

## HEALTH AND WELLBEING BOARD

**20 FEBRUARY 2018**

### **AIR QUALITY UPDATE**

Report from: Richard Hicks, Director of Regeneration, Culture, Environment and Transformation and Deputy Chief Executive

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#### **Summary**

It has been estimated that poor air quality in the UK causes more than 50,000 deaths per year, and probably causes more mortality and morbidity than passive smoking, road traffic accidents or obesity. Particulate air pollution alone in the UK has been estimated to reduce the life expectancy of every person by an average of 7-8 months, with estimated equivalent health costs of up to £20 billion each year. Latest estimates from Public Health England suggest that in Medway there are 125 deaths each year that are attributable to particulate pollution.

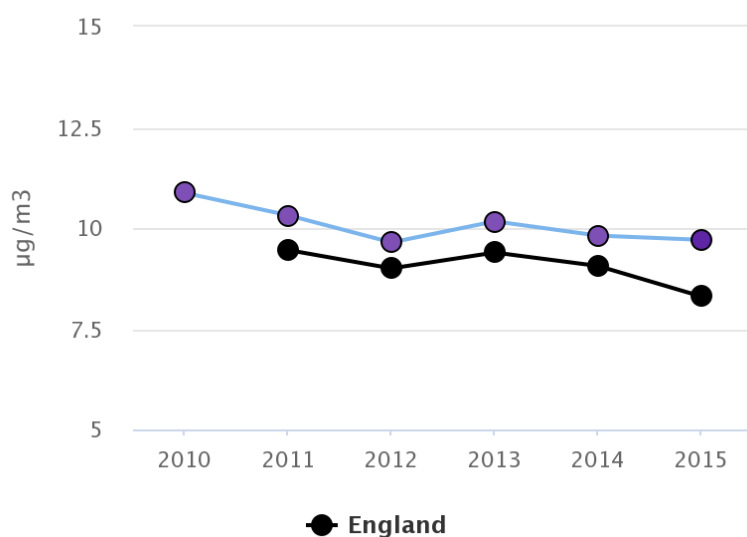
The Environmental Protection and Public Health teams have been requested to provide a general update on air quality in Medway to the Medway Health and Wellbeing Board.

#### **1. Budget and Policy Framework**

- 1.1 The Council has a statutory duty under the requirements of the Environment Act 1995 to review and assess the air quality in the area periodically.
- 1.2 Air quality is referenced within the Local Transport Plan under Priority 2 – To support a healthier natural environment by contributing to tackling climate change and improving air quality, and Transport Objective 4 – Encouraging active travel and improving health. This objective links to air quality legislation. Air quality in general terms features in the Local Plan 2003 and Policy BNE24 deals with air quality.
- 1.3 The measures to improve air quality in Medway are explained in the Air Quality Action Plan 2015. There is a requirement to supply DEFRA with an annual report on the plan's progress. The 2017 annual report can be found in Appendix 1.

- 1.4 The PHOF indicator 3.01 shows an improvement over the last 5 years as the table below demonstrates.

Air pollution: fine particulate matter – Medway



## 2. Background

- 2.1 The Medway Health and Wellbeing Board made a request at the September Board for the Environmental Protection team to provide an update on air quality.

## 3. Advice and analysis

- 3.1 The Environmental Protection team continues to monitor air quality across Medway and work towards improving the air quality in Medway by implementing the measures within the council's Air Quality Action Plan (AQAP) by working in partnership with other departments and stakeholders. The Annual Status Report (ASR) provides detailed and up to date information on monitoring and Action Plan progress (Appendix 1).
- 3.2 Local authorities have a duty under the Environmental Act 1995 to declare an Air Quality Management Area (AQMA) where the air quality objectives are not being met. A new AQMA has been identified and declared at Four Elms Hill (formal declaration on 31 October 2017). The area has been declared due to levels of nitrogen dioxide exceeding the relevant air quality objective.
- 3.3 There are now four AQMAs across Medway. The council currently has an AQAP in place, which has identified measures to improve the air quality in Medway. The measures in the current AQAP encourage people to use public transport, supporting sustainable development and promoting eco-driving and car sharing. A new Action Plan now needs to be developed for the new AQMA at Four Elms Hill. The Action Plan will detail the measures which will be implemented to tackle the problem. Development of the plan should take no longer than 12 months from the time of declaration. It is envisaged that the measures within the current AQAP, (approved by Cabinet on 15 December 2015) will also have a positive impact on the new AQMA. The team will be starting to develop the Action Plan in 2018, this will involve engaging with the

local community, undertaking a formal consultation and reporting back to Cabinet to obtain approval of the new AQAP.

- 3.4 The council is required to provide DEFRA with an annual update on the air quality in Medway (ASR), the report also includes an update on implementing the measures within the AQAP. An Air Quality Steering Group has been set up by the Environmental Protection team to oversee progress and implementation of the AQAP. The group consists of representatives from key council services, who have agreed to work together with the shared goal of seeking to improve the air quality in Medway, and is chaired by the Assistant Director of Frontline Services. Since the formal adoption of the AQAP, progress has been made on several measures contained within the Action Plan.
- 3.5 Under Measure 1: Improving Freight Movement. Medway Council has worked with Kent County Council to produce a revised regional Freight Action Plan. This was consulted on and adopted in 2017.
- 3.6 Under Measure 10: Development Planning. New air quality planning guidance has been produced and was adopted in April 2016, emphasising mitigation of impacts using a damage cost approach. Medway took the lead in producing the guidance on behalf of the Kent & Medway Air Quality Partnership, with the aim of promoting a consistent approach to developments across the county. Medway was an early adopter of the new guidance, which requires the implementation of standard mitigation measures for developments likely to have an air quality impact. This includes the installation of electric vehicle charging points. Work has started on drafting a new air quality policy for the local plan to support use of the planning guidance, and increase its scope. The Environmental Protection team are working closely with the Planning Policy team on this.
- 3.7 Increasing the use of public transport features under Measure 2 in the action plan. During the period 2014-2017 bus patronage has risen consistently. This has been complemented by the introduction of a smart ticketing scheme, and various bus infrastructure improvements. The council continues to work closely with local bus operators through regular meetings. These have provided a useful forum for the Environmental Protection team to discuss and reduce instances of the unnecessary idling of buses using Chatham bus station.
- 3.8 Under Measure 11: Promotion Health Awareness and Air Quality Issues, the Public Health team have engaged The National Social Marketing Centre to develop an Air Quality Communications Strategy. The Environmental Protection team have worked closely with Public Health on this during 2017 which has included an engagement day and online survey. The Communications Strategy now needs to be implemented across the council, which in turn should help to progress a number of other measures in the AQAP which centre on changing behaviours. The Environmental Protection team and Public Health supported the first ever national Clean Air Day in 2017, as a fore runner to further awareness and campaign work under the Communications Strategy.
- 3.9 Traffic management features under Measure 4 in the AQAP. Slow moving vehicles during congestion periods give rise to a high proportion of emissions

relative to moving traffic. Congestion is a known issue in the Medway AQMAs. Consequently, measures to reduce traffic queues are likely to reduce emissions. Medway's Urban Traffic Management and Control system (UTMC) incorporates some advanced features related to bus priority. Medway Council operates this system proactively to:

- improve the operational efficiency of the highway network;
- provide real time travel information to drivers; partners and key organisations;
- respond to incidents on the network;
- respond to incidents on the network;
- enable bus services to be more punctual and have improved journey times;
- share information with Highways England and neighbouring local authorities.

- 3.10 The UTMC should, over time, lead to a reduction in queue lengths and improve journey times, and will therefore improve air quality within Medway's AQMAs provided driver behaviour and transport choices adopt modal shift ideologies in part.
- 3.11 A new street works permit scheme was introduced in 2017 to reduce disruption caused to the road network in Medway, and includes restrictions on works in Traffic Sensitive Streets. This new traffic management tool should be of benefit to air quality across Medway.
- 3.12 A significant amount of activity is carried out supporting delivery of Measure 5, which relates to walking and cycling in Medway. In particular the work and initiatives carried out by the Safer Journeys team in Integrated Transport and Public Health featured strongly in the 2017 ASR, and it is important that this activity is maintained as there are co-benefits for air quality, climate change and improvements to public health from people being more physically active.
- 3.13 DEFRA appraised the 2017 ASR and has provided the council with feedback which was, on the whole, positive. They acknowledged that the annual mean objective for nitrogen dioxide in the Pier Road, Gillingham AQMA was not exceeded in 2016, a trend which has been evident since 2012. If this trend continues, the Council should be in a position to revoke the AQMA in due course. However, the Environmental Protection team believe that is prudent for the regeneration in this area to be completed and the local plan to be adopted before a decision is made on the revocation of the AQMA. There have also been some improvements in other parts of Medway, such that DEFRA have recommended reviewing the status of the AQMAs in coming years.
- 3.14 The ongoing trends in air quality across the whole of Medway are reported through the ASR. Because pollutant levels can vary year on year due to climatic conditions, guidance recommends that trends should be considered where there is at least 5 years of monitoring data available. The 2017 ASR includes more information on the trends in Medway. For nitrogen dioxide there is no clear trend in monitored concentrations across Medway. Whilst some sites demonstrate reductions in nitrogen dioxide levels, others show relatively stable levels over the last 5 years, with some sites showing small increases between 2015 and 2016. The trend in particulate matter concentrations is

clearer. Roadside PM10 concentrations show a slight downward trend between 2011 and 2016. There is a more marked downward trend in PM2.5 concentrations over the same period, particularly at the Chatham Roadside monitoring site. The reductions in PM2.5 concentrations are very important as this pollutant has significant human health impacts, hence its inclusion in the Public Health Outcomes Framework. PM2.5 is a non-threshold pollutant therefore any reductions in concentrations can be associated with a positive impact on public health.

3.15 The DEFRA feedback on the 2017 also acknowledged progress with some key measures, however they also recognised that a significant number of measures remain inactive, and that progress on these should be updated in the next ASR. Some of the measures not progressed during 2016 have seen some further development during 2017, for example the Communications Strategy, which if implemented in full should deliver against a number of the behavioural change measures in the AQAP. Some good progress has been made with improvements to the emissions of the local bus fleets, which will be reported in the next ASR. The key measures that need to be progressed during 2018/19 include Measure 3 (Improvements in Taxi Emissions) and Measure 7 (Procurement). Tackling these measures is complex, however, solutions to the current lack of progress have been identified by the Environmental Protection team to investigate further. Engaging the fleet review consultancy services of the Energy Savings Trust (EST) have been identified as providing an evidence-based approach and business case for change under two potential projects:

- A wide ranging review of the council related fleets (Green/grey fleet, ULEV and Clean Air Fleet reviews). These reviews are free to local authorities and can deliver both emissions reductions and cost savings.
- Carrying out a taxi ultra low emission vehicle (ULEV) feasibility study.

#### 4. Risk management

<b>Risk</b>	<b>Description</b>	<b>Action to avoid or mitigate risk</b>
<p>Not fulfilling Statutory Duty</p> <p>(This poses both a reputational and financial risk to the Council)</p>	<p>The Environment Act 1995 gives local authorities duties and responsibilities that are designed to secure improvements in air quality, particularly at the local level.</p>	<p>Produce and obtain approval for the Action Plan for Four Elms Hill AQMA and continue to work towards implementing the AQAP measures.</p>

<p>Infraction fines being passed down to the local authority by Central Government</p> <p>(This poses both a reputational and financial risk to The Council)</p>	<p>The European Commission has launched infraction proceedings against the UK for breach of nitrogen dioxide limit values under the EU Air Quality Directive and a final warning was issued in February 2017. Central Government is seeking to work with local authorities to avoid the fines. However, discretionary power in Part 2 of the Localism Act enables the Government to require responsible authorities to pay all or part of an infraction fine. If the Council does not fulfil its statutory duties under the Environment Act 1995, they will not be able to show that they are working towards improving the air quality and reducing nitrogen dioxide levels within the area and could be liable for these fines.</p>	<p>Produce and obtain approval for the Action Plan for Four Elms Hill AQMA and continue to work towards implementing the AQAP measures.</p>
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## 5. Financial implications

5.1 There are no financial implications relating to this report.

## 6. Legal implications

6.1 The Environment Act 1995 gives local authorities duties and responsibilities that are designed to secure improvements in air quality, particularly at the local level. This is carried out under the Local Air Quality Management regime. It includes the review and assessment of key pollutants in the local area on an annual basis. If it appears that any of the air quality objectives set by Government are not likely to be achieved, resulting in members of the public being exposed to the pollution, the local authority must by order designate any part of its area so affected as an AQMA. It must then prepare and implement a remedial Action Plan of measures to reduce air pollution levels in the AQMAs.

6.2 UK Government is currently in breach of EU air quality limit values for annual average nitrogen dioxide and the European Commission has formally launched infraction proceedings and a final warning was issued in February 2017. Central Government is seeking to work with Local Authorities to avoid the fines. However, it should be noted that discretionary power in Part 2 of the Localism Act enables the Government to require responsible authorities to pay all or part of an infraction fine. Guidance on the procedures is set out in a policy statement published by Department for Communities and Local Government. It is unclear at this time if or how this could affect Medway Council.

## **7. Recommendations**

- 7.1 That the Board notes and accepts this report as an update from the Environmental Protection and Public Health teams of the current status of the air quality in Medway.

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### **Appendices**

Appendix 1: 2017 Air Quality Annual Status Report (ASR): Medway Council

### **Background papers**

Environment Act (1995)  
<http://www.legislation.gov.uk/ukpga/1995/25/contents>

Medway Council Air Quality Action Plan 2015  
<http://www.medway.gov.uk/pdf/%20Medway%20AQAP%20December%202015.pdf>