



Department
for Environment
Food & Rural Affairs

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Mayor Marvin Rees
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23 July 2019

Thank you for your letter of 29 March and the phone conversation on 21 May. I wrote to you on 11 March 2019 regarding Bristol's local plan for delivering compliance with statutory nitrogen dioxide concentration limits in the shortest possible time, requesting the submission of an updated delivery timeline by 31 March 2019. I note that an updated timeline, detailing the steps to a Full Business Case (FBC) was submitted on 29 March 2019.

As you are aware, in both my letters of 16 January and 11 March, I also highlighted my expectation that a FBC should be submitted no later than 27 September 2019. I was therefore disappointed that the latest update to your delivery timeline indicates that you will not meet this deadline.

You have been provided with all the necessary support and funding for you to develop a proposal to submit to Government to deliver NO₂ compliance in the shortest possible time. For the avoidance of doubt, I want to be very clear that your preferred option must deliver compliance in your local area in the shortest possible time, and have a robust evidence base to support it. You have indicated that initial analysis has suggested compliance could be achieved by 2025, I therefore expect your preferred option to deliver compliance by 2025 at the latest. I acknowledge the need to ensure you have a deliverable option that also minimises the potential adverse impacts of a scheme on your citizens and I recognise that your new proposal (a Class C charging Clean Air Zone alongside additional non-charging measures) is ambitious. I acknowledge that you are also looking into an 8 hour diesel car ban as an alternative to a 24 hour diesel car ban. You clearly need to complete modelling for these options. Please work closely with my officials to ensure that you can deliver to your set out timescales.

In the event that the two options consulted on do not offer this, I would expect you to consider how your other options (for example, your Class D charging Clean Air Zone (CAZ)) could be amended to deliver compliance in the shortest time possible. To ensure that compliance is not delayed, I expect your Council to model a Class D CAZ with additional measures. To give assurance that your preferred option delivers these objectives, JAQU and the independent review panels must review the

evidence underpinning your preferred option and this must occur prior to commencing your statutory consultation.

I am now directing Bristol City Council to deliver your options appraisal in the form of an Outline Business Case (OBC) and a Full Business case (FBC) to your own revised timeline. The direction requires you to:

- Provide modelling (including air quality and transport modelling) of the options that you are consulting on (Class C CAZ with additional measures and a city centre diesel car ban for 8 hours) as well as a CAZ D with additional measures by 8 August 2019. This will include consideration of the financial and delivery detail of both options;
- Provide a full options appraisal of their access restriction options in the form of an OBC (which must include a Class C CAZ with additional measures, a Class D CAZ with additional measures and a city centre diesel car ban for 8 hours) by 30 September;
- Provide a FBC by 23 December 2019; and
- That the modelling, OBC and FBC must include a date for implementation no later than 2021.

I expect your Council to have moved to the implementation phase of the required measures in 2020, with a statutory consultation and all procurement completed by the time you submit your FBC. As I have highlighted above, multiple deadlines that have been set have not been met and I want to be clear that any further delay to your project, which risks a delay to the delivery of compliance is unacceptable.

I would like to make clear that any delay or non-compliance with the September and December deadlines will result in me being forced to consider legal action against Bristol City Council which may include issuing proceedings without further notice.

It is vital that you work with my officials in JAQU stand so they can provide support and assistance. I do not believe the level of engagement with the team has been to an acceptable standard to this point. I am very concerned that, without engaging fully with the team, you will be further delayed in delivering on your plans and therefore ensuring the people of Bristol have access to cleaner air. I have also advised them I wish to be kept closely informed of your progress. I look forward to seeing your final plan in the near future.

Given the public interest in improving air quality, I will be publishing this letter on gov.uk.

Yours sincerely,

DR THERESE COFFEY