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| Cabinet 31 st July 2019 |  TOWER HAMLETS |
| Report of: Ann Sutcliffe- Corporate Director, Place | Classification: Unrestricted |
| Progress on Tackling Air Quality | |

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| Lead Member | Councillor Rachel Blake, Deputy Mayor and Cabinet Member for Planning, Air Quality and Tackling Poverty |
| Originating Officer(s) | David Tolley- Head of Environmental Health and Trading Standards |
| Wards affected | All wards |
| Key Decision? | No |
| Forward Plan Notice Published | |
| Reason for Key Decision | N/A |
| Strategic Plan Priority / Outcome | A borough that our residents are proud of and love to live in/People live in a borough that is clean and green |

Executive Summary

Poor air quality has an impact on the health and quality of life of all in Tower Hamlets and London. The Council has a statutory duty to comply with the London Local Air Quality Management (LLAQM) Regime under the Environment Act 1995.

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. This report summarises the progress being made by the Council in delivering the AQAP.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the progress the Council is making in implementing the Air Quality Action Plan 2017-2022.
2. Approve the amalgamation of the Air Quality Partnership Board with the Health and Wellbeing Board.
3. Approve the preparation of an Air Quality Delivery Plan for the final years of the Air Quality Action Plan to address targeted action on our most polluted areas and the presence of PM2.5

4. Note the further actions identified in this report which would support a Delivery Plan
5. Note the specific equalities considerations as set out in Paragraph 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 set in the Environment Act, measures must be developed to reduce emissions towards achieving the air quality objectives.

2. ALTERNATIVE OPTIONS

- 2.1 This is an updating 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 in Tower Hamlets and London 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 In Tower Hamlets it is forecast that 15% of exceedances will be in Tower Hamlets due to pollution levels being 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

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>

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 an air quality action plan (AQAP) to take actions to improve air quality. The AQAP is a statutory document.
- 3.4 The whole borough of Tower Hamlets was declared an Air Quality Management Area in 2002 due to the high concentration of NO₂ and Particulate Matter (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 PM_{2.5}.
- 3.5 The Council is committed to improving local air quality and public health. The Council has retained the “Clean Air Borough” (CAB) status issued by the Mayor of London. This is awarded in recognition of local authorities that are working hard to improve air quality within their borough and have submitted the Annual Status Report (ASR) on time. CAB status is reassessed annually.
- 3.6 The Council’s updated AQAP (Appendix 1) 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.
- 3.7 The current five year 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.

- 3.8 In order to make clear accountability and responsibility for delivery of actions, the AQAP considers priorities under nine broad categories. A senior officer from an appropriate service has been appointed as the lead for each work stream:
 - Public Health and awareness raising,
 - LLAQM, Development and buildings,

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)

- Major infrastructure projects,
- Delivery servicing and freight,
- Borough fleet/council contracted fleet actions,
- Localised solutions,
- Cleaner transport,
- Lobbying and Partnership.

3.9 There are in total 76 actions with clear 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 has been RAG-rated. At the time of this report, 10 Actions have been completed, 48 are green and 13 are at amber

3.10 There is a requirement to update the action plan every five years at a minimum, and progress against the action plan is to be reported to the GLA and DEFRA annually. 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 and as such, LBTH intends to bring forward an Air Quality Delivery Plan ensure the delivery of the plan by 2022.

Governance and Monitoring of the Air Quality Action Plan

(i) *Air Quality Partnership Board*

3.11 In order to ensure oversight of the implementation of the agreed air quality actions, the Council created an Air Quality Partnership Board (AQPB) to ensure timely and effective delivery and reporting.

3.12 The board was chaired by the Deputy Mayor and lead Member for Planning, Tackling Poverty and Air Quality and meets on a quarterly basis. The first meeting took place on 20th December 2017. These meetings served as an opportunity to feedback on progress on the respective actions for each service area.

3.13 Following discussion at the AQPB meeting on 5th March 2019, it was agreed that accountability and monitoring of the plan would transfer to the Health and Wellbeing Board. Governance of the plan will also be enhanced by:

- Appointment of a Corporate Director as 'lead' for air quality,
- There is a need to ensure that other Services consider Air Quality as central to their policy development,
- All policies should have commentary on the potential impact on Air Quality

3.14 Statutory guidance from DEFRA states "Of paramount importance in ensuring the Action Plan fulfils its goal in producing quantifiable outcomes to timescale is the need for **all delivery partners** who have an influence on air quality to take responsibility for their actions and to engage constructively in the process.

This is especially important as certain measures may have knock-on effects for other policy areas”.

(ii) Air Quality Steering Group

- 3.15 There is also an officer level meeting held a month before the AQP meeting to discuss agenda items, and to discuss and raise concerns about particular items. Officers from key stakeholders responsible for delivery of action points are represented.

Air Quality Action Plan Progress

- 3.16 It is a requirement for all London Boroughs that an annual status report (ASR) is submitted annually 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.
- 3.17 The overall responsibility for the implementation of the plan sits within the Environmental Health and Trading Standards Service (EHTS) supported by Strategy and Programmes. The EHTS has two dedicated officers (Air quality Officer and an Air Quality Assistant) for the coordination and delivery of the plan including liaison and follow up with key stakeholder departments.
- 3.18 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.
- 3.19 The ASR report for the calendar year 2017 was submitted in May 2018. Progress on the action plans in table 4.1 of the AQAP only covers the period October 2017 – December 2017 as the AQAP was adopted in October 2017. Copy of the report is included in appendix 2. The Council’s 2018 ASR report is in preparation and will be submitted on 3rd July 2019.
- 3.20 The feedback received on the Council’s 2017 ASR is that the GLA agrees that the Council has made good progress towards the AQAP measures in 2017.
- 3.21 As the AQAP is a live document and will be continually updated and reported to the HWB on a regular basis and supplemented by the Air Quality Delivery Plan.
- 3.22 The air quality monitoring results for 2017 indicate a slight decline in air pollutant concentrations close to major roads. However away from major roads there is no clear trend.
- 3.23 There are 3 automatic monitoring stations maintained by the council which continually monitor NO₂. PM₁₀ is monitored at two sites. Recently new PM_{2.5} monitors have been added to the Victoria Park and Mile End monitoring sites, making Tower Hamlets one of the few London Councils to monitor PM_{2.5}. Transport for London runs a further real time monitoring

station on Blackwall Tunnel Approach Road. There is also a network of 90 nitrogen dioxide diffusion tubes across the borough. These are passive monitors which record the monthly average nitrogen dioxide levels. Monitoring results are available on the Council's website https://www.towerhamlets.gov.uk/ignl/environment_and_waste/environmental_health/pollution/air_quality/pollution_monitoring.aspx.

3.24 The 2017 ASR and the AQAP matrix show the Council is making good progress on delivering the action plans agreed in the AQAP. Of particular note:

- **Action Point 1** -An innovative borough wide 'Breathe Clean' campaign launched to reduce pollution levels and encourage behaviour change. The campaign is using various platforms including social media to raise awareness and engage residents. The campaign has been well received so far including retweets by the Government and Deputy Mayor of London.
- **Action Point 6** -Promoted the airText messaging service to warn residents when high pollution levels are forecast. This is a London wide free service for the public providing air quality alerts by SMS text message, email and voicemail and 3 day forecast of air quality across greater London. 272 subscribers registered in 2018.
- **Action Point 9** - Working with the GLA 4 air quality audits were delivered, two Marners and Bonner primary schools and two at Columbia Market and Alice Model nursery schools.
- **Action Point 10** -Schools anti-idling project. A total of 5 anti-idling events delivered in 2018/19 at Bonner, English Martyrs, St Lukes, Globe school and Mayflower schools. 50 anti-idling signs were delivered to schools for installation by schools.
- **Action Point 11** -Funded 20 environmental theatre productions workshops to local primary schools to teach children how their travel choices affect air quality. Appendix 3 provides more details about all the different air quality improvement projects the Council is working on with schools in the borough.
- **Action Point 13** - Funded a Citizen Science air quality monitoring project to engage and raise awareness about air quality in the borough. 79 residents registered interest in the scheme and 29 locations were monitored by residents using NO₂ diffusion tubes. The final report is available on the Council's website.
- **Action Point 46** Fleet has committed to the replacement of all light duty diesel vehicles at the end of their service life where equivalent electric vehicles exist. They are currently working on specifications for fleet from refuse collection vehicles, street sweeping vehicles, transit van type vehicles,

small vans, 3.5 Tonne transit tipping vehicles and larger 7.5 Tonne caged tipping vehicles.

- **Action Point 54** - New green walls to be installed at St Lukes and Olga schools and beside the A12 following successful bids to the Tower Hamlets Mayor's AQ fund. Installation of Green walls is being considered by Bonner and Marner Schools as part of the GLA school audit. Marner Primary School has been awarded £30,000 by the GLA to green the school playground in Bromley-by-Bow, Tower Hamlets. The project will include tree and hedgerow planting, a green screen, a green gateway and establishing a forest school.
- **Action Point 56 – ZEN** project engaging with business in the city fringe area as part of a tri borough (Hackney, Tower Hamlets and Islington) consortium. Project funded by grants from the London Mayor's Air Quality Fund (MAQF) and match fund contributions from each Council. A total of 28 grants have been awarded to local businesses in Tower Hamlets towards helping the businesses to change to cleaner mode of transport. The ZEN project has been hailed as a good practice by DEFRA. Phase 2 of the MAQF ended on 31 March 2019 but The Mayor of London has continued to fund this project in 2019-20.
- **Action Point 57** -Introduced new powers to issue fixed penalty notices (FPN) to drivers who idle their engine unnecessarily. A borough wide publicity campaign was carried out including putting up anti-idling signs in hotspot locations. Officers are undertaking anti-idling enforcement visits to targeted locations and schools where complaints from residents have been received. An anti-idling information leaflet is handed out to anyone who is asked to switch off their engine. No FPNs have been issued to date as drivers complied with requests to switch off engine. Appendix 4 – idling enforcement plan, shows locations visited/to be visited. New locations are added as they're reported. As part of this campaign the Council has particularly targeted schools to raise awareness of idling issues. Idling from ice cream vans in parks has been a particular concern for some residents of the borough. The Parks service will explore the feasibility of installing electric charging points for ice cream vans to plug into, to avoid keeping their engine on when in the parks.
- **Action Point 59** - There are currently 130 sole car club bays in Tower Hamlets at 81 separate locations which are offered for the round trip model. The Council also offers the point to point car club model with DriveNow, ZipCar and Ubeeqo and we are in discussions with a further company. All of these car club companies use ultra-low emission vehicles and there are some that use electric vehicles as part of their fleets.
- **Action Point 61 & 62** - Introduced 10 residential electric charge points in the borough. More are planned. Sites for 15 medium charge bollards agreed and installation progressing – these will provide 37 charging points between them. Discussions continuing with TfL on siting of 6 Rapid Charge Points. Electric Vehicle Charge Point Strategy has targets of minimum of 150 on street

charge points by 2025, with an aspirational target of 300 (including rapid chargers which has now been adopted by Council as the core target.

- **Action Point 72** -Introduced a £200,000 Mayor of Tower Hamlets Air Quality Fund for improving air quality in Tower Hamlets to be implemented over 2018/19 and 2019/20. The offer of grants has really engaged the local community. The first round (1st June 2018 to 31 July 2018) attracted 18 applications from which 8 grants totalling £78,811 have been awarded to resident groups, schools and housing associations. The second round opened on 1 November 2018 and closed on 31 January 2019. A total of 40 applications were received for bids totalling £347,773 from which 13 applications from various organisations totalling £118,617 have been awarded grants. Appendix 5 provides a list of all successful bids. An air quality summit/workshop was organised on 18th June. Successful and unsuccessful applicants from the first and second round were invited to the workshop. Four successful applicants (two from each round) gave presentations sharing experience about their projects. The turnout was very good with 20 people attending. The workshop served as a useful forum to share concerns and ideas about working together to improve air quality. There were three roundtable questions. A summary of the feedback from these are in Appendix 6.

London Mayor's Air Quality Fund (MAQF)

3.25 This is funding provided by the Mayor to support projects by London boroughs to improve air quality. Round 3 of the MAQF closed on 11 January 2019 and would provide funding for 3 years 2019-2022. The Council has received funding for the following projects:

- **Non Road Mobile Machinery Project** -This is a pan London project which looks to inspect construction sites to ensure that they are only using approved and lower-pollution machinery to support the Mayor's Non Road Mobile Machinery (NRMM) Low Emission Zone
- **London-wide anti-idling Project** -This is a continuation and extension of the existing scheme which LBTH participates in already. It requires adoption of anti-idling enforcement powers and a programme of enforcement which LBTH already undertakes.
- **Zero Emission Network** -Funding is being sought for the continuation of the existing ZEN project and extension of the project to the Whitechapel LEN area and Canary Wharf business area.

DEFRA Air Quality Grant 2017/18

3.27 In April 2018 the Environmental Health & Trading Standards service jointly with Poplar HARCA were successful in securing £107,864 air quality funding from DEFRA. The funding is being used to deliver a number of projects:

- 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, as well as working with local schools to create a film for the local campaign. LBTH fleet service has already signed up.
- Breathe Clean Challenge – Engaging and encouraging local residents and organisations to replace short car journeys by walking, cycling or scooting. The challenge started on 1 June for approximately 6 weeks, incorporating National Clean Air Day. Participants will be able to record their activities on a mobile App.
- 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.

Focus for Activity for 2019/20

3.28 Good progress has been made in delivering the Council's commitment to improving the air in the borough for its residents, with a number of activities already crystallised. The Council remains committed to delivering further improvements and the focus should now be to improve coordination of different air quality projects being undertaken by various stakeholders and also to encourage modal shift by further raising awareness and understanding of the issues.

3.29 For the year ahead key activities should focus on:

- Continue to raise awareness amongst residents of poor air quality and encourage switch to cleaner mode of transport including walking and cycling
- Maintaining the GLA Cleaner Borough Status
- Delivery of more electric charging points
- Delivery of the liveable streets projects
- Greening of the Council's own fleet service
- Delivery of the GLA MAQF funded projects including pan London anti-idling and non-road mobile machinery initiatives
- Implementation of the Council's Transport Strategy to encourage modal shift
- Publish the annual status report by 3 July 2019
- Targeting action on our most polluted areas
- Preparation of an Air Quality Delivery Plan to ensure delivery by 2022.

Tower Hamlets Transport Strategy 2019-2041

3.30 Transport is the main contributor of poor air pollution in the borough. Over 50% of nitrogen oxide (NOx) comes from transport sources⁵. The emerging transport strategy seeks to address this by setting out plans to transform the way people travel in the borough over the next 20 years, in line with the Mayor of London's Transport Strategy 2018, where he commits to the ambitious aim for "80% of all trips in London to be made on foot, by cycle or using public transport" by 2041. The strategy will encourage modal shift by making the borough one of the best in London to walk or cycle in, improving road safety and delivering a new parking policy.

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 GLA⁴ 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 London Borough of Tower Hamlets Air Quality Action Plan 2017-2022

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

5.6 **Safeguarding** - There are no safeguarding implications.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 This report details the progress made in implementing the Air Quality Action Plan 2017-2020. The activities within the Action Plan are delivered by the Pollution Team and the associated costs will be contained within existing budget allocations.

6.2 Other resources available to support the delivery of the plan are:

- £200,000 of mayor's priority growth was allocated to provide an Air Quality Fund to finance grants to the local community aimed at improving air quality within the borough. Two rounds of grant applications have been received and awarded. The fund will be fully spent by the end of 2019-20.
- Defra Air Quality Grant £107,864 joint funding with poplar HARCA received to deliver a number of specific projects.
- London Mayoral funding for various pan-London initiatives and projects as part of the London Mayors Air Quality Fund.

7. COMMENTS OF LEGAL SERVICES

7.1 This is an updating 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.

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 1 - Air Quality Action Plan 2017-2022
- Appendix 2 - Terms of reference for the air quality partnership board
- Appendix 3 - Annual Status Report 2018
- Appendix 4 - Air Quality Action Plan Matrix
- Appendix 5- Schools air quality improvement/monitoring projects
- Appendix 6- Anti-idling enforcement plan

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

- NONE

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