




CLEAN AIR ZONE FOR BIRMINGHAM CONSULTATION

Conservative Group Response
August 2018



The Conservative Group believe that there can be nothing more basic to a healthy environment than the air we breathe and are absolutely committed to improving the environment for this and future generations. The estimated 900 premature deaths a year from poor air quality in Birmingham are not something any of us should just accept which is why we have campaigned for a number of years on issues such as protecting our green open spaces and delivering a modern and efficient rapid transport system.

We are clear that this is not a challenge we can shy away from but we are equally clear that we cannot punish those who acted in good faith by buying diesel vehicles under the encouragement of Gordon Brown, or vehicles that passed European laboratory tests that did not match up to real life conditions. Policies should be positive and not punitive, promoting behavioural change and technological advancement and not penalising those who have no choice.

Birmingham is not London, our public transport infrastructure is decades behind other modern European cities, meaning that alternatives to car use are not a viable option for enough people to even begin to justify a regressive charge. Indeed for some people, the nature of their work or their personal circumstance means they will always be reliant on car use meaning that unless they are able to afford to upgrade their vehicle they could be priced out of working in, or visiting Birmingham which will further undermine our ambition to compete on the world stage.

Fundamentally we believe that the proposals set out in the consultation are unfair, short sighted and lacking in ambition and innovation. They will be damaging for both residents and businesses and will simply move the problems of air quality to different parts of the City. Through this consultation response we call on Birmingham City Council to urgently rethink its plans, scrap the charge on private vehicles and put in place more effective mechanisms to clean the air and positively promote behaviour changes, including support for small businesses.

Councillor Robert Alden
Conservative Group Leader
Birmingham Council

Impact on residents

The Cabinet report acknowledges a negative impact on certain groups, particularly those already experiencing socio-economic disadvantage. However we believe the analysis down plays this impact and that more needs to be done to understand the wider costs to residents and businesses including the accumulation affect of this in conjunction with other policies such as increased parking charges and controlled parking zones\resident permits.

“the poorer communities will be the most affected in our city.”
Councillor Waseem Zaffar, Labour Cabinet Member for Transport and Environment on the proposals to introduce the zone

- **People with disabilities** are more likely to rely on a car or be unable to use alternatives, specially adapted vehicles would also be more expensive to replace. The issue is wider than just those eligible for a blue badge as people with long term health conditions may also be reliant on their car to keep working or to visit the city.
- **Shift Workers** such as nurses working at the Children’s Hospital who may finish late at night or need to travel in early in the morning may not be able to use public transport (or to be able to do so safely) and be reliant on their car to get to work
- **Working parents** who need to take children to nursery or school (sometimes at different locations) could find it logistically impossible to work the required hours and be able to drop off and collect their children without use of a car
- **New Starters** – young people or long term unemployed may be discouraged from taking up a new job, particularly lower paid jobs, if they have to pay the charge or face an exceptionally long\inconvenient public transport journey
- **Trainees\apprentices or those accessing further education** may be prevented from doing so because of the prohibitive costs which will have a long term detrimental impact on the city’s aim to increase the skills leave.
- **Faith Groups** the centres of worship for most of the major faiths in Birmingham are inside the ring-road (cathedrals, central mosque, gurdwaras) forcing people to pay to attend weekly services as well as funerals and weddings etc.
- **Children’s Hospital patients-** whilst the potential mitigations includes a possible exemption for parents whose child has been in hospital for more than 30 days, by this point they could already have paid £375 to visit their sick child at an extremely stressful time for the whole family
- **Other health centres-** such as the Badger Medical Centre which provides out of hours GP services, and the NHS walk-in centre at Boots on High St. Both of these help reduce pressure on A&E and so the charge could also result in increased visits there affecting wider NHS resources and patient access.
- **Drivers** are exposed to 9 times more air pollution that cyclists because cars gather pollution from the vehicle in front but these proposals will force those drivers to spend longer in their cars on the more congested ring road to avoid the charge.

Impact on businesses and the local economy

Birmingham is more than just its city centre, but the area inside the proposed zone accounts for a third of the City's economic output and provides in excess of 150,000 jobs. More than £2bn is spent on shopping every year and it is home to more than 30,000 people. The economic effects of the charging proposals will have ramifications that will be felt across the local authority and region.

- **Retail** already suffering from competition from the internet and out of town discount stores will see a significant drop. When the congestion charge was introduced into London, John Lewis saw an 8% drop in sales that could be attributed directly to the charge. Whilst the charge would not apply to all vehicles like the Congestion Charge, with a vastly inferior public transport system, the impact would be proportionately bigger as shoppers – already facing high parking charges- choose to go to shopping centres such as Touchwood or Merry Hill instead. The recent announcement of the decision to close House of Fraser demonstrates how perilous the retail environment currently is.
- **SMEs** will feel the effects of the charge particularly keenly, without the resources of larger chains to help them weather the initial impact. Faced with a double whammy of lower customer numbers and higher delivery fees, many could be forced out of business
- **Areas away from Bull Ring\Grand Central** have already suffered in recent years from a refocussing of the city centre, with many traders telling us they feel 'forgotten about' by the City Council. Further out again, in areas such as the Jewellery Quarter this is even more acute. The proposed charge will have a massive, and perhaps terminal impact on these businesses
- **Existing regeneration plans** for example around Digbeth may be hampered as businesses wait to see the impact of the charging zone before committing new investment plans and existing businesses may be less likely to support the proposed BID given the additional resources required. Recent plans, such as the Bordesley masterplan do not take into account the impact of the charge, despite the area being right on the edge of the zone and in one of the areas with the highest levels of air pollution
- **Staff recruitment and retention** will suffer for all firms as people choose to take up job offers elsewhere (or in the case of low paid jobs, not work at all) rather than see their wallets take the hit of the new charge
- **Manufacturing** will also suffer both from the problems it will create for staff recruitment and retention and increased delivery charges. The City's historic manufacturing industries such as around the Jewellery Quarter and Gun Barrel Proof would be a massive loss to the city.

Impact on surrounding areas

The charge does not only impact on the areas within the proposed zone. The knock-on effects will be felt across the city, especially on the ring road and the local roads immediately surrounding it.

- **Street Parking** around the surrounding areas and nearby public transport routes will be made considerably worse as people use local roads as unofficial park and rides to avoid the charge
- **Increased pollution on the ring road** itself, which already has some of the highest levels of air pollution, as people are forced round the city centre
- **Increased pollution in suburban areas**, especially around schools, hospitals and local high streets, as older fleet such as buses and HGVs are pushed out to these areas so that companies can use their newer fleet within the charging zone
- **Increased congestion** on the ring road and surrounding roads as people avoid the charge, this will have a negative impact on the local economy as well as causing more inconvenience for residents and resulting in wider environmental damage. Busier roads around the city would also be more unsafe for cyclists and pedestrians. Pinch point funding provided by government has focussed on improving access to arterial routes through the city to reduce congestion on radial routes around it, the proposed charge will negate all that work
- **Increased air quality issues in suburban areas** including around schools as companies switch older fleet including buses, hgvs, refuse vehicles etc. to these areas in order to put cleaner fleet into the centre to avoid charge
- **Reinforcement of the 'concrete collar' effect** of the ring road, after partially dismantling the inner ring road which was impeding city growth, the middle ring road now acts as a new (albeit larger) collar that inhibits growth and investment in the areas beyond it. The zone will exacerbate this by adding to the view of the ring road as the 'city limits' and making the ring road more difficult to cross through increase congestion

Alternative Measures

The Conservatives have long been campaigning for more proactive measures on air quality. These were detailed in our policy paper and manifesto published ahead of the elections. We believe many of these should already have happened but in any event should now proceed at pace to avoid the need for road charging.

- Roll out living green walls in suitable 'canyon' style locations, such as the Aston Expressway or Bristol St\Pershore Road. Green walls are proven to clean up to 40% of pollutants in the air around them. (*Pugh et al Effectiveness of green infrastructure for improvement of air quality in urban street canyons.*)
- Promotion of development of green roofs which have been shown to reduce pollutants by potential 32% (*Baik et al Effects of building roof greening on air quality in street canyons*)
- Trial new technology, capable of helping clean our air such as 'city trees' which have the cleaning impact of 275 trees but are the size of two benches, in pollution 'hot spots' across the city such as High Streets. CityTrees are quick to install and have been put in place in a number of cities across Europe
- Work with the university and manufacturing sectors to continue developing Green Technology which may allow lower emission generation in the first place.
- Stop plans to build on 8 acres of parkland a year which removes valuable green space.
- Increase the tree canopy of the city from the current 18% to at least 30% in line with global cities like Boston.
- Work with the Canal and River Trust to harness the potential of the canal network for transport and energy generation.

Mock up of a 'living wall' on the a38 expressway, this could be installed at various 'canyon' locations and have been shown to remove up to 40% of pollutants from the air



A 'CityTree' imagined in Victoria Square. The equivalent of 275 trees, these can be located in pollution hotspots and moved around the city. They also carry sponsorship meaning they can be self funding, or even revenue generating



Alternative Measures (cont.)

Since the previous Conservative led Administration produced the Air Quality Action Plan in 2011 there has been no attempt by the council to take any sort of strategic approach to cleaning the air. Piecemeal interventions and a refusal to make proactive decisions have created inertia around the issue that has allowed the air quality problems to escalate. The Council needs to be taking a lead in driving forward improvements rather than simply taxing residents

- Reward scheme for public transport or active travel (linked to wider reward scheme proposed in manifesto)
- Reshape the Council planning policies to ensure well placed public transport links and create a public transport investment fund from developers to ensure new mass public transport routes are created.
- Create more park and ride facilities to encourage public transport use.
- Look to introduce Urban Consolidation Centres to reduce the number of goods vehicles in the City Centre and local centres. Studies in Copenhagen have shown UCCs can reduce NO₂ and PM_{2.5} by as much as 70% (*W.J.A van Heeswijk et al. An urban consolidation center in the city of Copenhagen: a simulation study*) Indeed Urban Consolidation Centres formed part of the 2011 Air Quality Action Plan but were not picked up by the Labour Administration from 2012 onwards. A report by the Transport Systems Catapult for DfT contains case studies showing a number of UCCs moving from pilot to implementation inside 12 months
- Re-phase traffic signals/junctions where possible to lower emissions created by traffic.
- Business rate discount for car parks that include electric charging points and businesses that create green infrastructure on their premises (e.g. roof gardens)
- Lane rental system for utilities companies to minimise the amount of time road works are in place increasing congestion

Additional city-wide measures

The proposals put forward by the Labour Administration focus on the city centre zone only, and as already mentioned would likely make air quality worse in areas surrounding the zone and in local district centres. A package of measures to improve air quality across the City would have a greater benefit, with less impact than a city centre charging zone for private vehicles. As well as the measures all set out we also believe further specific measures are focussed on areas outside of the city

- Creation of no-idling zones, especially around schools, in line with the Motion agreed at Council on 12 September 2017 but not yet implemented by the Administration
- Following the pilot in Solihull of school exclusion zones for traffic, the council should look to adopt similar measures here
- The extension of local sustainable transport measures, building on work already done using government funding,
- Improve district centre parking provision and reduce\remove costs to reduced the use of street parking and the associated traffic congestion this causes. Car parks should include electric charging points
- Scrap Labour's Maximum Parking Standards from within their planning policies to ensure that all new developments contain adequate parking (with electric charging) to reduce on street parking and associated congestion

Mitigations for businesses

Birmingham City Centre has enjoyed a renaissance in recent years. Supported by the Government's City Growth Deals and significant private investment. However we know that many businesses are still operating on the margins and that retail in particular is suffering. This new charge threatens their future and the jobs they create. As well as excluding private vehicles we also want to see substantial further mitigations for businesses and SMEs in particular

- A smaller zone to exclude the west of the city and focus on the East where the air quality problems are most acute. This will be particularly important for SMEs in areas such as the Jewellery Quarter where businesses have told us this charge could be the final nail in their coffin. The Jewellery Quarter is not expected to exceed air quality levels with or without any additional measures and does not need to be included but will suffer disproportionately
- Off-peak\night time exemption for deliveries, giving firms others options as well as the additional benefit of encouraging deliveries outside of rush hour to ease congestion
- Business rate relief for SMEs and start ups to mitigate increased cost of deliveries.
- Lowest possible charge for HGVs (there is no justification for Birmingham charging twice as much as Leeds)
- Work with other Cities to ensure a single daily charge for lorries travelling between two or more cities with CAZs in place
- Work with the Business Improvement Districts inside the zone to target specific support and monitor impact

Public Transport

For Birmingham to be a world class city, it needs a world class public transport system. It is only when we have a rapid transport system that is reliable, safe, affordable and connected to the places that people need, that we can reasonably expect a shift in usage away from cars. To tax people to use their cars ahead of having such a system is regressive and ineffective.

- Work with the Mayor to re-open the Camp Hill, Sutton Park and Tamworth railway lines including new passenger stations at Balsall Heath, Castle Vale, Kings Heath, improve Kings Norton Station, Moseley, Stirchley, Sutton Park, The Fort, and Walmley.
- Investigate possible new mass transit travel routes across the city, including revisiting plans for an underground system
- Create more off-road cycle and walking routes, especially on canal tow paths. These are safer and don't compromise road space
- Prioritise expansion of park and rides at train stations and along Sprint bus routes. Whilst lip service has been paid to these there is a lack of concrete action to create any momentum behind their creation
- Greater incentives for bus companies to clean their fleet by extending the TfWM bus departure charge holiday
- More incentives around track/station use for electric or hybrid trains
- Partner with car pool companies to provide 'pay-as-you-go' access to electric vehicles. This could include upgrading the Council's own fleet and making it available for public use during evenings, weekends and public holidays
- Reform of planning conditions to encourage greater creation of electric charging points (current parking policy restriction force people to park on the streets where charging is not possible)
- Business rates discounts for car parks that include a set percentage of EV charging points.
- Use opportunity of renewal of Cross Country franchise to push for more measures to issues affected Birmingham, including upgrade to diesel trains using New Street, more park and rides and new stations on key routes.

Further Exemptions and mitigations for residents and workers

Whilst we oppose the concept of charging private vehicles, we believe that in the event a charge is introduced by the Labour Administration there should be a much wider list of exemptions than currently proposed in order to minimise the impact on those who would otherwise be hit hardest

- A longer lead in time for people who live in the Birmingham City Council area
- Lobby government for a scrappage scheme that includes non-compliant petrol cars as well as diesel
- A smaller zone to exclude the west of the city and focus on the East where the air quality problems are most acute
- Off-peak/night time exemption to avoid damage to night-time economy
- Suspension of zone when road works or instances on the ring-road or other surrounding roads effectively force people in to the zone in order to get to their destination
- Exemption for shift workers (e.g. at children's hospital) who may travel in during day but leave late at night or early hours or morning when public transport options not as numerous or safe
- Exemption for people with disabilities, including a wider definition of disability to include those with long term conditions that may not meet the threshold for a blue badge but for whom public transport is difficult or impossible (e.g. people who may need urgent access to a toilet or with conditions that cause fatigue)
- Exemption for people travelling in for education or training to avoid deterrents to the closing the City's skills gap
- Time limited exemption for people previously unemployed starting a new job to prevent taking up a new job being prohibitive due to cost
- Business rate relief for SMEs and start ups to mitigate increased cost of deliveries.
- Grants for Birmingham Residents to be able to upgrade vehicles
- Use charge as a saving scheme for Birmingham residents, through which any money they pay is held on their behalf and can be used to upgrade their vehicle to one that complies

Other Concerns

As well as the proposals themselves, we also have serious concerns around the way the proposals have come forward which undermine the public trust and the reputation of the council as well as given rise to the potential for legal challenge.

The 'consultation period'

The six week consultation period is simply not sufficient for a policy of this significance. The Government Framework stipulates that a zone would require 'extensive engagement and consultation.' The legal advice provided to Southampton City Council, on a lower impact proposal for their own zone was that at least 12 weeks was needed. Leeds City Council ran a two phase consultation with the first lasting 3 months. Other recent consultations run by BCC on other policies (e.g. carers strategy) have run for considerably longer, despite the required 'reach' being considerably smaller.

The Cabinet Member has said in the Chamber that he was pleased the consultation did not begin before the local elections because he did not want it to be an election issue but the all out elections allowed all Parties the chance to set out their policies and priorities and for people to have their say on them. On this issue the public were denied that say. The fact the original report on these proposals was timetabled for Cabinet in February, and only pulled at the last minute demonstrates that the shortened consultation period was a political choice for political reasons and belies the Administrations claim to take the issue of air quality seriously.

The consultation itself is also leading, for example in offering no option to select £0 for the charge level, as well as misleading, for example in implying the charge is government mandated which it is not. Promotion of the consultation on flyers and signs around the city do not reference the charge.

"the scale of the proposal and the potential wide reaching social and economic impacts it was not deemed appropriate to shorten the time frame. By undertaking a 12 week consultation, the risk of a future legal challenge that may delay implementation of the preferred option is minimised and outweighs the risk to the Council of the government seeking specific performance in relation to the ministerial deadline."

Southampton City Council, Cabinet Report on CAZ proposal and timeframe for consultation

Other Concerns (cont.)

As well as the proposals themselves, we also have serious concerns around the way the proposals have come forward which undermine the public trust and the reputation of the council as well as given rise to the potential for legal challenge.

The charge as a 'revenue raising tax'

Whilst they have consistently claimed that this is not a revenue raising exercise, the report agreed by the Labour Cabinet stated they would be considering using any surplus from the CAZ charge to 'existing Council General Fund budgets currently used to fund relevant transport infrastructure measures so that in turn these may be re-allocated to Council priorities.' Rightly or wrongly, this gives the strong impression that Clean Air is not in itself a council priority and that, despite what it said elsewhere, the charge is a tax to fill the black hole left by their failure to deliver a balanced budget.

We strongly urge the Council to state unequivocally that any surplus revenue raised from the CAZ is ring-fenced to provide additional funding for air quality measures and not just replace current funding.

"Consideration will also be given to **replacing** existing Council General Fund **budgets** currently used to fund relevant transport infrastructure measures so that in turn these may be **re allocated** to Council priorities."

Birmingham City Council Cabinet Report on CAZ, 26 June 2018

Further Information and call for public vote

The Conservative Group are committed to ensuring that Birmingham's air and its wider environment is of the highest possible quality for this and future generations. More details on the suggestions raised in this consultation response have been published in our Clean Air policy and manifesto and we are also more than happy to engage on a cross party basis with the Council, Government, Combined Authority, Businesses, Residents and other stakeholders to develop these and other solutions into a workable plan for the City.

What we cannot do however, is support the current myopic proposals to charge private vehicles to travel into our city or for the charging of commercial vehicles to cover a wider area and at a higher cost than is necessary. The proposals as set out in this consultation will damage residents and businesses, hurting most those least able to afford it. They will also fail to even achieve their supposed purpose, leaving air quality above acceptable levels and in parts of the city making it worse.

More ambition is needed, the Labour Council have failed to deliver in the last 6 years but that does not mean it is too late to deliver now and we would urge an urgent rethink of plans and a commitment to work together to deliver the ambitious, innovative and, most importantly, fair and equitable clean air plans that our City deserves.

Furthermore, given people were denied a say in the recent local elections if any option that involves charging private vehicles is taken forward, this should be put to a public vote. Labour refused to published any details ahead of those elections, and had previously ruled out charging private cars, therefore it is only right that people are given a real say beyond this perfunctory and limited consultation.