

Place Committee

8 July 2021

Approval of Air Quality Action Plan

Relevant Portfolio Holder: Cllr Stephanie Archer, Portfolio Holder for Environment & Sustainable Transport

Purpose of Report

To approve and adopt the Air Quality Action Plan 2021 - 2026 for publication by 31st July 2021.

Recommendation(s)

The Committee is asked to RESOLVE that:

1. The Air Quality Action Plan, given at **Annex 1**, subject to any amendments made at the meeting, be approved and adopted for implementation with effect from 31st July 2021

Benefits to the Community:

The Air Quality Action Plan sets out the steps the Council will take to improve Air Quality throughout the Borough, preventing further deterioration of the environment in which people live, work and visit during a period of anticipated population increase and the associated implications that presents for Air Quality in the Borough.

Based upon the successful Citizens' Assembly on Air Quality, the Action Plan has, through that process, been developed with input from citizens and reflects where they feel the Community can both assist in creating and benefiting from improved Air Quality.

Improvements in air quality will have a positive health consequence and in turn can support other local priorities such as health inequalities, care integration and regeneration.

Key Points

- A. The current five year Action Plan was approved in July 2016 for a five year period to 2021. A copy of the Action Plan is available on the Council's website.
- B. Air quality is one of the biggest health and environmental issues we face. It has huge impacts on our health and we are taking action to tackle it through this Action Plan and related strategies.
- C. However, the Council recognises that this is an issue that can't be solved without the engagement of other parties. The Action Plan reflects our commitment to improve air quality across the borough by working together with residents, communities, businesses and partners to find solutions and ideas that will improve all our lives.

- D. Development of the Plan has benefited greatly from the Citizens' Assembly on Air Quality held in Autumn 2019, with many of the actions arising from the Assembly being reflected in this Action Plan.
- E. The AQAP sets out a range of challenging actions across development control, transport planning and public health that will run in parallel with and support the borough's planned growth agenda. These actions aim to improve air quality in the borough through a range of measures designed to promote cleaner sources of transport, development control and lifestyle activity.
- F. This report seeks adoption of the Air Quality Action Plan given at **Annex 1** for implementation on 31 July 2021.

Context

- 1. Air quality is an important Public Health issue in Kingston, it contributes to shortening life expectancy and disproportionately impacts the most vulnerable.
- 2. The whole of the Borough was designated an Air Quality Management Area (AQMA) in 2003, requiring the Council to develop an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of National Air Quality Objectives. Subsequent Annual Reviews have identified that the AQMA should remain.
- 3. In February 2020, a report outlining the findings of the Council's Citizens' Assembly established that the findings would be incorporated into a planned review of the Air Quality Action Plan due that year.
- 4. Whilst the Coronavirus pandemic meant that the review had to be delayed, a draft Air Quality Action Plan was compiled, taking into consideration the findings of the Citizens Assembly and the GLA Air Quality Action Matrix.
- 5. Following the statutory consultation and engagement process a revised draft Air Quality Action Plan 2021-2026 was developed and is attached at **Annex 1**.

Engagement

- 6. The Draft Air Quality Action Plan was shared with and discussed by the member officer Air Quality Working Group on 15 October 2020, before being finalised and shared with members of the Citizens' Assembly on Air Quality in an online meeting on 22 October 2020, ahead of the engagement process launch.
- 7. The draft Air Quality Action Plan was made available for consultation on the council's online Community Engagement Portal "Lets Talk" between 17 November 2020 and 17 January 2021. In addition, a number of statutory consultees were directly consulted including Defra, the Greater London Authority, the Environment Agency, the Highways Authority and neighbouring boroughs.
- 8. The engagement exercise was supported by a communications campaign which commenced some months before the engagement, ran through the period and was designed to raise awareness of and participation in the engagement.
- 9. Consultation via the community engagement portal attracted 42 responses. Full details (GDPR redacted) of the consultation responses are available as a background document.

Policy Refinement

- 10. A summary of the main themes arising from the engagement process, together with officer comments, is given at **Annex 2**.

11. Public consultation responses to individual actions were categorised as: 'complete agreement', 'caveated agreement' and 'disagreement'. Caveated agreements were those that were broadly supportive of a given action but suggested alterations or additions be made. Comments classified as 'complete agreement' made up 40.8% of responses. Those classified as 'caveated agreement' made up 52.9%. Disagreements made up 6.3%, meaning that 93.7% of responses were in broad agreement at least.
12. Common themes within the responses were expressions of discomfort at the prominence of measures designed to promote electric vehicles, with respondents preferring more sustainable transport modes, a desire to see existing green spaces and infrastructure better protected, and concerns that the plan was not ambitious enough.
13. One respondent followed up their portal response in writing and was concerned about controlling emissions during the planning process and felt the actions on planning were weak and not specific enough. To remedy this, officers met with Development Control colleagues to refine and tighten up the actions related to this area of work.
14. Following the engagement process some minor amendments were made to further refine and develop the Actions to ensure that they are clear, understandable and measurable. To allay concerns raised by respondents to the public consultation that the plan was not ambitious enough, more challenging targets and dates for completion were added.
15. As required by the Environment Act 1995, the revised policy was shared with the Greater London Authority (including Transport for London) for comment. We are pleased to have received a positive endorsement of the Action Plan by the GLA and TfL with some minor amendments requested and which have been applied.

Proposal and Options

16. Members are invited to consider and approve the Air Quality Action Plan 2021-2026.

Timescale

17. Once agreed, the Air Quality Action Plan will be prepared for formal publication and shared with the Citizens Assembly Members, the Greater London Authority and neighbouring local authorities prior to its implementation on 31st July 2021.
18. Publication of our new Air Quality Action Plan will be actively promoted through press and social media in order to increase awareness of it and the Actions contained within it.
19. It should be noted that the Action Plan covers a 5 year period, and accordingly Actions are programmed for delivery at different times and periods throughout the period of the Action Plan.
20. Progress against the Actions in the Plan is assessed annually in our Annual Status Reports, published on our website in May for the preceding calendar year.

Financial Context

21. The council is operating in an increasingly challenging financial environment. Kingston faced a number of financial challenges in the medium to longer term -

even before the COVID-19 outbreak, which has further added to these challenges. The economic and financial consequences of the pandemic, growing demand for services, and limited government grant funding make it difficult to find adequate funds to meet the borough's needs.

22. The future of local government finance faces a significant level of uncertainty. The impact of the Fair Funding Review and a future review of business rates is currently unknown, and the lasting effects of COVID-19 on our residents, local businesses and the Council itself remain uncertain.
23. Despite these challenges the council has a drive and commitment to ensure it is doing the best for residents and communities

Resource Implications

24. The AQAP actions and associated monitoring and review obligations will be factored into the work plans for the Shared Environment Service. The listed actions will be funded from existing revenue budgets, sharing of resources or from identified funding streams in some areas. Some actions are currently not funded and delivery will depend on availability of resources and successful bidding for additional funding in the future.
25. The Team Leader Strategy and Commissioning in the Highway and Transport Services - as the service most impacted by the planned actions - has been consulted and is comfortable with the requirements placed upon that service. Many of the actions can be incorporated into the usual work plans and / or considered for Local Implementation Plan (LIP) funding. Conversations with other, less impacted, services are ongoing however their support is anticipated with most services being engaged during the early plan drafting stages.

Legal Implications

26. When the Borough was designated an Air Quality Management Area in 2003, under the Environment Act 1995, it had to prepare a written plan, referred to as an action plan, in pursuit of the achievement of air quality standards and objectives in the designated area. This plan must be reviewed regularly and no less than every 5 years.
27. The attached draft plan is a revised action plan under S84(4) of the Environment Act 1995.
28. Under Section 84(3) of the Environment Act 1995 an action plan shall include a statement of the time or times by or within which the local authority in question proposes to implement each of the proposed measures in the plan.

Risk Assessment

29. Failure to produce an Action Plan not only provides reputational risks but may also leave the Authority in a weaker position to take forward actions to improve air quality, justify the need for controls on developments or secure funding.
30. Some Actions within the Plan are ambitious, necessarily so as many of the steps required to effect a substantial change in Air Quality need to be ambitious. Some

will require additional funding, and others will be dependent on other plans, policies or connected actions being taken. There is a risk that some Actions will not be deliverable, or within specified timescales, due to failures in these related measures or other factors outside the direct control of the Council.

Equalities Analysis

31. An Equalities Impact Assessment relevance test has been carried out. The relevance test established that this policy does not present either a medium or high detrimental impact to any of the protected characteristic groups, and as such a full EQIA is not required.

Health Implications

32. Tackling air quality contributes to increasing healthy life expectancy and reducing early death from cardio-respiratory disease and cancer.
33. The main health impact of air pollution builds up over a long time and comes from exposure throughout life. It contributes to long-term illness as well as to deaths.
34. High short term levels of air pollution can also make existing health conditions worse and are linked to hospital admissions for heart conditions and lung problems such as asthma attacks.
35. At the last time of testing (2016), TfL's London Atmospheric Emissions Inventory revealed that roughly 4000 borough residents live in areas that do not meet national standards for air quality. Health implications of exposure to poor air quality are disproportionately felt by the very young, the old, those with pre-existing pulmonary conditions and economically disadvantaged people.
36. In seeking to improve local air quality, this Action Plan will have a positive impact on the health of residents and visitors in the Borough.

Road Network Implications

37. Some Action Plan measures may have an impact upon the development of the road and other transport networks; however, widespread implications are not anticipated and many are likely to be complementary network enhancements (creation of cycle facilities, pedestrian enhancements etc).

Sustainability Implications

38. The Air Quality Action Plan will have broad, positive implications for the environmental sustainability of the borough in promoting pro-environmental behaviours in many aspects of life. 50% of nitrogen dioxide emissions in the borough arise from road transportation, which is therefore the main focus of the Action Plan. Progress in this regard will provide numerous environmental benefits aside from improving local air quality (e.g. reduction in CO2 emissions).
39. The Action Plan will have a positive impact on the social sustainability of activities within the borough due to the inequitable distribution of the health consequences of exposure to air pollution.

40. Economic sustainability will also be positively impacted due to the focus on facilitating sustainable and efficient transport modes and the greening of public realms within the borough, both serving to revitalize commercial areas.

Background papers held by author: David Kingstone, Licensing & Environmental Compliance Team Leader; 020 8547 5537 david.kingstone@kingston.gov.uk