

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

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

Appendices
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 four 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, under licensing conditions, for a progressive move to the use of zero emission capable vehicles. The Council was working with bus companies on schemes to introduce electric vehicles into the bus fleet.
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.' From some quarters it was suggested that 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 one backed by experts and stakeholders, with 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. A secondary 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. Further discussion was held regarding the fact that the overarching concept which allowed local authorities and Transport for London to implement charges on vehicles entering particular areas which fell below particular standards were Clean Air Zones. It was suggested that London's Ultra Low Emissions Zone is not referred to as a Clean Air Zone, and that it would be constructive to consider the validity of the proposed 'Zero Emissions Zone' name on the basis of the similarities and differences between London's scheme and Oxford's. With a number of other Clean Air Zones announced by other authorities, it was suggested that there may be opportunities for similar comparisons elsewhere also. The Committee endorses this view

Recommendation 1: That the Council considers the suitability of the 'Zero Emissions Zone' name based on comparisons with the names and vehicle-charging criteria of other Clean Air Zones.

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 could be 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 that the proposals for monitoring of vehicles entering the Red Zone do not rely on fixed ANPR cameras, but mobile devices.
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 fixed cameras as opposed to mobile ANPR, 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, in addition to the fact that this area of the city has particularly high numbers of pedestrians and cyclists who are subject to poor air quality, this proposal is limited by design 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. 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. Whilst the level of the fines are not directly comparable (the bar for free entry in an Ultra Low Emissions Zone is easier to clear than a Zero Emissions Zone, justifying a stricter fine levels for breaches), the differential pricing between major and minor polluters remains relevant. Not only is differential pricing not in the proposed schedule, in its application 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. It is not anticipated that further consideration will be sought on the Zero Emissions Zone 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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Cabinet response to recommendations of the Scrutiny Committee made on 17/12/2019 concerning The Planning for the 2020 Zero Emissions Zone report

Response provided by Cabinet Member for Zero Carbon Oxford, Councillor Tom Hayes

Recommendation	Agree?	Comment
1) That the Council considers the suitability of the 'Zero Emissions Zone' name based on comparisons with the names and vehicle-charging criteria of other Clean Air Zones.	No	The Council has already undertaken considerable assessment of the name Zero Emission Zone and find it suitable to describe the zone and the Council's intentions.
2) That the Council explores the potential future use of geofencing for hybrid vehicles entering the zero emissions zone.	Yes	When geofencing is widely available it will be appropriate to consider how the technology can be used to enforce the ZEZ.
3) That the Council revisits the business case for use of fixed cameras as opposed to mobile ANPR, with particular focus on the capital and revenue costs, anticipated fee generation and levels of behaviour change between the two methods of enforcement.	No	The business case will form part of any final signoff for the scheme by both the City and County Council and it will be under review up to that point.
4) That the Council seeks to extend the Red Zone to include Broad Street and Turl Street.	No	These areas will form part of the Green Zone in 2021/22. No stakeholders have been engaged in these areas to date and it would therefore not be appropriate to include them in the Zone from Dec 2020.
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.	No	The Councils are already committed to a review in 2024.

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Date of Cabinet Meeting: 12/02/20

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