKGROUND

- 1.1 The Government has instructed many local authorities across the UK to take quick action to reduce harmful Nitrogen Dioxide (NO<sub>2</sub>) levels following the Secretary of State 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 NO<sub>2</sub> Exceedances at the Roadside, herein known as Greater Manchester Clean Air Plan (GM CAP).
- 1.2 The core goal of the GM CAP is to address the legal requirement to achieve compliance with the legal Limit Value (40 µg/m<sup>3</sup>) for NO<sub>2</sub> identified through the target determination process in Greater Manchester in the “shortest possible time” in line with legislation and Government guidance.
- 1.3 The Secretary of State has issued a direction to the 10 local authorities in Greater Manchester in March 2020 that requires them to take steps to implement the local plan for NO<sub>2</sub> compliance, so that compliance with the legal limit for nitrogen dioxide is achieved in the shortest possible time, and by 2024 at the latest, and so that exposure to levels above the legal limit for nitrogen dioxide are reduced as quickly as possible.

- 1.4 An eight-week statutory consultation on the GM CAP proposals took place in Autumn 2020. A report that set out the Greater Manchester 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 has been agreed by the ten GM Local Authorities. This includes the GM Clean Air Plan Policy, that outlines the boundary, discounts, exemptions, daily charges of the Clean Air Zone as well as the financial support packages offered towards upgrading to a compliant vehicle, including the eligibility criteria to be applied.

## 2 INFORMATION

- 2.1 The GMCA GM Clean Air Final Plan report of 25 June 2021<sup>2</sup> detailed that the ten GM Authorities continue to ask the Government to direct Highways England to tackle NO<sub>2</sub> exceedances on the Strategic Road Network (SRN) in the same way GM Authorities are having to take action on the local road network.
- 2.2 In particular it set out that Tameside MBC has highlighted to Ministers that the inconsistency in the Government's approach is leaving many residents unprotected, particularly, around the A628/A57, a strategically important trans-Pennine route that passes through the villages of Hollingworth and Mottram as a single carriageway. This route, managed by Highways England, will be left with NO<sub>2</sub> exceedances that are not being addressed, despite the area being declared as part of GM's Air Quality Management Area.
- 2.3 As previously reported to GMCA on 25 August 2020, Tameside MBC were notified that Government ministers have agreed to consider extending Greater Manchester's Clean Air Zone (CAZ) charges to the sections of the A628/A57 which form part of the Strategic Road Network, within the proposed CAZ boundary. The extension of any charges to the A628/A57 was subject to a full assessment of the potential impacts, to be led by National Highways<sup>3</sup>. This assessment covered air quality impacts on other roads, safety impacts, carbon impacts, as well as wider issues for National Highways, such as operational and network issues.
- 2.4 The report outlined that on 9 June Ministers wrote to the Leader of Tameside MBC to advise that following consideration of assessment provided by National Highways, Ministers have agreed to the inclusion of the identified section of the A57 and A628 within the Greater Manchester charging Clean Air Zone and that Government will work collaboratively with Tameside MBC, TfGM and National Highways to establish the most appropriate solution for the charging mechanism to be applied on this section of the Strategic Road Network within the current legislation and timeframe available.

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<sup>2</sup> Also considered by the GM Authorities through their own constitutional decision-making arrangements.

<sup>3</sup> On 19 August 21 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.

- 2.5 The 10 GM Authorities in their consideration of the GM Clean Air Final Plan report all noted the Ministers' agreement to include the sections of the A628/A57 in Tameside which form part of the Strategic Road Network within the Greater Manchester's Clean Air Zone (CAZ) and their request for Tameside MBC, TfGM, and Highways England<sup>4</sup> to establish the most appropriate solution for the charging mechanism to be applied on this section of the Strategic Road Network (SRN).
- 2.6 Section 165 of the Transport Act 2000 (TA 2000) provides that a joint local charging scheme may only be made in respect of roads for which any of the charging authorities are the local traffic authority. This therefore excludes roads forming part of the SRN.
- 2.7 Section 163(3) TA 2000 defines a 'trunk road charging scheme' as one made by the Secretary of State. Under section 167(2)(a) of the TA 2000 a trunk road charging scheme may only be made by the Secretary of State in respect of roads for which they are the traffic authority. Under section 167(2)(b) of the TA 2000 a trunk road charging scheme may only be made in respect of a road if local traffic authorities request the Secretary of State to make the trunk road charging scheme.
- 2.8 The Committee is requested to formally agree that all the GM charging authorities, as the local traffic authorities, request the Secretary of State to make a trunk road charging scheme on sections of the A628/A57 part of the Strategic Road Network (SRN) in Tameside pursuant to section 167(2)(b) of the Transport Act 2000.

### **3. RECOMMENDATIONS**

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

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<sup>4</sup> Now National Highways