

CABINET – 18 JUNE 2019

OXFORD EURO 6 LOW EMISSION ZONE FOR BUSES

Report by Director for Planning & Place

RECOMMENDATION

1. **Cabinet is RECOMMENDED to:**
 - (a) **approve the proposed emissions requirements for buses outlined in the report;**
 - (b) **authorise officers to make minor changes to the draft Traffic Regulation Condition at Annex 1 if required; AND**
 - (c) **instruct officers to submit a request to the Traffic Commissioner for a Traffic Regulation Condition (TRC) based on the draft at Annex 1**

Executive summary

2. As part of the councils' efforts to improve air quality in Oxford to meet policy and member objectives, the county council is working in partnership with Oxford City Council on proposals to introduce a Zero Emission Zone (ZEZ) in the city. One element of the ZEZ is a scheme to reduce bus emissions, which account for a high proportion of transport emissions in Oxford city centre.
3. Over the next 10 to 15 years the councils intend to work in partnership with bus operators to make the transition to zero emission buses. The first zero emission buses are due to start operating in the city during 2019, and we aim to have a 100% zero emission bus fleet no later than 2037. In the shorter term, cleaner diesel bus engine technology offers major air quality benefits. A "Euro VI" Low Emission Zone (LEZ) for buses is therefore proposed, building on the existing "Euro V" LEZ for buses in Oxford.
4. City council officers will be seeking approval for the Euro VI LEZ from the City Council Executive Board on 12 June 2019.
5. This type of scheme is implemented through a 'Traffic Regulation Condition' which is a legal requirement added to the affected bus operators' operating licences by the Traffic Commissioner, at the request of the county council.

Background and justification for new requirements

6. The county council's fourth Local Transport Plan identifies the need to reduce transport emissions in the county as a key objective and includes as part of the Oxford Transport Strategy a commitment to implement the Oxford ZEZ in phases, starting in 2020. The ZEZ has been strongly supported by the city council, who are responsible for implementing some elements of it.
7. 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.
8. 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 – see www.oxfordshire.gov.uk/zeroemissionzone.
9. The ZEZ aims, in time, to introduce emissions requirements for all vehicle types. New requirements for taxis 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.
10. In 2015, buses were the source of 56% of transport NOx emissions in the city centre, and whilst this proportion has been falling in recent years, buses remain a very significant emission source in many city centre streets.
11. Since January 2014, buses operating in Oxford city centre have been required to meet the Euro V standard for NOx. The zone was developed and implemented in partnership with the city 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.
12. 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.
13. In April 2019 the county council unanimously resolved to call on the Leader to acknowledge a climate emergency and pledge to make the council carbon neutral by 2030.
14. As part of Oxford's 'journey to zero' the two councils want Oxford's public transport network to make the transition to zero emission vehicles in the next 10 to 15 years, with fully zero emission operation by no later than 2037. The

transition will require significant investment in both infrastructure and vehicles. We therefore aim to work in partnership to develop a detailed plan for the transition together with the city’s bus operators.

15. In the shorter term, because Euro VI bus engines have been proved to reduce NOx dramatically compared to Euro V, the two councils are proposing to extend the existing Low Emission Zone Euro V to a Euro VI requirement.
16. Although significant improvements have already been achieved as a result of operators voluntarily introducing Euro VI buses in recent years, there is still a need to formalise the Euro VI requirement to ‘lock in’ the benefits and ensure that bus operators do not:
 - (a) Continue to operate Euro V buses on those routes not already upgraded to Euro VI
 - (b) Regress to older buses on *existing* routes (for example in response to a need to re-deploy Euro VI buses within their groups to other UK cities who are introducing low emission zones)
 - (c) Introduce *new* services using older buses, either covering new routes or in an effort to under-cut competitors on existing routes.

Proposed new requirements

17. The proposed requirements are outlined in detail in the draft TRC (at Annex 1) and are summarised below.
18. As part of the ZEZ scheme officers propose a Euro VI (for NOx) bus LEZ in central Oxford in two phases:

Phase	Date	Services required to comply with Euro VI standard
1	1 December 2020	All registered local bus services* operating within the streets affected except those which serve stops more than 10km from Carfax
2	1 December 2022	All registered local bus services* operating within the streets affected

*Limited exemptions will apply

19. A map of the zone in which these requirements will apply is at Annex 2. The zone covers the busiest bus routes in the city, where emissions from buses are greatest. The zone map is purely illustrative; legally the scheme will apply to the “streets affected” listed in the draft TRC. Only streets suitable for use by buses are listed, not every street within the mapped zone.

20. 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, where pollution from buses is greatest. For guidance, a map showing a 10km radius from Carfax is available in Annex 3.
21. The proposed phasing means that within the zone shown in Annex 2:
 - **73%** of total bus miles driven will be subject to the Euro VI minimum requirement in Phase 1
 - The remaining **27%** of bus miles driven will be subject to the Euro VI minimum requirement in Phase 2
22. However, some operators are expecting to exceed the minimum requirements and upgrade at a faster pace, meaning that, based on current investment plans, **89%** of bus miles driven within the zone will be Euro VI by December 2020.
23. All bus routes in *Oxford*, with the exception of the hospital Park & Ride services serving Headington, come into the city centre and therefore all areas of the city will benefit from the scheme, including those areas not physically within the zone. In particular, some of the more deprived areas of the city (see map at Annex 4) have very frequent bus services, all of which will need to comply from December 2020.
24. Similarly, the vast majority of bus routes in *Oxfordshire* come into the city centre, so the proposed requirements will benefit all parts of the county that are served by these routes. The existing Euro V requirement will continue to apply to those services which fall into Phase 2 until December 2022, so it will not be possible for operators to 'regress' to older polluting buses on those routes.
25. These requirements would be implemented by asking the Traffic Commissioner to apply a Traffic Regulation Condition (TRC) to all affected operators' licences.
26. 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.
27. 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.

Next steps

28. Bus operators have been consulted on the proposals informally. Oxford Bus Company and Stagecoach Oxfordshire have responded; a summary of the key points raised is in Annex 5 along with officer responses.
29. If both councils approve the scheme in June, the county council will write to the Traffic Commissioner to ask for a new TRC to be applied to operators' licences.
30. 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.
31. 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 and staff implications

32. Officer time to support the making of the TRC including liaison with bus operators is covered within existing budgets.
33. 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.
34. 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 from the government's Clean Bus Technology Fund to allow operators to retrofit buses to meet the new standard.

Equalities implications

35. A Service and Community Impact Assessment (SCIA) has been completed and is at Annex 6. The assessment identifies a risk of impacts on various groups which could result from changes to bus services made in response to the new emissions requirements (e.g. fare increases, reduced bus frequencies, or withdrawal of bus services).
36. However, there will also be health benefits for individuals and communities. For example, and as highlighted in paragraph 23, bus services tend to be

particularly frequent in areas of higher deprivation, where fewer people have access to a car and therefore use public transport regularly. Even though these areas are outside the zone covered by the scheme, they will benefit from the scheme because all buses serving these areas travel into the zone and will have to comply with the new requirements.

37. The proposals include a number of features to mitigate the risk of negative impacts to an acceptable level, as outlined in the SCIA.

Risk management and legal implications

38. A risk register has been maintained as part of the project planning. The main risk to delivery of the scheme is bus operator objections to the formal publication of the TRC by the Traffic Commissioner, which would lead to a public inquiry and could result in an inspector rejecting the scheme or amending it significantly. This risk has been mitigated by working closely with bus operators to agree a scheme that is challenging but deliverable.
39. The county council would not be legally responsible for implementing and enforcing the scheme; this responsibility sits with the Traffic Commissioner.

Communications

40. A joint city and county council communications campaign for the Zero Emission Zone was carried out in January 2019 to update stakeholders and the public on the latest ZEZ proposals. The Euro VI bus LEZ element was included in this update.
41. Communications with the main bus operators has continued throughout the development of the proposals.
42. Communications will continue to emphasise the benefits both within the city and across the county.

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Background papers: None

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June 2019