

<p style="text-align: center;">Non-Executive Report of the:</p> <p style="text-align: center;">Overview & Scrutiny Committee</p> <p style="text-align: center;">24 May 2021</p>	
<p>Report of Sharon Godman Divisional Director Strategy, Policy and Performance</p>	<p>Classification: Unrestricted</p>
<p>Scrutiny Challenge Session Report: Examining the Council's Commitments on Air Quality</p>	

Originating Officer(s)	Sadie Dann - Strategy and Policy Officer, Corporate
Wards affected	All Wards

REASONS FOR URGENCY

The report was not published five clear days in advance of the meeting. This is due to the additional time required to review the report in order to provide the necessary clearances.

Executive Summary

This report submits the Overview and Scrutiny Committee (OSC) Challenge Session which examined the Council's commitments to air quality and makes a number of recommendations for consideration.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the attached Environment and Community Safety Scrutiny Challenge Session Report and agree the recommendations; and
2. Agree to submit the attached report to the Mayor and Cabinet for executive response.

1. REASONS FOR THE DECISIONS

- 1.1 This paper submits the report and recommendations of the Scrutiny Lead for Environment and Community Safety for consideration by OSC

2. ALTERNATIVE OPTIONS

- 2.1 To take no action. This is not recommended as the scrutiny challenge session provides a number of recommendations on the Council's commitments to

improving air quality for the Council to consider and take forward.

3. DETAILS OF THE REPORT

- 3.1 Air quality is an important public health issue – in London, 9,400 premature deaths are attributed to poor air quality and a cost of between £1.4 and £3.7 billion a year to the health service¹.
- 3.2 Air pollution contributes to shortening the life expectancy of Tower Hamlets residents, disproportionately impacting on the most vulnerable in our society, such as the poor, the old, the very young, and those with respiratory illnesses. Exposure to air pollution has also been linked to lung cancer, asthma, other respiratory conditions, Alzheimer's, stroke, cardiovascular diseases, and a number of other illnesses. Unsurprisingly, air pollution ranks as one of the top personal concerns of residents in the council's Annual Residents Survey².
- 3.3 Seventy-seven per cent of Tower Hamlets residents live in areas that breach EU and Government air pollution guidance³, as a result, the lung development of children in Tower Hamlets is affected, causing them to have up to five per cent less lung capacity than the national average⁴. This capacity never grows back once it is lost.
- 3.4 The Environment Act 1995 required a national air quality strategy to be produced and set national air quality standards and objectives for the first time. It also placed a statutory duty on local authorities to carry out a review and assessment of current levels of local air pollution, and to predict whether the national objectives would be met. Where non-compliance is likely, the local authority must declare an Air Quality Management Area and produce an Action Plan detailing how it proposes to work towards meeting the objectives.
- 3.5 Tower Hamlets council completed its first review and assessment in January 2000 and determined that national air quality objectives would not be met. As a result, the entire borough was declared an Air Quality Management Area in 2003, and the council was under statutory obligation to produce an Air Quality Action Plan. This is still the case today, with the last Air Quality Action Plan prepared in 2017⁵.
- 3.6 Along with preparing the Air Quality Action Plan, the council has developed policies and strategies aimed at improving air quality in the borough - these include the Anti-idling Policy, Transport Strategy, Liveable Streets

¹ <https://www.londoncouncils.gov.uk/node/33224#:~:text=In%20London%20alone%2C%20air%20pollution,of%20pollutants%20into%20acid%20rain.>

² https://www.towerhamlets.gov.uk/Documents/Borough_statistics/2019_ARS_Briefing_Paper.pdf

³ <https://data.london.gov.uk/dataset/london-atmospheric-emissions-inventory--laei--2016>

⁴ Research conducted through a major study (the EXHALE - Exploration of Health and Lungs in the Environment - project by King's College London) found that the lung capacity of 8 and 9-year-old children in Tower Hamlets is 5% lower than the national average

⁵ https://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Strategic-Planning/Local-Plan/Submission_2018/Air_Quality_Action_Plan_2017.pdf

Programme, Open Space Strategy, Parking Policy, and Net Zero Carbon Plan.

3.7 The reasons for the scrutiny challenge session included:

- To examine air pollution issues in the borough, and the Council's progress towards its air quality commitments including the Anti-idling Policy, Open Space Strategy, Air Quality Action Plan, Net Zero Carbon Plan (commitments relating to air quality), Transport Strategy, Parking Policy, and the Liveable Streets Programme)
- To assess if there are any outstanding issues that haven't been addressed
- To assess the impact on health implications for residents such as asthma and other health conditions linked to air pollution
- To assess the Council's long-term plans for air quality improvement, including funding/budget proposals

3.6.1 The session, chaired by Councillor Faroque Ahmed, Scrutiny Lead for Environment and Community Safety, took place on 30 March 2021. In light of the ongoing COVID-19 pandemic, the challenge session was held virtually via Microsoft Teams in order to comply with the government's requirements for social distancing.

3.6.2 The session was structured that included: Chair's overview, including focus of the session and intended outcome, presentation from the service led by the Cabinet Member for Environment and Public Realm, and supported by the Divisional Director of Public Realm, Presentation from Public Health led by the Associate Director of Public Health, Committee discussion and lines of enquiry, Voluntary Sector user feedback, and input from Idling Action London Campaign, Scrutiny Committee discussion and recommendations, Chair's closing comments and next steps.

3.8 The Challenge Session resulted in the development of a number of recommendations:

Recommendation 1

The council to set up more air quality monitoring stations in key areas including around construction sites, such as by prioritising funding of air quality monitoring in future capital programmes so that it is proactive in collecting long-term accurate live air quality data from all parts of the borough not just certain sites; and to make monitoring data more accessible so residents are better informed to make decisions and promote behavioural change.

Recommendation 2

The council to develop a partnership plan with TfL to take a more proactive approach to manage and reduce TfL traffic on the TfL roads in the borough, as these to have been identified to be high drivers of road-based pollution in Tower Hamlets.

Recommendation 3

The council to develop evaluation methods of the Air Quality Action Plan to ensure the initiative's goals and objectives are being achieved, as well as identify any components of the initiative that are not effective.

Recommendation 4

The council to include air quality priorities into the remit of the Climate Emergency Partnership Board to ensure that it is included as an important part of partnership discussion.

Recommendation 5

The council to identify existing air quality measures in the current capital programme and prioritise them for delivery, such as EV charging points.

Recommendation 6

The council to develop plan to install green walls and green spaces in schools that currently have none, to purify the air our children breathe and protect them from the surrounding air pollution.

Recommendation 7

The council to develop plan to **convert** unused open spaces in the borough to green spaces to make these spaces greener and thus further reduce residents' exposure to air pollutants.

Recommendation 8

The council to promptly display anti-idling signs all over Tower Hamlets to discourage idling which will ultimately reduce emissions and also help drivers save fuel.

Recommendation 9

The council to investigate a new approach for stricter enforcement of anti-idling FPNs to better tackle idling and make this strategy more fit for purpose.

4. EQUALITIES IMPLICATIONS

- 4.1 Air pollution contributes to shortening the life expectancy of Tower Hamlets residents, disproportionately impacting on the most vulnerable in our society, such as the poor, the old, the very young, and those with respiratory illnesses.
- 4.2 Seventy-seven per cent of Tower Hamlets residents live in areas that breach EU and Government air pollution legal limits , as a result, the lung development of children in Tower Hamlets is affected, causing them to have up to five per cent less lung capacity than the national average. This capacity never grows back once it is lost.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 There are no specific financial implications arising from the recommendations in this report.
- 6.2 Any financial implications arising from the implementation of the recommendations by the Council will need to be contained within agreed budgets

7. COMMENTS OF LEGAL SERVICES

- 7.1 Part IV of the Environment Act 1995 ('the 1995 Act') requires all local authorities in the UK to review and assess air quality in their area. Specifically, section 82 of the 1995 Act makes it a duty that every local authority shall review the air quality within its area, both at the present time and the likely future air quality. Section 83 of the 1995 Act also makes it a duty for local authorities to designate an air quality management area ('AQMA') where air quality objectives are not being achieved, or are not likely to be achieved within the relevant period, as set out in the Air Quality (England) Regulations 2000 ('the 2000 Regulations'). Once an area has been designated then section 84 of the 1995 Act imposes a further duty on the local authority to carry out an assessment and then to develop an Action Plan for the air quality management area.
- 7.2 Paragraphs 3.5. and 3.6 of the report refer to the Council's Air Quality Action Plan, the policies and strategies aimed at improving the air quality in the borough. The recommendations in the report are aimed at achieving the aims of all of these.
- 7.3 The Council's adopted Open Space Strategy(2017-2027) identifies and sets out the various types of open spaces in the borough. This strategy in turn informs the Council's adopted Planning Obligations Supplementary Planning Document (adopted in March 20121), which sets out how developer contributions may be used to fund improvements to open spaces across the borough. Such improvements could encompass additional tree planting in such open spaces. Further, the Planning Obligations Supplementary Planning Document also allows for new developments located within 200 metres of the identified Green Grid to make contributions towards the enhancement of the Green Grid. Urban Greening and biodiversity improvements to open spaces can also be funded by the Community Infrastructure Levy and also by

developer contributions pursuant to the Planning Obligations Supplementary Planning Document as appropriate in the circumstances.

- 7.4** The Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty).

Linked Reports, Appendices and Background Documents

Linked Report

- List any linked reports
- State NONE if none.

Appendices

- Environment and Community Safety Scrutiny Challenge Session Report: Examining the Council's Air Quality Commitments and impacts on residents' health outcomes

Officer contact details for documents:

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