

## OVERVIEW AND SCRUTINY COMMITTEE

9 September 2020

<b>Title:</b> Air Quality Action Plan	
<b>Report of the Cabinet Member of Enforcement and Community Safety</b>	
<b>Open Report</b>	<b>For Information</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
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<b>Accountable Director:</b> Andy Opie, Operational Director of Enforcement and Community Safety	
<b>Accountable Strategic Leadership Director:</b> Fiona Taylor, Director of Law and Governance	
<b>Summary</b> <p>Every Local Authority that has an active Air Quality Management Area (AQMA) is required under Part IV of the Environmental Protection Act 1995 to provide an Air Quality Action Plan (AQAP) to address the identified areas of poor air quality in the Borough.</p> <p>The London Borough of Barking and Dagenham's (LBBD) existing AQAP is significantly out of date; the last AQAP was adopted in 2008 and should be revised every 5 years maximum. The AQAP will be prepared following consultation with key internal and external stakeholders who play a major part in improving air quality in Barking and Dagenham. Once adopted, the AQAP will set out our objectives to improve air quality between 2020 – 2025.</p> <p>This report provides an overview of the current position in respect of air quality in Barking and Dagenham and highlights what the key areas and actions that are to be considered in the AQAP to improve air quality. A presentation will be delivered at the meeting to provide the most up to date picture.</p>	
<b>Recommendation(s)</b> <p>That Overview and Scrutiny Committee is recommended to:</p> <p>(i) Note the progress on the development of the AQAP and the process and timetable by which the draft AQAP will be agreed prior to consultation and then for final approval.</p>	
<b>Reason(s)</b> <p>Air pollution is a public health and environmental issue. Working to improve air quality is linked to the Council's 2<sup>nd</sup> Priority, Theme 2 "Empowering People" whereby the actions undertaken to reduce pollution and human exposure to pollution are underpinned by the principles of protecting the most vulnerable people.</p>	

Air pollution is linked to the development of chronic and respiratory illness. Local air pollution affects all populations however it also disproportionately affects the young, old and those with existing health conditions (e.g., respiratory and heart).

## **1. Introduction and Background**

- 1.1 Barking and Dagenham suffers from some of the worst pollution in London. At the advice of Council officers in 2008, Cabinet agreed to adopt an Air Quality Management Area (AQMA) due to exceedances of legal limits for Nitrogen Dioxide and Particulate Matter. This AQMA is still adopted to date for the same pollutants.
- 1.2 The health impacts of air pollution are increasingly well understood. Air quality is increasingly being framed as a public health issue, as well as (or even superseding its status as) an environmental issue. This, as well as recent national court cases and the threat of legal action on Government for not achieving the legal limits, has helped push the issue of air quality higher up the national and local agenda.
- 1.3 LBBD's Local Implementation Plan, published January 2019, demonstrates that air quality is part of the 8 key objectives and 4 priority themes. The Borough Manifesto sets out the long-term vision for Barking and Dagenham with key priorities including the need to promote healthy, sustainable travel and to create better streets and places. The Council has integrated air quality into various Council strategy documents such as the Health and Wellbeing Strategy, The Local Plan – Core Strategy, Economic Growth Strategy and The Development Management Policies.
- 1.4 On 29 January 2020, Members declared a Climate Emergency in recognition that Barking and Dagenham needs to reduce greenhouse gas and carbon emissions and help meet national targets for the UK to attain net zero carbon by 2050. Local air pollution and climate change are directly linked in respect to atmospheric emissions being released from the combustion of fossil fuels and the negative effects on the environment and human health. They are also directly linked by energy use and sustainability.

## **2. Air Quality in Barking and Dagenham**

- 2.1 In Barking and Dagenham levels of the noxious gas Nitrogen Dioxide (NO<sub>2</sub>) are above legal limits set by EU Directives and enshrined in UK law. The other key pollutant of concern in Barking and Dagenham, and London, is Particulate Matter (PM). Barking and Dagenham currently meets EU Objective levels for PM<sub>10</sub>; however, there is no safe level or concentration of these pollutants where there is no adverse impact on health, so as a Council we are trying to reduce PM levels as far as possible.
- 2.2 PM<sub>2.5</sub> is particulate dust sizes less than 2.5 micrometres in diameter and are also part of UK law. This pollutant has further raised the local air pollution agenda into the environmental/public health spotlight due to the scientific evidence that this pollutant has significant negative impacts to human health. The fraction of mortality attributable to Particulate Matter in Barking and Dagenham is 6.8%, which is above the mean of 6.5% for all local authorities in London (2017, PHE). Barking and Dagenham has the 6<sup>th</sup> highest rate of asthma related hospital admissions in London.

- 2.3 The main sources of local air pollution in Barking and Dagenham are emissions from road transport, the existing building stock (mostly gas combustion) and from new development (demolition and construction). Road transport accounts for around 47% of NO<sub>2</sub> emissions and 19% PM<sub>10</sub> emissions; commercial and domestic heating is the source of around a quarter of NO<sub>2</sub> emissions, while PM emissions are produced in larger amounts by construction work (approximately 41%).
- 2.4 Three (3no.) Air Quality Focus Areas have been declared by the GLA within Barking and Dagenham. Air Quality Focus Areas are geographic locations that exceed the NO<sub>2</sub> legal annual mean limit value and are locations with high human exposure. A map showing the locations of these Air Quality Focus Areas and modelled concentrations of NO<sub>2</sub> from vehicle emissions is provided in the Appendix of this report.
- 2.5 Air quality monitoring in LBBD is undertaken by two automatic monitoring stations located in Rush Green Primary School and in Scratton's Farm Eco-Park. Environmental Protection has recently re-instated a relatively low cost NO<sub>x</sub> diffusion tube network which are placed at borough-wide roadside locations to assess the most polluted roads. A total of ten NO<sub>x</sub> diffusion tubes have been placed at the following locations:
- Ripple Road Primary School, Barking
  - Westminster Gardens, Barking (near the A13)
  - Scrattons Terrace (near the A13)
  - Dagenham Heathway (near train station)
  - Porters Avenue/Parsloes Avenue/Wood Lane Junction
  - Rush Green Primary School (triplicate tube location)
  - Whalebone Lane North
  - Eastern Avenue West (near A12)

The diffusion tubes will provide the Council monthly roadside concentrations of Nitrogen Dioxide which will then provide an annual average measurement required for annual reporting and monitoring purposes.

- 2.6 This report updates the Committee on the progress of the Council's forthcoming Draft AQAP 2020 – 2025 and the potential action planning that the Council could consider delivering as part of its commitment to lower local air pollution and improve public health.

### 3. **Health Impacts**

- 3.1 Negative health impacts would likely increase within the local community should an AQAP not be adopted by Cabinet and actions not taken by the Council to minimise and mitigate Council activities. If adopted, the AQAP will have a direct and indirect positive affect on the local community by working towards lowering air pollution concentrations and increasing public knowledge/information of the need to consider pollution effects on their health.

## **4. The Air Quality Steering Group**

4.1 Interdepartmental meetings are held on a quarterly basis within an Air Quality Steering Group, chaired by Director of Enforcement and Community Safety which includes attendees from relevant Council departments that are responsible for agreeing and delivering actions within an adopted AQAP. The Environmental Protection is currently preparing the AQAP 2020 - 2025 to replace the current AQAP (adopted 2008).

4.2 The Steering Group has agreed a preliminary draft AQAP. The AQAP actions have been grouped into six categories:

- Reducing Emissions from developments and buildings
- Increasing of both public health and air quality awareness
- Reducing Emissions from delivery servicing and freight
- Reducing Emissions from Council owned vehicles i.e. Borough fleet actions
- Engaging of localised solutions
- The use of cleaner transport

4.3 The action table contains:

- A list of the potential actions that form part of the plan
- The responsible departments/organisations who will deliver the action(s)
- Expected benefit in terms of emissions and concentration reduction where possible
- The timescale for implementation, and
- Details of how progress will be monitored.

4.4 The Steering Group will continue to meet to oversee the development and implementation of the AQAP, and it is vital that there is ongoing representation and across the Council services.

## **4.5 Suggested list of Stakeholders**

The list below highlights some of the stakeholders who would be considered as key stakeholders and would provide a pivotal role in the delivery of the AQAP.

- Environmental Protection (Environmental Health)
- Public Health
- Be First - Regeneration
- Legal Services
- My Place including Housing, Public Realm
- Transport Planning and Policy including Development Management
- Inclusive Growth
- Fleet Services
- Parking Services
- Residents
- GLA
- TfL
- Department for Transport (for LIP funding)

## **5. Proposal and Issues**

- 5.1 It is proposed that the Draft AQAP follows the 6 recommended themes provided by the GLA which utilises the levers that are under Borough controls to improve air quality (as given in section 4.2 of this report). The 6 themes contain a number of actions for boroughs to consider delivering locally as part of their action planning.
- 5.2 It is proposed that the Cabinet will agree to the adoption of the AQAP 2020 – 2025, and to be finalised this year by the Steering Group meetings. The external consultation will start from 28 September to 13 November.
- 5.3 It is a statutory requirement that an AQAP be produced for declared Air Quality Management Areas.

## **6. Options Appraisal**

- 6.1 The option to approve the preparation of the AQAP in accordance with the GLA's recommended matrix would aid planning and delivering of the AQAP within Steering Group meetings.
- 6.2 The option not to approve the preparation of the AQAP in this way would mean that the planning and delivery would need to be revised and different actions considered. This would likely have a serious impact on achieving delivery of the AQAP for adoption by the end of calendar year 2020.

## **7. Consultation**

- 7.1 The Draft AQAP 2020 – 2025 has undergone initial internal consultation within LBBD departments, arranged through the Steering Group meetings which is chaired by Andy Opie, Director of Enforcement and Community Safety for the purpose of the internal consultation is to establish and agree the actions that each department will be responsible for delivering and reporting on progress once adopted.
- 7.2 The draft AQAP is in the process of being drafted. It will be taken to key Cabinet Members for comments and the Overview and Scrutiny Committee will also be circulated a draft version once prepared. Comments will be considered, and the draft plan reviewed prior to external consultation from the end of September 2020.
- 7.3 The Council has a statutory duty to consult with a range of bodies such as the Environmental Agency, Greater London Authority (GLA), Department for Environment, Food & Rural Affairs (Defra), Transport for London (TfL) and the Borough's residents, businesses and neighbouring boroughs.
- 7.4 The draft AQAP will be subject to an 8 weeks public consultation period and it is proposed to use an online questionnaire which will be available in an accessible format.
- 7.5 Comments received during the statutory consultation will be collated and incorporate into a final draft AQAP 2020 – 2025 for Cabinet consideration and adoption in December 2020.

## 8. Timetable for Progression

8.1 The proposed delivery timeframe for the draft AQAP as follows:

- Report of the draft AQAP to CSG – 20 August 2020
- 3<sup>rd</sup> AQ Steering group meeting to finalise agreed actions – 1 September 2020
- Present the draft AQAP to key Cabinet Members 20 Aug to 8 Sept
- Present a report to OSC to update on progress – 9 September 2020
- The draft AQAP for public consultation – end September until Mid Nov 2020 (8 weeks)
- Present the draft action plan report following public consultation to CSG for Cabinet consideration and adoption – late Nov 2020
- Present the final draft AQAP to Cabinet - December 2020

8.2 Any decision to adopt the AQAP must be taken by Cabinet and then to Assembly.

## 9. Financial Implications

Implications completed by David Folorunso – Finance Business Partner

9.1 There are no direct cost implications for this decision and any agreed actions will be funded from the existing agreed budgets for the service area. If additional actions are required to improve the air quality, the funding sources will need to be identified.

## 10. Legal Implications

Implications completed by Deirdre Collins, Senior Lawyer Litigation Team

10.1 Air quality standards and objectives are set out in the Air Quality (England) Regulations 2000. The Council has a duty to review the quality of air within their area under Part IV of the Environment Act 1995.

10.2 The action plan must include the time(s) within which the Council proposes to implement its measures and include proposals submitted by the Mayor of London for the exercise of the Mayor's powers.

10.3 The Department for Food, Environment and Rural Affairs, in conjunction with Public Health England and Department of Health, Social Services and Public Safety have published the Clean Air Strategy in May 2018

## 11. Other Implications

11.1 **Staffing Issues** – The proposed actions in the Draft AQAP 2020 -2025 do not have a direct significant negative impact on existing and future staff or staffing levels. Existing staff resource in Public Protection is well placed to finalise and deliver the AQAP. Internal departments responsible for agreed actions will be adequately resourced by existing and future staff and staffing levels. As part of the Steering

Group Meetings, key departmental contacts attend and agree how that department can commit resources to actions.

## 11.2 Corporate Policy and Equality Impact –

The Borough Manifesto, Theme 5 ‘Health and Social Care’ and Theme 7 ‘Environment’ are addressed by the Draft AQAP and the actions to reduce local air pollution.

Adoption of the Draft AQAP will improve:

- The short, medium- and long-term health of those who live, work and visit the borough
- Breaking down disproportionate health inequalities within the borough both geographically and demographically
- More sustainable travel modes which in turn has direct and indirect positive changes in transport efficiencies and economic productivity  
Delivery of cleaner air does not prejudice economic growth, and
- Lowering greenhouse gas and carbon emissions which in turn contributes towards LBBB corporate carbon reduction targets.

## 11.3 Safeguarding Adults and Children –

The link between health inequalities and pollution is complex; however, studies show that the greatest burden of air pollution usually falls on the most vulnerable in the population, particularly the young and elderly and those with existing health conditions that are exacerbated by pollution.

Adoption of the Draft AQAP would positively improve the health the most vulnerable persons at risk of air pollution including the adults and children. Agreed actions in the AQAP would target emission sources and increase the public’s protection to air pollution exposure.

### **Public Background Papers Used in the Preparation of the Report:**

The GLA’s ‘Borough Air Quality Action Matrix’, published in June 2017 can be accessed on:

[https://www.london.gov.uk/sites/default/files/air\\_quality\\_action\\_matrix.pdf](https://www.london.gov.uk/sites/default/files/air_quality_action_matrix.pdf)

### **List of appendices:**

Appendix 1 – Greater London Authority Focus Areas in Barking and Dagenham