

To: Cabinet
Date: 12 June 2019
Report of: Transition Director
Title of Report: Bus Euro VI Low Emission Zone

Summary and recommendations	
Purpose of report:	Cabinet is asked to support Oxfordshire County Council in the application to the traffic commissioner for the implementation of a Bus Euro VI Low Emission Zone.
Key decision:	Yes
Executive Board Member:	Zero Carbon Oxford
Corporate Priority:	Vibrant, Sustainable Economy & Cleaner, Greener Oxford
Policy Framework:	Air Quality Action Plan
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> Support Oxfordshire County Council in the application to the traffic commissioner for the implementation of a Bus Euro VI Low Emission Zone in Oxford. 	

Appendices	
Appendix 1	Draft Traffic Regulation Condition
Appendix 2	Map of Zone
Appendix 3	10km Carfax Map
Appendix 4	Risk Register
Appendix 5	Equalities Impact Assessment

Introduction and background

- As part of the councils' efforts to improve air quality in Oxford, it is working in partnership with Oxfordshire County Council on proposals to introduce a Zero Emission Zone (ZEZ) in the city. The Council has committed itself to a vibrant, sustainable economy and a clean, green Oxford in its corporate plan. It is also

required to take action to address air pollution as set out in the Part IV of the Environment Act 1995.

2. There is no safe level of air pollution. A 2016 report from the Royal College of Physicians and the Royal College of Paediatrics and Child Health found that outside air pollution cuts short 40,000 lives a year in the UK. Transport is by far the most significant source of emissions of oxides of nitrogen (NOx) in the city, accounting for 75% of emissions. Of this part it is estimated that buses make up 56% of these emission in the city centre¹.
3. Oxford has seen a large reduction in air pollution levels, however there is further action to take on air pollution. Following 15 months of extensive consultation Oxford City Council and Oxfordshire County Council have set out a vision for zero transport emissions in Oxford by publishing updated proposals for a ZEZ.
4. The ZEZ aims to, in time, introduce emissions requirements for all vehicle types. New requirements for hackney carriages have already been agreed and controls on loading and parking by all vehicles are due to be implemented in 2020, with further restrictions across a wider area being considered for 2022.
5. Since January 2014, buses operating in Oxford city centre Low Emission Zone have been required to meet the Euro V standard for oxides of nitrogen (NOx). The zone was developed and implemented in partnership with the County Council, with the support of bus operators, in 2012/13. The requirement is enforced through a Traffic Regulation Condition (TRC) which was added to all relevant operators' licences by the Traffic Commissioner.
6. Oxford City Council monitors air quality at over 70 locations in the city and reports on air quality through annual monitoring reports which are submitted to Defra. In 2017, significant decreases of nitrogen dioxide levels were observed in the city centre, although several monitored locations in the city still registered levels above the legal limit. Nitrogen dioxide pollution levels saw an overall reduction of 23% in the city centre when compared with the figures obtained in 2016. This improvement is thought to be due mostly to the introduction of Euro VI buses on many city centre bus routes during 2016 and 2017. It is now clear that Euro VI buses emit significantly less emission than Euro V buses.
7. As part of Oxford's journey to Zero the two councils aims to ensure Oxford's public transport network is fully zero emission by 2035 at the latest. The transition to a fully zero emission public transport network will require significant investment and time to implement as significant infrastructure is needed. The Council therefore aims to work in partnership to develop a detailed plan for the transition together with operators.
8. In the short term, as technology develops, both Councils want to ensure that the City's our bus fleet is clean and assist in the reduction of harmful NOx across the city. Bus Euro VI engines have been proved to reduce NOx by approximately 99.5% compared to Euro V. It is on the background of this evidence that the two councils are proposing to extend the existing Low Emission Zone Euro V to a Euro VI requirement.

¹ Ricardo Energy and Environment source apportionment study for St Aldates/High Street

New requirements

9. As part of the ZEZ scheme the councils propose to introduce a Euro VI for NOx for buses in central Oxford in two stages:

Date	Services required to comply with Euro VI standard
1 December 2020	All registered local bus services* operating within the streets affected except those which serve stops more than 10km from Carfax
1 December 2022	All registered local bus services * operating within the streets affected

*Limited exemptions will apply – see draft Appendix 1 Draft TRC for details

10. The phasing is designed to help operators plan investment in new buses or retrofits and focus the improvements on shorter distance routes, which by definition spend a larger proportion of their operating mileage in the city. For guidance, a map showing a 10km radius from Carfax is available in Appendix 3.
11. The full details of the proposed new requirements are in the draft Traffic Regulation Condition available in Appendix 1. Minor amendments are possible prior to final submission.
12. TRCs cannot be applied to buses and coaches that are not registered as local bus services, so this scheme will not affect tourist coaches or other privately hired buses and coaches. It does however affect the London and airport coaches, City Sightseeing and National Express services.
13. The Zero Emission Zone proposals include possible measures from 2022 to apply emissions requirements to those buses and coaches not covered by the TRC. These would be implemented using different powers and would be progressed as a separate scheme.

New zone

14. The proposed streets affected – in effect the new ‘low emission zone’ for buses – covers a larger area than the current zone. The current zone was defined on the basis of the previous city centre Air Quality Management Area, which has since been enlarged to cover the whole city. However it was not appropriate for the new requirements to cover the whole city at this stage as the focus is still on the city centre and the main routes leading into it, which carry high volumes of buses.
15. There are some bus routes serving the Headington area which do not enter the city centre, and the councils are keen to promote more ‘orbital’ services in Headington and East Oxford in future. As these routes by their nature are likely to be less commercially viable and as bus emissions account for a small proportion of total emissions in this part of the city, officers consider that the streets affected should include only the city centre and routes leading into it, rather than the whole city.
16. A map of the proposed new zone is available in Appendix 2.

Next Steps

17. Bus operators have been consulted on the proposals informally and no objections have been received as of 09.05.2019. Proposals have been developed with input from operators and at this stage the Council is not expecting formal objection to the TRC.
18. If both councils approve the proposed Bus Euro VI Low Emission Zone, the County Council will write to the Traffic Commissioner to ask for a new TRC to be applied to operators' licences.
19. The Traffic Commissioner will then publish the TRC in Notices and Proceedings, a fortnightly publication in which matters relating to bus operating licences are published. Operators have 28 days from the date of publication to submit an objection to the proposed TRC to the Traffic Commissioner. If an operator objects, the Traffic Commissioner would hold a public inquiry to hear objections and then make a decision about whether to apply the TRC to operators' licences.
20. If no objections are received the Traffic Commissioner would apply the TRC to all relevant operators' licences and the requirements would take effect on the specified dates.

Financial implications

21. Officer time to support the making of the TRC including liaison with bus operators is covered within existing posts.
22. Whilst in theory the Traffic Commissioner can require costs to be paid for a public inquiry, the Office of the Traffic Commissioner have confirmed that this is not normal practice for TRC inquiries.
23. There are costs associated with the upgrade of the bus fleet which will fall to operators. To assist operators in complying with the new requirements the City Council has secured a total of £2.3 million to allow operators to retrofit buses to meet the new standard. City Council Officers will work with local bus operators to deliver this project, which will be subject to a legal agreement to secure delivery of the outlined benefits. The project delivery period is 2019/20 financial year.

Legal issues

24. The TRC is applied by the Traffic Commissioner, not by the city or county councils. There is a robust process for the consideration of objections. Since the Traffic Commissioner would be the decision-making body, any legal challenge of the decision itself would be directed at the Traffic Commissioner, not the councils, although the quality and accuracy of any evidence submitted to the Traffic Commissioner by the councils in support of the TRC would of course be subject to scrutiny.
25. All District Authorities have a statutory duty to review and assess local air quality, within the programme of Local Air Quality Management established under requirements within Part IV of the Environment Act 1995. The Council is also

required to prepare an Air Quality Action Plan to reduce air pollution. This scheme contributes to the Council's commitments under the Environment Act 1995.

Level of risk

26. See attached Risk Register in appendix 4.

Environmental impact

27. Bus Euro VI engines have been proved to reduce NOx by approximately 99.5% compared to Euro V. It is predicted that the introduction of the Bus Euro VI zone will lead to compliance of the air quality legal limit in the city centre. While NOx emissions are significantly reduced, energy is utilised to clean the exhaust and Euro V vs. Euro VI CO2 emissions are neutral as a result.

Equalities impact

28. An Equalities Impact Assessment has been completed and is available in Appendix 5.

Report author	Mai Jarvis
Job title	Environmental Quality Team Manager
Service area or department	Environmental Sustainability
Telephone	01865 252403
e-mail	mjarvis@oxford.gov.uk

Background Papers: None	
1	ZEZ briefing

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