

Committee: Cabinet

Date: 23rd March 2020

Wards: All

Subject: Reference from the Sustainable Communities Overview and Scrutiny Panel – Diesel Levy and Emission Based Charging

Lead officer: Julia Regan, Head of Democracy Services

Lead member: Councillor Natasha Irons, Chair of the Sustainable Communities Overview and Scrutiny Panel

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Recommendations:

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1. The Sustainable Communities Overview and Scrutiny Panel recommends that Cabinet take into account its reference set out in paragraphs 2.14 to 2.17 below when making decisions on the Diesel Levy and Emission Based Charging proposals.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. At its meeting on 25 February 2020 the Sustainable Communities Overview and Scrutiny Panel received a report on the Diesel Levy and Emission based charging review. The Panel was asked to discuss and comment on the report and agree any reference it wished to make back to Cabinet about the review.
- 1.2. The Panel agreed to make a reference to Cabinet, as set out in paragraphs 2.14 to 2.17 below.

2 DETAILS

- 2.1. The Council introduced the diesel levy surcharge in 2016. Since its implementation, the Sustainable Communities Overview and Scrutiny Panel has had the opportunity to feed into the Terms of Reference and to review the effect of the levy
- 2.2. **Scrutiny process**
- 2.3. The Panel received a detailed report setting out the findings of the review, proposals for a new emission based charging model and the equality impact assessment.
- 2.4. Panel Members asked questions and sought responses to concerns raised. Responses were provided by the Director of Environment and Regeneration, Environmental Health Pollution Manager, Head of Parking Services and the Cabinet Member for Regeneration, Housing and Transport.
- 2.5. **Scrutiny response**
- 2.6. The Panel discussed and debated three potential motions to Cabinet;

- 2.7. A motion that “if this Council believes diesel cars are dirty, then every diesel car should be treated the same way” was defeated (Two votes for, six against).
- 2.8. A motion that ‘recommends Cabinet consider the full Equality Impact of their proposals across the borough by looking at the available data on car vehicle ownership by area to see if it impacts the Equality Assessment’ was voted on and recorded as defeated but procedure was followed incorrectly in this instance.
- 2.9. The first vote was recorded as two votes for, six abstentions. The Chair queried whether the vote should be carried given that there wasn’t enough positive support for the motion and due to the high level of abstentions, whether the Panel were clear on what the recommendation was. The Chair and Scrutiny Officer decided there was insufficient conclusion to pass it.
- 2.10. After further discussion, a re-vote was taken with an outcome of two votes for, six against). Motion fell.
- 2.11. Procedural advice was sought from the Head of Democracy Services after the meeting which determined the following;
- 2.12. A vote may be re-run if committee members are confused about what they were voting for but, although there was an element of confusion at the meeting, this was not sufficient to warrant a second vote in this instance.
- 2.13. The Sustainable Communities Panel were due to ratify this at their meeting on 17 March 2020 so that the resolution can be recorded as carried and will then be referred to Cabinet. Therefore;
- 2.14. Panel RESOLVED (two votes for, six abstentions) to make the following reference to Cabinet:
- 2.15. “This Panel recommends that Cabinet consider the full Equality Impact of their proposals across the borough by looking at the available data on car vehicle ownership by area to see if it impacts the Equality Assessment”
- 2.16. Panel RESOLVED (eight votes for, none against) to make the following reference to Cabinet:
- 2.17. “This Panel recommends that Cabinet look at the available evidence with the intention of putting a greater focus on incentives to encourage and support residents to change vehicles to less polluting types, including looking at examples from other boroughs’.

3 ALTERNATIVE OPTIONS

- 3.1. None – Cabinet is required under the council’s constitution to receive, consider and respond to references from overview and scrutiny.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Included in the report to the Sustainable Communities Overview and Scrutiny Panel on 25 February 2020.

5 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

5.1. Included in the report to the Sustainable Communities Overview and Scrutiny Panel on 25 February 2020.

6 LEGAL AND STATUTORY IMPLICATIONS

6.1. Cabinet is required under the council's constitution to receive, consider and respond to references from overview and scrutiny. The Local Government and Public Involvement in Health Act 2007 requires Cabinet to respond to reports and recommendations made by scrutiny committees within two months of written notice being given.

7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

7.1. Included in the report to the Sustainable Communities Overview and Scrutiny Panel on 25 February 2020.

8 CRIME AND DISORDER IMPLICATIONS

8.1. Included in the report to the Sustainable Communities Overview and Scrutiny Panel on 25 February 2020.

9 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

9.1. Included in the report to the Sustainable Communities Overview and Scrutiny Panel on 25 February 2020.

10 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- None

11 BACKGROUND PAPERS

11.1. None

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