



Living Streets' consultation response to the Department for Environment, Food and Rural Affairs (Defra) and Department for Transport (DfT)'s Consultation on the Implementation of Clean Air Zones in England.

Living Streets is the UK charity for everyday walking. We want to create a walking nation, free from congested roads and pollution, reducing the risk of preventable illness and social isolation and making walking the natural choice. We believe that a walking nation means progress for everyone.

Our ambition is to get people of all generations to enjoy the benefits that this simple act brings and to ensure all our streets are fit for walking. For more than 85 years we've been a beacon for walking. In our early days our campaigning led to the UK's first zebra crossings and speed limits. Now, our campaigns and local projects deliver real change to overcome barriers to walking and our ground breaking initiatives, such as the world's biggest Walk to School campaign, encourage millions of people to walk.

Summary

Living Streets is a member of the Healthy Air Campaign and support its more detailed submission. Our response comprises some general comments and answers to questions 1 and 2, which lie closest to our area of expertise.

We support the need for immediate action on air pollution (and climate change) and welcome the Government's commitment to act on the High Court ruling by amending the draft Clean Air Zone Framework in line with Mr Justice Garnham's recommendations.

We believe that the Framework needs to recognise the health (and wider) inequalities generated by poor air quality in England's urban areas. In particular, the fact that people who walk or cycle do not contribute to poor air quality, but are unfairly exposed to it. The only way to address both air quality and create a fairer transport system is to promote a modal shift away from private motorised transport towards more walking, cycling and public transport. This will have the added benefit of reducing congestion.

In order to do this effectively and ensure that local government has the funds to adequately implement Clean Air Zones, we would like to see the Government adopt a more supportive stance towards the use of charging mechanisms to support active travel and public transport measures. For example, in London the net revenues from the Congestion Charge are spent on improving transport in line with the Mayor's Transport Strategyⁱ.

Many of the options proposed in the Framework to promote active travel are very welcome. However, the Clean Air Zone Guidance should also reference the Local Cycling and Walking Infrastructure Plan (LCWIP) process, which English local authorities will be asked to follow as part of the Government's Cycling and Walking Investment Plan (CWIS). This together with existing planning policy and design guidance, such as the Manual for Streets, provides a road map towards encouraging more walking and cycling.

General comments

We support the call for immediate action to improve air quality and the recognition that this would 'create great places for living in, as well as great places to make a living'. We also welcome the intention for Clean Air Zones 'focus on measures to accelerate the transition to a low carbon, low emission economy' necessary to tackle Climate Change.

Action is needed now to protect people's health. Defra's latest annual submission to the European Commission, Air Pollution in the UK in 2015, reports that 37 out of 43 air quality zones exceeded the annual mean limit value for NO₂ⁱⁱ. Therefore, we were disappointed that the proposed Clean Air Zone Framework mandated only five cities to implement a Clean Air Zone (alongside measures for London) and required none of these to introduce charge based access restrictions.

The Framework must recognise that not all communities are exposed to air pollution equally. People from deprived areas are more likely to be exposed to poor air qualityⁱⁱⁱ, to live in areas that do not support walking and cycling, and are more likely to need to walk and cycle for transport and to access employment^{iv}. A person who chooses to drive is exposed to pollution that they help to produce. People who walk or cycle do not contribute to poor air quality, but are unfairly exposed to it.

The use of charge based restrictions to encourage a modal shift towards clean and sustainable alternatives to private motorised transport would help to address these health inequalities. Although a cleaner fleet of private vehicles is desirable, not everyone can afford

a new car, not everyone drives and not everyone can drive (e.g. children, older or disabled people). Investing in walking, cycling and public transport not only creates a fairer transport system, it reduces pollution and greenhouse gas emissions, reduces congestion and reduces noise – making cities better places to live and work in.

ClientEarth's recent victory at the High Court has outlined the reasons why the draft framework does not do enough to cut NO₂ levels in the shortest possible time. Once the modeling is revised to reflect realistic vehicle emissions, we expect to see more cities required to adopt Clean Air Zones, alongside clear timetables for action and "for charges to be fixed at a level which will ensure compliance with the limits in the [EU Air Quality] Directive"^v.

1. In the Draft Clean Air Zone Framework, are the right measures set out in Section 2?

We support the general direction of measures for inclusion in Clean Air Zones as a 'focus for action to improve air quality'. In particular we are pleased to see emphasis placed on the need to:

- engage local communities;
- make the best use of land use planning;
- optimise traffic management systems, such as public improvements to create attractive environments for walking and cycling, and creating safe, continuous and convenient walking and cycling networks; and
- encourage healthy and active travel.

However, Living Streets believes that a Clean Air Zone should also actively promote modal shift towards more walking, cycling and use of public transport by restricting access to the most polluting vehicles. We are disappointed that the Government is not more supportive of charge based restrictions. Low Emission Zones (or 'Charging Zones') must include all the most polluting diesel vehicles (the Class D CAZ modeled by Defra) – this includes private cars, motorcycles and mopeds. This is important because diesel cars, in particular, are a key source of NO₂ emissions. We would like an even more ambitious approach which would allow for the total or partial ban on certain classes of vehicles (e.g. diesel bans introduced in Paris and Madrid)^{vi}.

The High Court ruling identifies the Treasury's concerns about limiting the extent of public expenditure on reducing air pollution and news items released elsewhere reveal how the Treasury blocked plans to charge diesel cars to enter towns and cities blighted by air

pollution, concerned about the political impact of angering motorists^{vii}. However, a recent survey by the RAC Foundation found that “motorists are supportive of both charges for the dirtiest vehicles entering polluted areas (55% agree, against 20% who disagree) and outright bans on vehicles entering the most polluted areas (55% agree, against 18% who disagree)”^{viii}. Without extra public funding for local government to implement CAZs, charge based restrictions (e.g. the Nottingham workplace parking levy or London’s congestion charge) offer a viable means of changing people’s travel behaviour.

Nottingham is the only city so far in England to have a workplace parking levy. Bucking the national trend by prioritising public transport it has also managed to reduce the number of miles were covered by car drivers in the city from 477,523,000 in 2000 to 439,761,000 in 2015. The economy has benefitted too; jobs growth in Nottingham has been faster than other cities, while traffic congestion has fallen^{ix}. The scheme also raised £9million in revenue for reinvestment in transport projects across the city (e.g. bus and tram networks, with an associated package of support measures e.g. personal travel planning and season ticket loans)^x. The Government should be encouraging the use of CAZ charging revenues to invest in walking, cycling and public transport.

Vehicle Excise Duty could also be used, for example, to invest in more walking and cycling or to disincentivise the purchase of diesel vehicles. Even after the UK Government’s decision to reform the banding structure of Vehicle Excise Duty (VED) it will continue to be levied on the basis of carbon dioxide emissions and remains a tax on pollution. However, the Government’s intention to dedicate all VED revenue to a new Roads Fund contradicts the very purpose of the tax. Additional strategic road capacity will tend to lead to increased demand and, inevitably, more air pollution.

2. Are there additional measures that should be highlighted under each theme?

Please give evidence of impact if possible.

Theme 1: Supporting local growth and ambition (decoupling growth and pollution)

Paragraphs 28 - 37: Engaging local communities

Living Streets supports measures to engage local communities to raise awareness of the importance to health and the environment of cleaner air, and take action to reduce and avoid pollution. However, raising awareness on its own is not the most effective way to encourage people to walk more. Our Fitter for Walking project and Walk Once a Week schools

campaign owe their success to a mix of behaviour change interventions and improvements to walking infrastructure (e.g. addition of dropped kerbs or new crossings).

Paragraphs 41-46: Making the best use of the local authority role in land use planning

Similarly, we support the use of land use planning to discourage car-dependent development and instead support and encourage development based on sustainable public transport, walking and cycling. Design standards to ensure pedestrian safety and comfort are well established (e.g. the Manual for Streets, Department for Transport 2007), but poorly applied. Wherever possible, councils should also coordinate scheduled street maintenance and street improvements with street works planned by external contractors or utilities¹.

This section should also reference the *Local Cycling and Walking Infrastructure Plan (LCWIP)* process, which is due to be adopted as part of the Government's Cycling and Walking Investment Strategy (CWIS). English highway authorities will be encouraged (but not required) to draw up LCWIPs following Department for Transport guidance which will be issued shortly. They should set out evidence-based plans to develop a programme of schemes to improve both walking and cycling conditions. This will help local authorities secure improve walking and cycling conditions through the planning system.

Paragraph 47: Optimising traffic management

We support the use of traffic management measures to make walking (and cycling) safer and easier. However, the wording could be more explicit. For example, amending the first bullet point to 'improving road layouts and junctions to improve traffic flow **or create safer more convenient conditions for active travel**'. This section should also reference the LCWIP process because creating 'safe, continuous and convenient' walking networks and public realm improvements to create attractive town centres for walking and cycling could reasonably form part of the delivery of the LCWIP.

Theme 3: Immediate action to improve air quality and health

Paragraph 97: Raising awareness of the options (for encouraging healthy and active travel)

¹ For more recommendations see Living Streets' State of our Streets report <https://www.livingstreets.org.uk/media/1407/state-of-our-streets-report-august-2012.pdf>

We are of course supportive of measures, such as ‘developing school travel planning to tackle emissions from the ‘school run’ via walk to school initiatives’. For example, evaluation of Living Streets’ Walk to School Outreach project (which ran from September 2012 to March 2015) led to a drop in car use from 39 per cent to 27 per cent, a fall of almost a third (this is the overall project average). However, as mentioned above, behaviour change interventions work best when paired with and improvements to the walking environment – for example, by linking Community Street Audits to modest capital budgets. This not only helps to remove barriers to walking identified by communities, it also shows how community involvement can make a tangible difference and builds confidence in local authorities.

Paragraph 99: Making active travel safer and easier

We agree with the proposed actions to make active travel, in particular walking, safer and easier. However, this section needs to reiterate the link between providing ‘safe, convenient, attractive and continuous’ networks of walking routes with land use planning, design guidance and, not least, the guidance informing the development of Local Cycling and Walking Infrastructure Plans. This will advise on the planning and implementation comprehensive local walking (and cycling) networks, and recommend a programme of walking and cycling schemes.

For more information please contact:

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ⁱ Transport for London Annual Report and Statement of Accounts 2015/16

ⁱⁱ See https://uk-air.defra.gov.uk/library/annualreport/viewonline?year=2015_issue_1&jump=es

ⁱⁱⁱ Public Health England (2016) Working Together to Promote Active Travel: a briefing for local authorities

^{iv} Public Health England (2013)

http://www.noo.org.uk/uploads/doc/vid_19253_Social_and_economic_inequalities_in_diet_and_physical_activity_04.11.13.pdf

^v From Mr Justice Garnham’s judgement - <http://www.documents.clientearth.org/wp-content/uploads/library/2016-11-02-high-court-judgment-on-clientearth-no-2-vs-ssefra-on-uk-air-pollution-plans-ext-en.pdf>

^{vi} See <http://www.bbc.co.uk/news/science-environment-38170794>

^{vii} See <https://www.theguardian.com/environment/2016/nov/02/high-court-rules-uk-government-plans-to-tackle-air-pollution-are-illegal>

^{viii} See <http://www.rac.co.uk/press-centre#/pressreleases/motorists-strongly-supportive-of-efforts-to-tackle-air-quality-including-bans-for-the-most-polluting-vehicles-1652883>

^{ix} See <http://www.nottinghampost.com/huge-drop-in-car-journeys-on-nottingham-s-roads/story-29686589-detail/story.html#SI0m1LEFiPuvXQt8.99>

^x See <http://www.nottinghampost.com/workplace-parking-levy-clocks-up-9-3-million-for-nottingham-city-council/story-29708392-detail/story.html>