

**To:** Cabinet  
**Date:** 12 February 2020  
**Report of:** Scrutiny Committee  
**Title of Report:** Planning for the Zero Emissions Zone 2020

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To present Scrutiny Committee recommendations concerning the Planning for the Zero Emissions Zone 2020
<b>Key decision:</b>	No
<b>Scrutiny Lead Member:</b>	Councillor Andrew Gant, Chair of the Scrutiny Committee
<b>Cabinet Member:</b>	Councillor Tom Hayes, Cabinet Member for Zero Carbon Oxford
<b>Corporate Priority:</b>	All
<b>Policy Framework:</b>	Yes
<b>Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report.</b>	

<b>Appendices</b>
None

### **Introduction and overview**

1. At its meeting on 14 January 2020, the Scrutiny Committee considered a report concerning Planning for the 2020 Zero Emissions Zone.
2. The Panel would like to thank Councillor Tom Hayes, Cabinet Member for Zero Carbon Oxford, for presenting the report and answering questions. The

Committee would also like to thank Mai Jarvis, Environmental Quality Team Manager, for compiling the report and supporting the meeting.

### **Summary and recommendation**

3. The report was introduced by Councillor Tom Hayes, Cabinet Member for Zero Carbon Oxford and Mai Jarvis, Environmental Quality Team Manager. Councillor Hayes said the report on the Zero Emissions Zone proposals represented the latest phase in a process of development over the previous three years which involved very close and co-operative working with the County Council as the Transport Authority. The consultation on proposals for the introduction of a 'Red Zone' by the end of the year was underway and generating high levels of interest. He encouraged members of the Committee to engage members of their communities with the consultation. The subsequent development of the wider Green Zone would be important but the initial focus on the Red Zone would provide a small scale scheme at the outset from which to learn. The scheme reflected the ambitions of the Citizens' Assembly and was ultimately underpinned by a desire to change behaviours and encourage modal shifts in transport.
4. In parallel with the proposals for a ZEZ, the importance of working closely with the City's transport providers, notably the bus and taxi companies, had been recognised from the outset. Hackney cabs in the City were already subject to an ambitious and separate scheme, as a licensing condition, for a progressive move to the use of zero emission capable vehicles. The Council was working with bus companies on schemes to introduce increasingly environmentally friendly vehicles.
5. In response to the report presented the Committee focused its questions along a number of key themes:
  - The 'Zero Emissions Zone' name
  - Ensuring efficacy
  - The extent of the Red Zone
  - The charging schedule
6. The Committee makes five recommendations.

### **The 'Zero Emissions Zone' name**

7. A significant amount of discussion was dedicated to the accuracy of the reference moniker 'zero emissions zone.' Interpreted literally, the name does not reflect the working of the scheme; vehicles that emit are not prevented from entering the zone, they must pay to do so or benefit from an exemption. On a literal basis it is more of a vehicle emissions charging zone.

8. A number of suggestions were put forward from within the Committee and the report presenters as to why a literal interpretation of the name would not be appropriate, and why it should continue to be used. The first was that the term 'zero emissions zone' is primarily a term used within the context of government and has an agreed definition. Under this definition, the term is entirely accurately applied, and to refer to it as anything else would be to introduce unnecessarily a source of confusion to those most engaged with it. An alternative reason given in support of the existing name was that it expresses clearly and publicly the intention and ambition of the Council and sets a higher public expectation than if a more literal alternative were to be employed.
  
9. Though it is noted that the name 'zero emissions zone' does have a technical meaning, a meaning which can be accurately used to describe the proposed scheme in Oxford, it is suggested by the Committee that this meaning does not correspond to the understanding of members of the public. The scheme seeks to retain the support, and change the behaviour of, the general public. It is suggested therefore that it is the public's understanding of the scheme which should be given precedence over other considerations, including the argument that it communicates the Council's vision and direction of travel. It is the view of the Committee that a name at odds with public interpretation of its meaning runs the risk of reducing the credibility of the scheme and undermining its laudable aims.

**Recommendation 1: That the Council seeks the agreement of the County Council to change the 'Zero Emissions Zone' name to reflect its operation as an area in which vehicles are charged for their emissions.**

### **Ensuring Efficacy**

10. The Committee considered two elements of the efficacy of the proposals in particular: the use of geofencing and the enforcement scheme.
  
11. Geofencing is a term meaning the creation of a virtual geographical perimeter, which triggers a particular response when a device enters or leaves the created area. It is used in zero emission zones to make hybrid vehicles automatically switch into electric mode when they enter the zero emissions zone.
  
12. The key issue the zero emissions zone proposals seek to address is that of air quality. By automating the process drivers of suitably equipped hybrid vehicles are guaranteed to be driving in the right mode, thereby ensuring that they do not emit emissions within the high-risk area.
  
13. Reference to 'suitably equipped hybrid vehicles' does raise one issue, which is that not all hybrid vehicles are geofencing enabled. Older hybrids in particular lack this capability. This does raise challenges of complexity for users and administrators to manage – how could compliance with the use of electric power be proven or disproven? However, as time passes and the technology becomes more and more ubiquitous it is felt that this complexity is insufficient to merit not adopting a technology which will have some immediate positive impact and grow

after time. After all, the challenge of proving or disproving which power source hybrid vehicles were using at the time of entering the zero emissions zone remains irrespective of whether the switch is undertaken manually or automatically. As such, the Committee supports keeping the potential future option of geofencing under review.

**Recommendation 2: That the Council explores the potential future use of geofencing for hybrid vehicles entering the zero emissions zone**

14. Regarding enforcement, the Scrutiny Committee noted with some surprise that the proposals for monitoring of vehicles entering the Red Zone do not rely on fixed ANPR cameras, but mobile devices operated by parking enforcement operatives.
15. In response to this, it was pointed out that the cost of mobile devices is significantly lower, and that with further expansion of the controlled area planned in the future investment in fixed ANPR cameras would not be cost-effective, particularly as the level of non-bus or taxi traffic within the Red Zone (whose emissions are being managed separately and are exempt from the charges) is relatively low.
16. Whilst it is recognised that there is an increased cost to using fixed ANPR cameras, the deterrent value of a fine may be reduced when an element of uncertainty is introduced as to whether it will be incurred. The Committee believes that this requires additional consideration to ensure the balance between cost, efficacy and public acceptance is being met.

**Recommendation 3: That the Council revisits the business case for use of mobile ANPR as opposed to fixed cameras, with particular focus on the capital and revenue costs, anticipated fee generation and levels of behaviour change between the two methods of enforcement**

**The extent of the Red Zone**

17. The proposed area covered by the Red Zone is comprised of Bonn Square, Queen Street, New Inn Hall Street, St Michael's Street, Cornmarket and Ship Street – a limited geographical area.
18. It is understood that this proposal is limited by design in order to allow a small-scale launch from which to learn valuable lessons before the roll-out of the much larger Green Zone in 2021/22.
19. It is the view of the Committee that developing an understanding of the workings of a new public-impacting project at small scale is worthwhile. However, the number of pedestrians who use Broad Street and Turl Street is high, and bringing forward the protections for these people by including these streets in the Red Zone would not increase the Red Zone's size to unmanageable levels.

## **Recommendation 4: That the Council seeks to extend the Red Zone to include Broad Street and Turl Street**

### **The Charging Schedule**

20. The Committee devoted significant time to the implications and behavioural incentives arising from the proposed charging schedule.
21. One area of consideration was the equal treatment of all emitting vehicles in the charging schedule despite their unequal contributions to emissions. To illustrate, it was reported that only 2% of traffic coming through the Red Zone is lorry, coach or HGV, and yet that class of vehicle is responsible for 17% of all the emissions in the area. However, the fee levied for entering the Red Zone for one of these major polluters is the same as for a moped, which will have far less of an impact on emissions. If air quality improvements are the primary outcome sought by a zero emissions zone, from a purely risk-reduction perspective it would be necessary to link the fee levied to the level of emissions so that there was greater disincentive for the most polluting vehicles to enter the controlled zone. For example, the proposals for the Tyneside Clean Air Toll seek to charge HGVs £50, and cars £12.50. In London's Ultra Low Emissions Zone the charges are £100 and £12.50 respectively. Not only is this not the case in the proposed schedule, it is effectively the opposite by providing greater relative disincentive to less polluting vehicles. With a moped, the cost of the levy is borne by one person, but with a coach that exact same cost can be spread over a large number of paying customers meaning that the relative incentive for the coach driver to emit the fumes and accept the fine is higher than for a moped rider. The effect of the charging schedule's position of treating all emitters equally is to give greater relative incentive to the worst not to change their behaviour and pay the levy instead. Though questioning this, no recommendation was made by the Committee.
22. Another area of concern identified by the Committee was the treatment of blue badge holders. Under the proposals blue badge holders will become eligible to pay the full charge for entering the controlled zone from December 2024, but with the proviso that charges will be reviewed against changes to the electric car market and the access of blue badge holders to electric vehicles from that date onwards.
23. Whilst noting that a review of charges is anticipated, it is the view of the Committee that the default position should be that blue badge holders should not be subject to the charge unless there is compelling evidence to suggest that electric car availability for blue badge holders has become sufficiently accessible and widespread as to justify the imposition of a charge. Issues that would have to be considered very carefully before reaching that conclusion would need to include: the suitability of alternative means of transport for blue badge holders from outside Oxford, for whom bus services may be impractical or non-existent, whether electric vehicles will become available under the Motability scheme, and the availability of electric alternatives and desirability of scrapping disability-modified vehicles.

**Recommendation 5: That the Council amends the proposed daily charges to remove blue badge holders from the charge until December 2030, but for reconsideration as part of a full review of charges in 2024.**

### **Further Consideration**

24. A recommendation has been made to feed back to Scrutiny regarding the business case of enforcement using mobile ANPR cameras. Following receipt of this information the Committee may wish to make further comment. Aside from this, however, it is not anticipated that further consideration will be sought on this issue until the Red Zone has been established and there is sufficient data on which to base a report on its impact which can be applied to proposals for the Green Zone.

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