

# Diversity impact assessment

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| <b>TITLE</b><br><i>Name/description of the issue being assessed</i>                | <b>Medway Four Elms Hill Air Quality Action Plan 2019</b> |
| <b>DATE</b><br><i>Date the DIA is completed</i>                                    | <b>11 December 2018</b>                                   |
| <b>LEAD OFFICER</b><br><i>Name of person responsible for carrying out the DIA.</i> | <b>Lucy Kirk</b>  |

**1 Summary description of the proposed change**

- *What is the change to policy/service/new project that is being proposed?*
- *How does it compare with the current situation?*

The UK Government is currently in breach of EU air quality limit values for annual average nitrogen dioxide (NO<sub>2</sub>) and the European Commission has formally launched infraction proceedings. 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.

Medway has a statutory duty to develop an Action Plan to improve air quality. This Action Plan is specifically targeting the recently declared Air Quality Management Area (AQMA) at Four Elms Hill as it has been found to have high levels of air pollution. If Medway Council does not implement actions to reduce air quality it could face financial penalties.

The actions to be undertaken within the Action Plan are designed to reduce the impact from vehicle exhaust emissions by encouraging less use of cars and increased use of more sustainable forms of transport, such as public transport, car sharing, cycling and walking.

The pollutant of concern in Medway is nitrogen dioxide. Nitrogen dioxide is known to cause inflammation of the airways, reduce lung function and exacerbate asthma. The UK Parliament’s Environmental Audit Committee, estimates that 29,000 deaths are caused by air pollution annually in the UK.

The measures in the Action Plan will have a positive health benefit for all residents and visitors to Medway, and in particular for children and the elderly who are more susceptible to the effects of higher levels of pollution. The actions are designed to include all sectors of the public that use vehicles. The actions taken will promote equality as all of Medway’s residents will benefit from better air quality and health.

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## 2 Summary of evidence used to support this assessment

- Eg: Feedback from consultation, performance information, service user records etc.
- Eg: Comparison of service user profile with Medway Community Profile

The Environment Act 1995 requires all local authorities to review air quality within their area. If any air quality “Objective” prescribed by regulations and in the National Air Quality Strategy is not likely to be achieved, then the local authority must designate the affected areas as AQMAs. The Act then requires an action plan to be produced for these designated areas, setting out the actions that the council intends to take to achieve the National Air Quality Strategy.

Air quality monitoring and modelling carried out by the council indicates that despite good air quality within most of the Medway Council area, the air quality objectives for nitrogen dioxide in some areas were not met.

In 2004 Medway Council declared six AQMAs and then in August 2010, following further consideration of air quality results, the Council consolidated the existing AQMAs along with newly identified areas into three AQMAs, These areas were designated as Central Medway AQMA, Pier Road, Gillingham AQMA and High Street, Rainham AQMA. An additional AQMA was declared in October 2018 and has been designated as Medway Four Elms Hill AQMA.

The air quality objective for nitrogen dioxide is an annual average of  $40\mu\text{g}/\text{m}^3$ . This level has been exceeded within these areas. There are approximately 24 properties within the Medway Four Elms Hill AQMA that are affected by poor air quality.

The cause of the high levels is transport. Heavy goods vehicles, buses and congested traffic constitute the main sources of nitrogen dioxide and so the action plan will be drawn up in consultation with Transport & Highways, Sustainable Development, Public Health and others.

The range of actions set out in the action plan will be designed to improve air quality and will benefit those living within the AQMA and also the wider population.

The Environmental Protection Team are proposing to under an engagement exercise with residents, businesses, ward councillors, and stakeholders, to ask their opinion on what measures should be included within the Action Plan. The draft Action Plan will then be developed and a formal consultation (6 weeks) will be undertaken. The formal consultation will engage with residents, businesses, ward councillors, schools, relevant stakeholders and local groups and seek their views on the plan and obtain any suggestions they have which can be included in the plan.

### Updates

#### **ENGAGEMENT EXERCISE**

An engagement exercise was undertaken with relevant stakeholders including residents, businesses, ward councillors, statutory consultees, and relevant action groups between 1 -28 February 2019. The engagement exercise used social media as a platform, including twitter, Facebook and the councils website. All affected residents and businesses were notified of the engagement exercise via letter. Postcards were also put in the library and GP practices to highlight that the engagement exercise was taking place. People’s views and ideas on what measures would help to improve the air quality on Four Elms Hill were captured by a survey.

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338 completed surveys were received. The survey was also sent out to the Citizens Panel and 223 completed surveys were received. The results have been analysed and have formed the basis for the development of the Action Plan.

## **INTERNAL CONSULTATION ON DRAFT ACTION PLAN**

An internal consultation was undertaken with internal stakeholders between 11 November and 03 December 2021. All internal stakeholders were contacted via email and asked for their initial views on the draft action plan in particular on whether the measures were feasible. Their comments and views were feedback to the consultant for incorporation into the draft plan.

## **FORMAL CONSULTATION ON ACTION PLAN**

A consultation was undertaken with all relevant stakeholders including residents, businesses, ward councillors, statutory consultees, and relevant action groups between 7 March and 24 April 2022. The consultation used social media as a platform, including twitter, Facebook and the councils website. All affected residents and businesses were notified of the consultation via letter.

A total of 59 questionnaire responses were completed by responders to the consultation. We also received written responses from three statutory consultees; DEFRA, Natural England the UK Health Security Agency (UKHSA), and a further three written responses from local residents. The responses from the consultation were analysed and where necessary these were used to inform changes to the Action Plan, for additional modelling work to be undertaken and a proposed new measure in the Action Plan.

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### 3 What is the likely impact of the proposed change?

Is it likely to :

- Adversely impact on one or more of the protected characteristic groups?
- Advance equality of opportunity for one or more of the protected characteristic groups?
- Foster good relations between people who share a protected characteristic and those who don't?

(insert ✓ in one or more boxes)

| Protected characteristic groups | Adverse impact | Advance equality | Foster good relations |
|---------------------------------|----------------|------------------|-----------------------|
| Age                             |                | ✓                |                       |
| Disability                      |                | ✓                |                       |
| Gender reassignment             |                |                  |                       |
| Marriage/civil partnership      |                |                  |                       |
| Pregnancy/maternity             |                |                  |                       |
| Race                            |                |                  |                       |
| Religion/belief                 |                |                  |                       |
| Sex                             |                |                  |                       |
| Sexual orientation              |                |                  |                       |
| Other (eg low income groups)    |                | ✓                |                       |

### 4 Summary of the likely impacts

- Who will be affected?
- How will they be affected?

All users of vehicles will be targeted to encourage less dependence on vehicles, everyone in Medway will benefit from improved air quality, and in particular the young, elderly and all others that suffer from respiratory conditions. In more deprived wards, residents are less healthy than those in more affluent areas, including having worse respiratory health.

It is not currently thought that any negative impact will be brought on any of the protected characteristic groups.

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## 5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

- Are there alternative providers?
- What alternative ways can the Council provide the service?
- Can demand for services be managed differently?

Delivery of the Action Plan will be dependent on a number of different internal and external organisations working in a co-ordinated way. Overall responsibility for reducing the pollutant levels lies, ultimately with the council. The council will consult externally on the action plan to ensure that there are no negative impacts on any of the protected groups.

## 6 Action plan

- Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence

| Action  | Lead   | Deadline or review date    |
|---|--------|----------------------------|
| Undertake an Engagement Exercise to obtain the views of residents, businesses and stakeholders on what measures they would like to see in the Action Plan | LAK/SS | 1-28 February 2019         |
| Draft the Medway Four Elms Hill Air Quality Action Plan   | LAK/SS | April 2019 – November 2021 |
| Consult internally on the Air Quality Action Plan in order to seek views on the plan and obtain any suggestions which can be included in the Plan.        | LAK/SS | 11 November 2021           |
| Consult externally on the Air Quality Action Plan in order to seek views on the plan and obtain any suggestions which can be included into the Plan.      | LAK/SS | 7 Mar -24 Apr 2022         |
| Review the DIA taking into consideration feedback from external consultation.   | LAK/SS | May/June 2022              |

## 7 Recommendation

The recommendation by the lead officer should be stated below. This may be:

- to proceed with the change implementing action plan if appropriate
- consider alternatives
- gather further evidence

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

## 8 Authorisation

The authorising officer is consenting that:

- the recommendation can be implemented
- sufficient evidence has been obtained and appropriate mitigation is planned
- the Action Plan will be incorporated into service plan and monitored

**Assistant Director**

**Date**

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Contact your Performance and Intelligence hub for advice on completing this assessment

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Send completed assessment to the Corporate Performance & Intelligence Hub (CPI) for web publication