

Health and Wellbeing Board 19 November 2019	
Report of: Anne Sutcliffe – Corporate Director, Place	Classification: Unrestricted
Air Quality Action Plan Update	

Originating Officer(s)	David Tolley, Head of Environmental Health & Trading Standards
Wards affected	All wards
Key Decision?	Yes

Executive Summary

In 2017 Cabinet approved an Air Quality Action Plan (AQAP) which sets out the action the Council will take to improve air quality within the borough over a 5 year period 2017-2022. The AQAP is a statutory document.

An Air Quality Partnership Board (AQP) was created to oversee the monitoring and delivery of agreed actions. At Cabinet on 31 July 2019 Cabinet resolved to move the governance of the AQAP to the Health & Wellbeing Board (HWB) which will oversee the Air Quality Delivery Plan for the final years of the Air Quality Action Plan to address targeted action on the most affected areas.

This report seeks to inform the HWB of the various actions the Council is taking to tackle poor air quality in the borough.

Recommendations:

The Health and Wellbeing Board is recommended to:

1. Note the development of an air quality action delivery plan and to provide governance on the AQAP
2. Advise how delivery of the AQAP will be monitored and supervised going forward.
3. Note the specific equalities considerations as set out in paragraph 4.1.

1 REASONS FOR THE DECISIONS

- 1.1 Under Part IV of the Environment Act 1995 Local Authorities have a duty to review and assess air quality in their area. Where levels of air pollutants exceed National Air Quality Objectives, measures must be developed to reduce emissions towards achieving the air quality objectives.

2 ALTERNATIVE OPTIONS

- 2.1 Informing report so there are no alternative options to consider.

3 DETAILS OF THE REPORT

- 3.1 Poor air quality has significant impact on the health and quality of life of all Londoners ranging from worsening respiratory symptoms and poor quality of life to premature deaths from cardiovascular and respiratory diseases. It causes 9,400 early deaths in London every year due to exposure to particulate matter (PM) and (Nitrogen dioxide) NO₂¹.
- 3.2 It is forecast in Tower Hamlets 15% of the population (just over 10,000) will be exposed to pollution levels over the National Air Quality Objective levels, the second highest London borough. Despite forecasts in reductions in pollution in 2025 Tower Hamlets will be one of the four London boroughs with exposure above National Objective levels². A 2015 report by Kings College has estimated the additional deaths attributed to air pollution in Tower Hamlets based on 2010 air pollution data. For particulate matter and NO₂ it was calculated that there were up to 158 attributable deaths³. Studies, including one carried out in Tower Hamlets, show that children's health is being negatively affected living in highly polluted areas. Children in Tower Hamlets have reduced lung function due to poor air quality which they may never recover⁴.
- 3.3 Where local air quality does not meet the National Air Quality Objectives, the Council must declare an air quality management area (AQMA) and produce AQAP to take actions to improve air quality
- 3.4 The whole borough of Tower Hamlets was declared an AQMA in 2002 (Appendix 1) due to the high concentration of NO₂ and Particulate Matter

¹ Understanding the Health Impacts of Air Pollution in London
<https://www.scribd.com/document/271641490/King-s-College-London-report-on-mortality-burden-of-NO2-and-PM2-5-in-London>

² Updated Analysis of Air Pollution Exposure in London. Ather 2017.
https://www.london.gov.uk/sites/default/files/aether_updated_london_air_pollution_exposure_final.pdf

³ Understanding the Health Impacts of Air Pollution in London
<https://www.scribd.com/document/271641490/King-s-College-London-report-on-mortality-burden-of-NO2-and-PM2-5-in-London>

⁴ Impact of London's low emission zone on air quality and children's respiratory health: a sequential annual cross-sectional study [https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(18\)30202-0/fulltext](https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(18)30202-0/fulltext)

(PM10). The Council is now meeting EU limits for PM10. There is however exceedance of the World Health Organisation air quality guideline for this pollutant. Local authorities are also expected to work towards reducing emissions and concentrations of PM2.5.

- 3.5 The Council's current AQAP (Appendix 2) was approved by Cabinet in October 2017. This sets out the action the Council will take to improve air quality within the borough over a 5 year period from 2017-2022. The AQAP was prepared by the Environmental Health & Trading Standards Service (EHTS) following consultations with the Senior Officers from the following departments (the majority which sit in Place):

Transport and Highways – Head of Engineering
Planning – Divisional Director, Planning & Building Control
Fleet Management – Fleet Manager
Public Health - Director of Public Health
Procurement – Head of procurement
Waste Strategy – Head of Waste Management
Sustainability – Service Manager- Energy & Sustainability

A full public consultation was also carried out before adopting the AQAP.

- 3.6 There are in total 76 actions with timescales for implementation including milestones and expected outcomes. Some action plans are to be delivered within a short timescale and others run for the duration of the AQAP. Each action is RAG-rated.

Reporting to DEFRA and the GLA

- 3.7 All London local authorities are required to submit an annual status report (ASR) to DEFRA and copied to the Greater London Authority (GLA). This is to provide an update on air quality monitoring over the previous calendar year and comparison of levels against the air quality objectives as well as progress on actions within the air quality action plan.
- 3.8 Statutory guidance states the AQAP is a live document and should be continually reviewed and developed to ensure current measures are progressing and new measures are brought forward. The action plan is also required to be updated every five years at a minimum.
- 3.9 As part of the annual statutory reporting on the AQAP progress, the EHTS service prepare and submit an annual status report to DEFRA and the GLA.
- 3.10 The ASR report for the calendar year 2018 was submitted in July 2019. The Council's effort in progressing the AQAP was commended by the GLA in a letter dated 8 August 2019 (Appendix 3). The ASR submission is normally due in April. In order to meet the deadline set by the GLA and to maintain the Council's 'Clean Air Borough' status, the HWB should require the relevant stakeholders to provide updates to Environmental Health and Trading Standards at least a month before the submission date.

Monitoring of Air Quality

- 3.11 The Council has a network of 90 NO₂ diffusion tubes across the borough. These are passive monitors which record the monthly average nitrogen dioxide levels. The diffusion tubes are changed on a monthly basis. These monitors are complemented by 3 automatic monitoring stations measuring a range of pollutants including NO₂, Particulate matter (PM₁₀ and PM_{2.5}) and ozone. Transport for London runs a further real time monitoring station on Blackwall Tunnel Approach Road. Monitoring results are available on the Council's website https://www.towerhamlets.gov.uk/lgnl/environment_and_waste/environmental_health/pollution/air_quality/Advanced_information_on_air_quality/Monitoring.aspx

Governance and Monitoring of the Air Quality Action Plan

- 3.12 An air quality partnership board (AQPB) chaired by the Deputy Mayor and lead Member for Air Quality was created to provide oversight and effective delivery and reporting of the implementation of the agreed air quality actions.
- 3.13 At Cabinet on 31 July 2019 the Cabinet resolved to replace the AQPB with oversight now sitting with the Health & Wellbeing Board (HWB). The HWB taking over the responsibility of governance and ensuring delivery of the action plan.
- 3.14 There is also an officer level air quality steering group represented by most of the key stakeholders (sitting in Place Directorate) responsible for the delivery of action points. Some stakeholders are not represented e.g. Procurement and should be invited to attend the officer level meeting is to be maintained going forward. The group will meet on a quarterly basis and will provide to the HWB a written submission update on the progress of delivery of each action (RAG rated) following the officer level meeting. The role of the HWB would be to request updates from the stakeholders failing to provide progress updates on their respective action/s.

Air Quality Delivery Plan

- 3.15 At Cabinet on 31 July 2019, the Cabinet approved the preparation of an air quality delivery plan for the final years of the Air Quality Action Plan to address targeted action on the most polluted areas.
- 3.16 A draft delivery plan has been prepared by the Policy and Performance team (Appendix 4) with support from the EHTS. It outlines how the actions in the current AQAP can realistically be delivered by all named Council stakeholder departments. For the plan to be successful each stakeholder must contribute to developing the delivery plan. The plan considers the cost, ease of delivery and the possible magnitude of air quality benefits. It is currently being reviewed by officers in EHTS.

Current Air Quality Projects

- 3.17 A number of air quality improvement projects that support delivery of the AQAP are in transit .These include projects funded by the Council and also some externally funded projects.

Tower Hamlets Mayor's Air Quality Funded Projects

- 3.18 In 2017 a Mayoral growth bid was approved as part of the budget for an air quality fund for £200,000 over a 2 year period for improving air quality in Tower Hamlets. The Mayor in Cabinet agreed that the fund should be spent as part of the Tower Hamlets AAQP to *“raise awareness and tackle the significant pollutant issues within Tower Hamlets, mainly due to traffic which has resulted in the borough currently breaching the national and EU NO2 target”*.
- 3.19 The fund was implemented over 2018/19 and 2019/20. The first round attracted 18 applications from which 8 grants totalling £78,811 have been awarded. The second round attracted 40 applications for bids totalling £347,773 from which 13 bids were awarded grants totalling £118,617. Funded project details are on appendix 5. The local community were really engaged by the offer of grant. The EHTS is overseeing the fund allocation and monitoring of the projects.
- 3.20 Most of the first round projects have now completed. The second round projects are in progress.

The Mayor of London's Air Quality Fund (MAQF)

- 3.21 Funding is provided by the Mayor of London to support projects by London boroughs to improve air quality. Tower Hamlets successfully secured funding for 3 joint projects in the third round of the MAQF:
- **Pan London Non Road Mobile Machinery (NRMM)** Project led by LB Merton (£500,000) to inspect construction sites to ensure that they are only using approved and lower pollution machinery to support the Mayor's NRMM Low Emission Zone.
 - **London wide anti-idling project** led by City of London and LB Camden (£500,000) to tackle vehicle idling emission issues. The project focus will be idling issues around schools, engaging with parents and schools.
 - **Zero Emission Network (ZEN) (phase 3)**- to continue and expand the city fringe ZEN project to other parts of the borough (Canary wharf business area and Whitechapel. This project engages businesses (SMEs) as part of a tri borough (Hackney, Tower Hamlets and Islington) consortium to promote and encourage businesses to switch to cleaner mode of transport by giving a small grant <https://www.zeroemissionsnetwork.com/>
- 3.22 All three projects are for 3 years. The NRMM and the ZEN project is match funded by the Council.

DEFRA Air Quality Grant 2017/18

3.23 In April 2017 the EHTS service jointly with Poplar HARCA secured £107,864 air quality funding from DEFRA. The funding is being used to deliver 3 initiatives. The projects are due to complete before the end of this year.

- Clean Van Commitment – part of a nationwide campaign by environmental charity Global Action Plan to lobby major fleet operators to switch to cleaner forms of transportation. The campaign will have a specific focus on Tower Hamlets, targeting companies with high volumes of vehicles which pass through the borough. A short film has been created with local schools for the campaign. LBTH fleet service is a signatory to the campaign.
- Breathe Clean Challenge- this is about engaging and encouraging local residents and organisations to replace short car journeys by walking, cycling or scooting. This challenge started on 1 June 2019 for 6 weeks.
- Empson Street – Tackling highly localised air quality issues around Empson Street, where a residential street and primary school are located next to the A12 and a busy industrial estate with a cement works. A detailed scientific study with UEL will take place on Empson Street and Devas Street analysing levels and sources of air pollution and dust, while opportunities for installing green infrastructure are also being explored.

4 EQUALITIES IMPLICATIONS

4.1 There is often a strong correlation with equalities issues, as areas with poor air quality are also often the less affluent areas. A recent report to the GLA⁵ concluded that Populations living in the most deprived areas are on average currently more exposed to poor air quality than those in less deprived areas. 46% of the LSOAs [lower super output area] within the most deprived 10% of London have concentrations above the NO₂ EU limit value. This is in contrast to 2% above the NO₂ EU limit value in the 10% least deprived areas.

4.2 Delivery of the AQAP will have a positive beneficial effect on all groups within the borough as the outcome will be to improve air quality for all in the borough but particularly the most vulnerable groups.

5 OTHER STATUTORY IMPLICATIONS

5.1 **Best Value Implications-** Delivery of the AQAP will help the Council in achieving the air quality objectives and demonstrate to external regulators that the Council is committed to improving air quality within its area. Improvements in air quality will benefit everyone in the borough.

5.2 **Consultations-** A full consultation with key stakeholders was undertaken as required by the Environment Act 1995 before adopting the AQAP.

- 5.3 **Environmental**- The AQAP has synergy with the Council's Climate Change strategy as some of the actions in the AQAP are relevant to tackling both air pollution and climate change.
- 5.4 **Risk Management** - The Council currently benefits from having a Cleaner Air Borough status from the GLA. Failure to deliver on or make progress on commitments made in the AQAP could result in the Council losing its Cleaner Air Borough status.
- 5.5 **Crime Reduction** - Recent research suggests improving air quality may play a role in reducing crime⁶.
- 5.6 **Safeguarding** - There are no safeguarding implications.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 There are no direct financial implications emanating from this report which provides an update on the air quality action plan. Contained within the plan are a number of targets which require financial support for delivery. Funding has previously been identified for these initiatives and it is forecast that they will be delivered within this budgetary provision.
- 6.2 Any new initiatives identified will require further funding above that previously agreed and will be the subject of future growth bids or applications for external funding.

7 COMMENTS OF LEGAL SERVICES

- 7.1 This is a noting report on the progress of the Air Quality Plan 2017-2022. Part IV of the Environment Act 1995 ("the 1995 Act") requires the government to produce national air quality strategy setting out standards and objectives for improving ambient air quality in the UK.
- 7.2 Section 82 of the Act requires local authorities to review air quality in their area and assess whether the air quality standards specified in the National Air Quality Standards are being achieved. Section 83 of the Act makes it a duty for local authorities to designate an air quality management area ("AQMA") where air quality objectives are not being achieved or not likely to be achieved.
- 7.3 Once an area has been designated, Section 84 of the Act imposes a further duty on the local authority to carry out an assessment and then develop an Action Plan seeking to achieve the relevant air quality standards in the air quality management area. Section 84(1) states that a local authority may from time to time revise the action plan. This authority was declared an AQMA in 2002. Local authorities are required to act "in pursuit of the achievement" of the relevant air quality standards.

⁶ <http://www.lse.ac.uk/GranthamInstitute/publication/crime-is-in-the-air-the-contemporaneous-relationship-between-air-pollution-and-crime/>

- 7.4 The London Local Air Quality Management (LLAQM) Technical Guidance 2016 requires the Action Plan to be updated every 5 years as a minimum to reflect the current policy and to improve effectiveness.
- 7.5 The Council is required when exercising its functions to comply with the duty set out in section 149 of the Equality Act 2010, namely to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity between those who share a protected characteristic and those who do not, and foster good relations between those who share a protected characteristic and those who do not. Paragraph 4.2 of the report indicates that delivery of the Plan will have a positive beneficial effect on all groups.
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Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

Appendix One: Tower Hamlets Air Quality Management Order

Appendix Two: Tower Hamlets Air Quality Action Plan

Appendix Three: Annual Status Report 2018 GLA commendation

Appendix Four: Draft Air Quality Delivery Plans

Appendix Five: Tower Hamlets Mayor funded projects

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- NONE

Officer contact details for documents:

N/A