

GM Air Quality Administration Committee

Date: 20 January 2022

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

Report of: Simon Warburton, Transport Strategy Director, TfGM

Purpose of Report

To update on the progress made to establish the most appropriate solution for the charging mechanism to be applied on sections of the A628/A57 part of the Strategic Road Network (SRN) in Tameside.

Recommendations:

The Air Quality Administration Committee is requested to:

1. Note the progress made to establish the most appropriate solution for the charging mechanism to be applied on the identified section of the A57/A628.
2. Confirm that:
 - a. the inclusion of the identified section of the A57/A628 SRN remains critical and vital to delivering improved air quality in GM; and
 - b. GM authorities are resolute in continuing to press Government for the expedient implementation of the scheme on the A628/A57 SRN as a matter of urgency to ensure the benefits to the health of the residents in the villages of Hollingworth and Mottram can be realised without any further delay.

Contact Officers

Eamonn Boylan – Chief Executive, GMCA and TfGM

eamonn.boylan@greatermanchester-ca.gov.uk

Simon Warburton – Transport Strategy Director, TfGM simon.warburton@tfgm.com

BOLTON
BURY

MANCHESTER
OLDHAM

ROCHDALE
SALFORD

STOCKPORT
TAMESIDE

TRAFFORD
WIGAN

Liz Treacy – GMCA Solicitor and Monitoring Officer

liz.treacy@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

The legal consideration has been set out in the GMCA report of the GM Clean Air Plan, published on 21 June 2021¹

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.

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

Background Papers

- 18 November 2021, report to the AQAC: GM Clean Air Plan – GM Clean Air Funds assessment mechanism
- 18 November 2021, report to the 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 2021, report to AQAC: GM Clean Air Plan – Clean Air Zone: Camera and Sign Installation
- 21 September 2021, 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 to be 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 – GM Clean Air Plan

- 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 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 core goal of the GM CAP is to address the legal requirement to achieve compliance with the legal Limit Value (40 µg/m³) for NO₂ 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 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 NO₂ 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 the information gathered through the GM CAP consultation and wider data, evidence and modelling work has been agreed by the ten GM Local Authorities.
- 1.5. This includes the GM Clean Air Plan Policy², 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.

²https://assets.ctfassets.net/tlpgbvy1k6h2/2VNncClzejAvGh3CrVn0oo/827368f3971b13b9d79525c7c7a60094/GM_Clean_Air_Plan_Policy_following_Consultation.pdf

2. Background – Inclusion of A628/A57 within the Greater Manchester’s Clean Air Zone (CAZ)

- 2.1. The GMCA GM Clean Air Final Plan report of 25 June 2021³ detailed that the ten GM Authorities continue to ask the Government to direct Highways England to tackle NO₂ 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 NO₂ 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 Highways⁴. 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.
- 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 England⁵ 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

³ Also considered by the GM Authorities through their own constitutional decision-making arrangements.

⁴ 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.

⁵ Now National Highways

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. In October 2021 the Committee agreed 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. Information

- 3.1. A joint working group of Government's Joint Air Quality Unit (JAQU), Tameside MBC, TfGM and National Highways officers has been meeting regularly to understand and facilitate the legal process of a charging scheme on the Strategic Road Network.
- 3.2. The key priority of the working group is to ensure that the GM CAZ launch on the local road network is not delayed, and that charging on the identified section of the A57 and A628 is aligned to that ensuring it seamlessly integrates with the Greater Manchester CAZ in order to minimise complexity and confusion for road users.
- 3.3. Two options have been identified: a secretary of State Charge Scheme Order (complementary to the one required for the local road network) and a De-trunking Order (the process of returning the National Highways road to the control of Tameside Council - the Highway Authority).
- 3.4. Whilst the working group has concluded that both options are legally viable, they do present legal, administrative and procedural complexities that need further consideration.
- 3.5. Officers from TfGM and Tameside MBC continue to work with National Highways and JAQU to deliver the trunk road charging scheme on sections of the A628/A57 looking to resolve any outstanding issues as expediently as possible.
- 3.6. Tameside MBC are seeking reassurances from Government that the inclusion of this section of road is aligned to the timescales for the GM CAZ to ensure it seamlessly integrates to minimise complexity and confusion for road users, as well as protecting the health of the residents in the villages of Hollingworth and Mottram.

4. Recommendations

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