

GM Air Quality Administration Committee

Date: 23 March 2022

Subject: GM Clean Air Plan – March 2022 Update

Report of: Councillor Andrew Western, Portfolio Lead for Clean Air

Purpose of Report

This report provides an update on the scope of the review of the Clean Air Plan and the participatory policy development approach, as well delivery arrangements, including signage and funding.

Recommendations:

The Air Quality Administration Committee is requested to:

1. Note the scope of the review of the Clean Air Plan.
2. Note the participatory policy development approach.
3. Note the approach to a consultation on the reviewed plan will be reported to GM authorities in June 2022.
4. Note the information to be published on the FAQ section of CleanAirGM.com.

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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 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 latest emerging evidence suggests that with the Approved Plan in place, it is no longer more likely than not that compliance would be achieved in 2024. The government has confirmed that the March 2020 direction to implement a category C charging Clean Air Zone has been revoked and that government and the Greater Manchester authorities have agreed a new plan is required to be submitted to the Secretary of State of Environment, Food and Rural Affairs, by 1st July 2022. This will allow Greater Manchester to provide further evidence and a revised plan by July setting out how it will deliver legal levels of NO₂ in the shortest possible time, and no later than 2026.

On 8th February 2022 *The Environment Act 1995 (Greater Manchester) Air Quality Direction 2022* was issued. The new 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 new direction revokes the direction dated March 2020 which required the ten Greater Manchester Local Authorities to implement a Category C Clean Air Zone so as 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: None

Comments/recommendations from Overview & Scrutiny Committee

Not applicable.

Background Papers

- 28 February 2022, Report for 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 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. Introduction

- 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 the 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 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. The GMCA – Clean Air Final Plan report on 25 June 2021² 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. The plan 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 (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 GM CAZ.
- 1.4 Throughout the development of the GM Clean Air Plan the 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;

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/news/new-burdens-doctrine-guidance-for-government-departments)

² Also considered by the GM authorities through their own constitutional decision-making arrangements.

- Replacement of non-compliant buses; and
 - A clear instruction to Highways England³ 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 time⁴.
- 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. Note: These figures include Joint Air Quality Unit (JAQU) estimated delivery costs at 5%.
- 1.6 The GMCA – Clean Air Final Plan 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. Note: These figures include JAQU estimated delivery costs at 5%.
- 1.7 The 25 June 2021 GMCA report, as agreed by the Greater Manchester authorities (GM) 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.
- 1.8 On 21 September the Air Quality Administration Committee approved the establishment and distribution of the bus replacement funds.
- 1.9 On 13 October 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 will open for HGVs.
 - From the end of January 2022 applications for funding will open for Private Hire Vehicles, Hackney Carriages, coaches, minibuses and Light Goods Vehicles.
- 1.10 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.

³ 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.

⁴ 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.

- 1.11 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 in particular 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 requesting that he agrees to pause 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.
- 1.12 On 28 February 2022 the Air Quality Administration Committee noted that government has issued a new direction and a revised plan is required to be submitted to the SoS by July. 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.

2. The Review Scope

- 2.1 Evidence gathering and benchmarking;
- Options* assessment against success factors - including feasibility and effectiveness - to agree preferred measures with GM authorities;
 - Assembly of proposed package of preferred measures, including any location specific measures; and
 - High level impacts assessment of preferred measures in terms of their air quality, economic and equalities impacts.
- 2.2 Participatory policy development approach will ensure the review is informed by stakeholder evidence.
- 2.3 *Options review will include:
- Review of financial support and incentive measures.
 - Review of measures previously considered in earlier GM CAP case making.
 - Review of any new measures that have come to light – e.g. new technologies coming to the market or location specific measures to ensure that GM can satisfy new direction in all locations.

2.4 Review outputs will be governed by the Greater Manchester authorities through existing structures. Final proposals on proposed way forward and impacts assessments will be formally reported to GM authorities in June 2022, prior to 1 July submission to SoS.

3. Participatory policy development approach

3.1 In progressing the review as outlined above, the development of the new policy will ensure relevant vehicle owners and their representative bodies are provided with the opportunity to be involved in and influence, including around any revised financial support, and supporting continued uptake of current funding where appropriate. This approach will be:

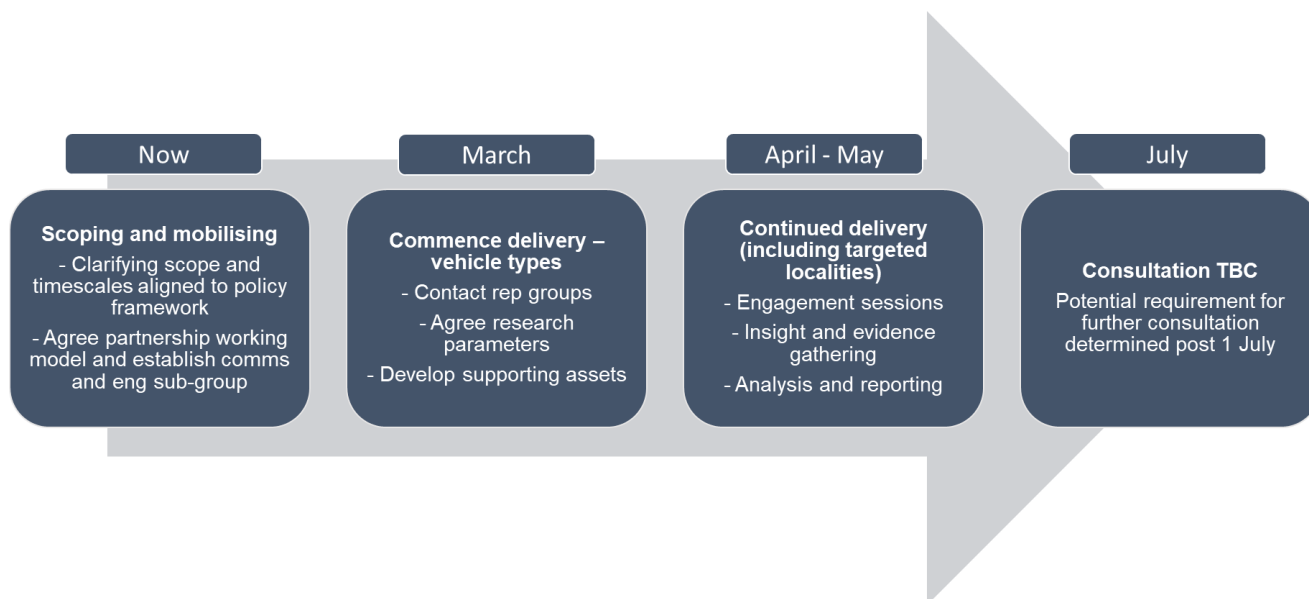
- **Targeted** around those vehicle types within scope and specific localities aligned to AQ exceedances;
- Developed on a **broader and balanced** policy framework taking into account AQ, legal, health, economy, place and sector considerations;
- **Aligned** to wider policy and strategic considerations;
- **Timebound** (aligned to the timescales for the new plan) with clarity about areas of influence;
- **Meaningful** with evidence clearly gathered and played back to those we've sought it from;
- **Open and transparent** beyond the formal governance and decision making; and
- Delivered through a **partnership** approach.

3.2 This participatory model will entail two key strands of activity: evidence gathering and engagement activity, and jointly delivered by TfGM and Local Authority teams supported by central coordination by TfGM.

3.3 Engagement with the GM-licensed Taxis and PHV trade will be led by Local Authorities, aligned to the latest position for local Minimum Licensing Standards policy within each district to provide clarity on any considerations.

3.4 The output from the participatory policy development activity will be formally reported to the GM authorities in June 2022 alongside the final proposals on the proposed way forward.

3.5 Participative policy development approach: timeline



4. Consultation requirements

4.1 The development of the Clean Air Plan to date has at appropriate milestones undertaken public conversation (post OBC 2019) and statutory consultations (Autumn 2020 & Winter 2021) to enable consultees to respond fully to the GM CAP proposals. Whilst the process here will be participative in nature, as set out above, a final decision on further public consultation will follow once the new plan has been set out in its initial form. Therefore, the approach to a consultation on the future plan will be reported to GM authorities in June 2022.

5. A628/A57, Tameside – Trunk Road Scheme update

5.1 GM authorities will continue to seek to ensure that government takes appropriate action in relation to the A628/A57 SRN to ensure the benefits to the health of the residents in the villages of Hollingworth and Mottram can be realised.

6. Funding

6.1 Members requested that arrangements were put in place for those vehicle owners who had already placed orders pending funding opening at the end of January as originally planned to be able to contact Clean Air GM for advice to ensure they are not detrimentally impacted by the decision to pause the opening of the funds. It was also agreed that funding awards can be made by the Chief Executive of the GMCA and TfGM, in consultation with the Committee chair, where appropriate.

- 6.2 All communications have set out that anyone who is affected by this should contact Clean Air GM for advice on 0161 244 1333 or by email to info@cleanairgm.com. Those seeking funding are being asked to demonstrate that they:
- have placed an order and paid a deposit for a compliant vehicle on or before 30 January 2022 (pending funding opening at the end of January);
 - have a non-compliant vehicle;
 - have not yet have taken possession of the replacement compliant vehicle;
- 6.3 58 people have now made an application for funding using the scheme eligibility criteria as set out in the current GM Clean Air Plan Policy⁵. An update on the number of applications considered by the Chief Executive of the GMCA and TfGM in consultation with the Committee chair will be given at the meeting.
- 6.4 As has been reported previously the emissions reduction for an HGV or bus changing from a non-compliant vehicle to a Euro VI model is greater than for lighter vehicles such as taxis and vans, therefore, the air quality benefits to GM per successful fund application are maximised. Funding for HGV and bus replacement and retrofit for eligible people and businesses remain open. To date 405 successful HGV applications have been made, committing £2.917m of funding, with 31 non-compliant vehicles being upgraded.

7. Clean Air Zone Infrastructure

- 7.1 As reported to the Committee in February, whilst the review is being conducted the ANPR and signage installation on the local road network will be paused. A sticker to cover the opening date on installed signs is being programmed to be completed by the end of March 2022 at a total cost of £186,000 which includes the production of the stickers, preliminary works, plant, labour and as the works are heavily dry weather dependent, any costs associated with the works over running due to wet weather. As set out in paragraph 1.2 all cost associated with development of the GM CAP is funded by the Joint Air Quality Unit (JAQU), including the essential requirement to update existing signage, and will continue to be funded by government.

⁵ [GM Clean Air Plan Policy following Consultation](#)

8. Reporting

8.1 GM will publish the following information in support of the GM CAP on the Frequently Asked Section of CleanAirGM.com - [Home | Clean Air Greater Manchester \(cleanairgm.com\)](#):

- spend to date on the Greater Manchester Clean Air Zone Service Contract which includes ANPR Cameras, reported each quarter, a quarter in arrears.

9. Recommendations

9.1 The recommendations are set out at the front of the report.