Final

REPORT TO SCRUTINY COMMITTEE - PLACE
Date of Meeting: 14 September 2017
Report of: Environmental Health and Licensing Manager
Title: Local Air Quality Management

Is this a Key Decision?

No

Is this an Executive or Council Function?

Executive

1. What is the report about?

To update Members on the Council's duties and activities relating to local air quality management.

2. Recommendations:

That Scrutiny Committee – Place:

a) note the most recent measured air quality data and actions to reduce traffic emissions;

b) support the discussions to be held with key parties involved in delivering actions that will reduce local transport emissions and the subsequent development of an updated Air Quality Action Plan;

c) support wider community engagement in the collective ambition to reduce transport emissions; and

d) a report be brought back to this committee on 11 January 2018.

3. Reasons for the recommendation:

Action on local air quality is a legal duty placed upon the Council (and all district and county councils) by Part IV of the Environment Act 1995. Safeguarding air quality will help reduce any detrimental effects from air pollution on the health and wellbeing of Exeter's population.

The effects of local air pollution on health are undisputed, with the young, the elderly and those with existing medical conditions being particularly vulnerable. Modelling by Public Health England estimates that the equivalent of 42 lives per year could be saved in the city, if particulate air pollution (these are minute particles suspended in the air, e.g. from exhaust pipe emissions, brake dust, industry and in some cases the natural environment) were removed altogether (PM_{10} & $PM_{2.5}$). If the health effects of nitrogen dioxide were included, this figure is likely to be higher still.

In Exeter, the main source of local air pollution is from traffic. The areas most affected are those beside busy roads with queuing traffic, where the houses are close to the kerbside. Those that live in these specific areas are more affected by poor air quality.

Measured levels of nitrogen dioxide in Exeter have declined since around 2009, which is a similar trend to many other parts of the country. However, levels in the worst affected parts of the city still exceed the national laid down objectives. In addition, particulate matter, whilst not unusually high in Exeter, may still have adverse health effects even though falling below the objective threshold level. Therefore, further reductions in particulate concentrations are important and beneficial. No direct measurements of $PM_{2.5}$ are currently made in Exeter, and unfortunately the equipment we use to measure PM_{10} no longer meets the latest standards. However, this will be replaced in 2017/18 as the service is currently inviting tenders to replace the fixed air quality monitoring stations at RAMM and Alphington Street. The new equipment will measure $PM_{2.5}$ and PM_{10}.

Measures to improve air quality require multi-lateral action by the travelling public, businesses, Devon County Council (as the Highways Authority) as well as by Exeter City Council. Some such measures have been implemented in the past year. The development of further measures requires discussions with those who will either be most affected by measures, or who will contribute towards their implementation. These discussions will include elements of the Department for Food and Rural Affairs (DEFRA) Clean Air Zone Framework. This was published recently (May 2017) and although clarification from DEFRA is needed on some aspects, it does represent a potential way forward for the city.

Local air quality is not only the responsibility of the Local Authority. Communities must also play their part. Informed, effective action by community or other groups who are wishing to achieve outcomes that reduce emissions will also be supported. Transport emissions arise from the activities of all those who live, work or visit the city, and it is only if the general population are willing to make changes to their behaviour, that emissions will fall significantly. Work in this area will also need to be co-ordinated with Exeter City Futures.

4. What are the resource implications including non-financial resources.

The core elements of an updated Air Quality Action Plan (AQAP) are presented in appendix 1 and could be delivered within existing resources. Additional measures would require further financial resources, either capital or revenue, and the extent of this will need to be balanced against the emission reductions achieved by the further measures to improve air quality. These further measures will form part of the discussions with contributing partners.

5. Section 151 Officer comments:

The financial planning process for 2018-19 is currently underway and therefore any additional financial requirements would hopefully be included to allow members opportunity to assess against other priorities.

6. What are the legal aspects?

Part IV of the Environment Act 1995 sets out statutory provisions on air quality. Section 82 provides that local authorities shall review the air quality within their area. Section 83 requires local authorities to designate Air Quality Management Areas (AQMAs) where air quality objectives are not being achieved, or are not likely to be achieved (i.e. where pollution levels exceed the air quality objectives) as set out in the Air Quality (England) Regulations 2000. Where an area has been designated as an AQMA, Section 84 requires local authorities to develop an Air Quality Action Plan (AQAP) setting out the remedial measures required to achieve the air quality standards for the area covered within the AQMA. Where air quality issues have been identified, it is recommended that a steering group is formed to include the main parties involved in developing either Action Plans or Air Quality Strategies.

The Department for Environment, Food and Rural Affairs (DEFRA) has recently provided new statutory guidance in the form of the Local Air Quality Management Policy Guidance (PG16). The guidance gives particular focus to so-called 'priority pollutants' such as Nitrogen Dioxide (NO_2) and so-called 'Particulate Matter' (PM_{10} and $PM_{2.5}$) which are relevant to both district and county councils. Local Authorities are required to submit an Annual Status Report (ASR) to the Department for Environment, Food and Rural Affairs in order to report the progress being made in achieving reductions in concentrations of emissions relating to relevant pollutants below air quality objective levels. The completed report is submitted to the Secretary of State (DEFRA) for consideration. DEFRA provide comments back to the Local Authority which the Authority must 'have regard to'.

7. Monitoring Officer's comments:

The content of this report raises no issues for the Monitoring Officer.

8. Report details:

The City Council compares measured levels of pollution to national objectives every year. The 2017 Annual Status Report contains the 2016 data. This concludes that concentrations of nitrogen dioxide have fallen since 2009, and that concentrations of other pollutants remain stable. There is evidence of a similar fall in nitrogen dioxide nationally and so whilst local factors may have contributed to the trend it is not likely to have been caused solely by local changes. It is possible to say that this trend has appeared locally despite significant development growth across the city, which would tend to put pressure on air quality. The fact that this development has so far been achieved without a significant impact on air quality is positive news. The 2017 Annual Status Report can be viewed on the air quality pages of the council's website.

Exeter City Council declared an Air Quality Management Area (AQMA) in 2007 (amended 2011) because levels of nitrogen dioxide (NO_2) exceeded objective levels at some locations. The area covers all of the main traffic routes in the city. Concentrations of NO_2 are highest beside busy roads and studies have shown traffic emissions along congested routes are the main cause of reduced air quality. The fall in NO_2 concentrations means that the hourly average objective for nitrogen dioxide is no longer exceeded (although the yearly average objective is).

In 2016 DEFRA recommended that the Council should remove the hourly objective from the AQMA Order if that year's data showed again that levels were below the threshold. Levels in 2016 were indeed below the threshold but DEFRA advice in 2017 has contradicted the previous recommendation. They now suggest that the Council should wait until measured levels are more than 10% below the threshold before it removes this objective from the AQMA Order. This change in advice is frustrating, but does not alter the fact that measured levels are trending downwards.

The City Council has a duty to produce an Air Quality Action Plan (AQAP) to identify measures that will work towards resolving the exceedance of the air quality objectives within the AQMA, and reduce exposure to fine particles ($PM_{2.5}$). Exeter's current AQAP was published in 2011 and needs to be updated. Measures implemented recently that will reduce traffic emissions are listed in the Annual Status Report. Some key successes have been the introduction of ultra-low emission hackney carriages, Bridge Road cycle path, establishment of Co-Bikes scheme, enhanced funding for DCC Access Fund and applications in partnership with neighbouring authorities to fund an electric vehicle charging network. Further information is available in the report, which can be downloaded from www.exeter.gov.uk/airpollution.

A draft updated AQAP is included as appendix 1 to this report. This contains the measures which have already gained approval and funding. This should be regarded as the core of the AQAP, with additional measures being added. The process of deciding what those additional measures should be has been delayed by the publication in May 2017 of DEFRA's Clean Air Zone Framework and UK Air Quality Plan in July 2017. The framework outlines an approach to reducing emissions from vehicles which is mandatory for some local authorities, but can be adopted voluntarily by others. Exeter could be one of these Clean Air Zone voluntary adopters, and this would have advantages in terms of potential funding, uniformity of approach with other areas, clear branding and expectations. However it is not clear how the framework is expected to operate in two-tier authority areas. In the case of hackney carriage standards, Exeter has already gone beyond the national standards set in the framework. Therefore, there are key issues to be discussed with third parties who will be affected by the adoption of a Clean Air Zone, those who will deliver the changes required within the zone and with DEFRA regarding the local Exeter context. The need to complete these discussions have delayed the publication of a full and final draft of the AQAP for consultation as originally anticipated. It is expected that a further report will be brought back to this committee on 11 January 2018 depending upon progress being made with third parties/partners.

The Clean Air Zone Framework can be found at:
https://www.gov.uk/government/publications/air-quality-clean-air-zone-framework-for-england

It is also clear that for any action to reduce emissions to be effective, it requires the support of the local population and a change in their attitudes towards air pollution. Individual behaviour will have to change, starting in small ways. For example turning off engines when idling, or using alternative travel modes where these are practical for the journey in question should become the social norm. Leadership and assistance from businesses and community groups will be needed to make this happen. Exeter City Council and Devon County Council can support people to make these behavioural changes, and provide them with the infrastructure to do so. Ultimately the community needs to shift its attitudes and expectations. Positive action by informed and engaged community groups will receive the full support of the Council to achieve this. There are

now many examples of such action available online, as well as packs for community organisers to help them facilitate local campaigns.

9. How does the decision contribute to the Council's Corporate Plan?

The main contribution of effective management of air quality is to support the purpose of 'Keep me / my environment safe and healthy and building a stronger city'. However in achieving this, it is necessary to proactively engage with communities, businesses, partners, third parties that may be affected by or through poor air quality. These include working with developers through the planning system to deliver good development including infrastructure, and working with business to run a successful business to ensure that any emissions to air that they may produce are kept within legal limits.

10. What risks are there and how can they be reduced?

Various risks have been identified to the successful development of an Air Quality Action Plan. These include failure to engage with partners and the impact of development in the greater Exeter area on traffic levels. These risks will be monitored as the plan develops and steps taken to mitigate and risks as appropriate.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

Areas with high levels of air pollution tend to be relatively deprived. This means that more deprived populations are disproportionately affected. There is a higher incidence amongst deprived populations of the types of diseases that are exacerbated by poor air quality. Thus the most vulnerable members of society are often worst affected by air pollution. The actions described in this report work to reduce the health impacts of poor local air quality.

12. Are there any other options?

No, the action to reduce exposure to $PM_{2.5}$ and to reduce local air pollution where levels exceed the government objectives are legal duties imposed on local authorities through Part IV of the Environment Act 1995.

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Local Government (Access to Information) Act 1972 (as amended)
Background papers used in compiling this report:-
None

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Appendix 1 – Measures in Current Draft AQAP

Measure No.	Measure	Detail
ECC 1	Community Engagement	• Provide data and support to community groups who wish to undertake air quality projects • Use social media to disseminate air quality information and alerts
ECC 2	ECC Fleet	• Gain Eco-Stars accreditation and continue to seek opportunities to convert to ULEVs
ECC 3	PM2.5 from Combustion Sources	• Seek further information on breakdown of sources • Identify program of 'soft' measures to encourage reduction in emissions.
ECC 4	PM2.5 Measurement	• Go out to tender for and procure equipment which meets the standards in TG(16)
ECC 5	South Street Development Area	• Lobby for the redevelopment of this area of the city centre to result in enhanced use of public transport and active travel modes
ECC 6	Green Accord	• TBC
Greater Exeter Councils 1	Shared Electric Bike Scheme	• Expand the Co-Bikes electric on-street bike hire scheme (subject to funding)
Greater Exeter Councils 2	GESP	• Ensure that the GESP takes a robust approach to allocating development, and mitigating the impact of development based upon air quality as a key factor
Greater Exeter Councils 3	Integrated Public Transport	• Develop schemes to integrate public transport modes and active travel modes (subject to funding)
Greater Exeter Councils 4	Taxi Licensing	• Develop common emission standards for hackney and private hire vehicles, which increase the uptake of ULEVs
Greater Exeter Councils 5	Eco-Stars	• Increase the number of accredited companies in the county (subject to funding)
Greater Exeter Councils 6	Education and Awareness	• £1.5million Access Fund over 3yrs (all revenue) to increase walking and cycling (working with large employers, schools to improve skills and activity). • Work with Sustrans to deliver air pollution education and awareness programmes in schools. To include personal exposure monitoring, as well as other projects tailored to school and age group.
Greater Exeter Councils 7	Highways and Infrastructure Work	• Improvements to strategic cycling and walking routes in Exeter, and connecting to major growth areas • New rail station at Marsh Barton • Public transport priority on Topsham Road • Pedestrian cycleway on Tithebarn bridge • Phase 2 Tithebarn link from bridge to Black Horse • New P&R or Park and Change site to north of Exeter City Council • Bridge Road widening and cycle improvements
Greater Exeter Councils 8	DCC activities	• Seek opportunities to convert DCC fleet to ULEVs • Swapping of fuel types within Council vehicles (away from Diesel to lower emissions) • Consider having exclusion zones so that new DCC infrastructure is not placed within 200m of a major highway (reducing harm to the most vulnerable) • Apply for the Energy Saving Trust Green Fleet Review.
Greater Exeter Councils 9	Car Clubs	• Expansion of the Car club programme
Greater Exeter Councils 10	Anti - Idling	• Give advice to drivers leaving vehicles idling in hot spot locations
Exeter City Futures 1	Freight and Servicing	• Challenge to halve the heavy load vehicles on Exeter's roads by 2025 https://www.exetercityfutures.com/challenges/
Low Carbon Task Force 1	ULEVs	• Apply for funding for a charging network • Support the use of EVs to replace grey fleets by key employers in the region
Low Carbon Task Force 2	ULEV bus route(s)	• Incentivize the use of a ULEV PSV on at least one route through the city.

Measure No.	Measure	Detail
Other 1	Tranquillity and Naturally Active	• Devon-wide project to map and protect tranquillity, (including measures to reduce road traffic noise). • Devon-wide project to make the population 'naturally active' including support for active travel and working with the Local Nature Partnership. • Social Media campaign on Air Quality/Active Travel/Active 10 One You campaign