

Report to Overview & Scrutiny Committee



Date of meeting: 16 Jan 2023

Portfolio: Technical Services (Cllr K Williamson)

Subject: Draft Air Quality Action Plan

SCRUTINY



Officer contact for further information: Mandy Thompson 01992 564076

Democratic Services Officer: Laura Kirman (01992 564273)

Decisions Required:

- 1. To consider and comment on the draft Air Quality Action Plan in Appendix 1; and**
- 2. To agree that the proposed draft Air Quality Action Plan can go out to public consultation for a period of four weeks between January and February 2023.**

Reasons for Decisions:

- To ensure that members are kept up to date on the progress of the draft Air Quality Action Plan
- The Air Quality Action Plan is required as part of the Council's statutory duty within the Local Air Quality Management framework.
- The process to develop the Air Quality Action Plan is prescribed in law and requires a public consultation exercise before submitting to Defra for approval and subsequent adoption by Council.
- The Environment Act 2021 includes provision for additional air quality objectives related to particulate matter which have not been previously included in the national framework. The proposed draft AQAP reflects this addition.
- The proposed draft AQAP seeks to improve air quality in the District and support the aims of our Climate Change Action Plan and our work around improving air quality for the Epping Forest Special Area of Conservation.

Other Options for Action:

To not to agree that the draft Air Quality Action Plan can be published for public consultation. This would result in a delay in meeting our statutory duties.

Executive Summary

This report provides Cabinet members with a draft Air Quality Action Plan (AQAP), which we are seeking approval to release for a four-week public consultation between the months of January and February 2023. The intention is that after a public consultation and any updates arising from it, a final AQAP will be presented to Cabinet for endorsement and adoption.

For context, air pollution has major health impacts on human health and any authority who has a declared Air Quality Management Area (AQMA) for pollution exceedances, has a statutory duty to produce an AQAP with a list of measures aimed at addressing the AQMA. Our District currently has one AQMA declared near the B1393/ Theydon Road junction at Epping, Bell Common for nitrogen dioxide (NO₂). Additionally, whilst we currently do not have any AQMA's declared for particulates (PM₁₀ and PM_{2.5}), the Public Health Outcomes Framework (PHOF) indicator that looks at the fraction of mortality attributable to long-term exposure to PM_{2.5} calculates that our District is above the England average.

This draft AQAP has been developed to not only address our statutory obligations relating to our AQMA, but also improve air quality in our District as well as support the aims of our Climate Change Action Plan and our work around improving air quality for the Epping Forest Special Area of Conservation.

The draft AQAP supports our Council corporate objectives:

- Reduce our carbon footprint across the District and within our council by working to reduce emissions, offsetting pollution by increasing tree planting including through new housing developments and community initiatives.
- Ensure all residents have the opportunity to lead healthy and fulfilling lives by delivering the objectives of the joint Health and Wellbeing Strategy and working with our colleagues in the NHS.

It also links to the environmental and sustainable travel Policies T1, DM 2 and DM15-22 in the Emerging Local Plan.

Report:

1. Exposure to nitrogen dioxide (NO₂) and particulates (PM₁₀, PM_{2.5}) can cause significant harm to human health and cost the economy billions. The annual mortality of human-made air pollution in the UK is roughly equivalent to between 28,000 and 36,000 deaths every year. It is estimated that between 2017 and 2025 the total cost to the NHS and social care system from exposure to these pollutants will be £1.6 billion. Air pollution can cause and worsen health effects in all individuals, particularly society's most vulnerable populations. Long-term exposure to air pollution can cause chronic conditions such as cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy. Short-term increases in levels of air pollution can also cause a range of health impacts, including effects on lung function, exacerbation of asthma, increases in respiratory and cardiovascular hospital admissions and mortality.
2. The local air quality management (LAQM) regime is the statutory process by which local authorities monitor, assess and act to improve local air quality. The LAQM framework requires local authorities to regularly review and assess air quality in their areas and to determine whether the air quality objectives (expressed as concentration limits) set out in the Air Quality (England) Regulations 2000 (2002 as amended) are likely to be achieved. Where exceedances are considered likely, the local authority must then declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place to bring air pollution to within limits by addressing the issues identified. The Environment Act 2021 includes provision for additional air quality objectives related to particulate matter which have not been previously included in the Local Air Quality Management regime.
3. Air quality in the District in relation to human health is generally good with nitrogen NO₂ and PM₁₀ levels below the UK legal limit value for these pollutants. The District does have one AQMA declared for exceedances of the 1 hour mean and annual mean for NO₂ near the B1393/ Theydon Road junction at Epping, Bell Common attributed to vehicle emissions.
4. Whilst air quality is generally good in the District, the Public Health Outcomes Framework (PHOF) indicator that looks at the fraction of mortality attributable to long-term exposure to PM_{2.5} calculates that our District is above the England average. It also calculates that the District also has a higher fraction of mortality as compared to some of our neighbouring Essex Authorities. This PHOF indicator is used by our public health colleagues when producing the Joint Strategic Needs Assessment.
5. In response to the Bell Common AQMA and the PHOF indicator, this draft AQAP has been produced outlining the actions we will take to improve air quality not only within our AQMA but throughout the District between 2023 to 2028. Its measures will also have an added

benefit of helping to improve air quality around the Epping Forest Special Area of Conservation and support the measures within our Climate Change Action Plan.

6. Along with its proposed measures, the draft AQAP also includes air quality focus areas (AQFA) with respect to PM_{2.5} exposure. By using a pilot tool developed by the UK Health Security Agency, the draft AQAP has identified wards within the District with a high air pollution vulnerability score with respect to PM_{2.5}. The AQFA's will help us further target the measures within the draft AQAP and assist in lowering our PHOF score.
7. The format of the AQAP is constrained by Defra guidance which has a set list of measures/themes that authorities must consider within their plan. As the primary sources of pollution in our District are from vehicles and building emissions, the measures within the draft AQAP look at reducing these emissions via 6 priority themes:
 - Alternatives to private vehicle use/ promoting low/zero emission transport
Key measures include:
 - Continue providing a demand responsive transport service
 - Work with ECC and developers to ensure the provision of infrastructure to support walking, cycling and public transport use
 - Work with ECC to ensure schools have travel plans and encourage the use of Modeshift STARS programme
 - Environmental Permitting and other regulatory measures
Key measures include:
 - Continuing environmental permitting activities throughout the District
 - Continue to promote and enforce anti idling
 - Ensure Smoke Control areas are promoted within the borough and enforced when necessary
 - Freight and Delivery Management
Key measures include:
 - Introduce a Local Plan policy requiring submission and implementation of Routing Management Plans (for construction and operational phases) to manage the sustainable delivery of goods and materials
 - Offer free annual car checks to Council members
 - Work with ECC to lower bus emissions
 - Policy Guidance and Development Management
Key measures include:
 - Ensure air quality is taken into account as a material consideration in planning decision making
 - Assess the feasibility of introducing air quality neutral planning guidance for developments
 - Ensure large developments have and follow a construction management plan
 - Promoting Low Emission Plant
Key measures include:
 - Increase the amount of EV charge points in the District
 - Assess the suitability of heat pumps, solar PV and solar thermal on council owned sites
 - Installation of energy efficiency measures in low income, low efficiency homes using grant funding
 - Public health, awareness raising and monitoring
Key measures include:
 - Work with our Public Health colleagues to increase awareness of air quality around our District
 - Conduct air quality audits at schools around our District
 - Continue to monitor air quality throughout the District for both human health and the EFSAC
8. The draft AQAP is supported by the Council's corporate objectives:
 - Reduce our carbon footprint across the District and within our council by working to

reduce emissions, offsetting pollution by increasing tree planting including through new housing developments and community initiatives.

- Ensure all residents have the opportunity to lead healthy and fulfilling lives by delivering the objectives of the joint Health and Wellbeing Strategy and working with our colleagues in the NHS

Programme for Consultation

9. The measures within the draft AQAP will require a whole organisation approach and teams within our organisation have been consulted on the measures within the draft AQAP to ensure they are appropriate and deliverable. External parties such as Essex County Council and Qualis Group have also been approached as some measures cross over to their remit and require partnership working.
10. The draft AQAP consultation will be promoted for a four-week period between January and February 2023 via social media platforms, direct email and our council website. We will also reach out to local community groups to assist with those who may not have access to digital forms of communication. A hard copy of the draft Air Quality Action Plan will also be provided to those who request it and one will also be available on request at the Civic Office.

Statutory consultees will include:

- Neighbouring authorities
- Essex County Council
- The Conservators of Epping Forest
- Parish and Town Councils
- Defra

Outside of our statutory consultees, we will also aim to consult with:

- local businesses and organisations
- resident associations and societies
- educational facilities
- parent groups
- community groups
- council staff
- those on our EFDC databases

11. It should be noted that some of the measures within the draft AQAP may change following feedback from this committee, further comments from teams within our organisation and the public consultation phase.

Appendices: Appendix 1, draft Air Quality Action Plan

Resource implications:

The work to support the draft Air Quality Action Plan is covered by the Environmental Health Team.

Legal and Governance Implications:

Currently with Legal

Safer, Cleaner, Greener Implications:

The draft Air Quality Action Plan aims to improve air quality in the District whilst also supporting our Climate Change Action Plan and help support our commitment to improve air quality around the Epping Forest Special Area of Conservation.

Consultation undertaken:

Informal engagement has taken place between EFDC officers Qualis Group and ECC officers.

Background Papers:

None

Risk Management:

If the Council does not produce a new Air Quality Action Plan, we will not be meeting our statutory requirements and further action can be considered by Defra. There will also be a reputational damage to consider should the Council not move forward with producing a new AQAP.

Equality Impact Assessment

Under s.149 of the Equality Act 2010, when making decisions, Epping District Council must have regard to the Public Sector Equality Duty, ie have due regard to:

- eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
- advancing equality of opportunity between people who share a protected characteristic and those who do not,
- fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

Section 1: Identifying details

Your function, service area and team: **Regulatory Services - Environmental Health Team**

If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: N/A

Title of policy or decision: Draft Air Quality Action Plan

Officer completing the EqIA: Tel: 01992 564063 Email: bstalabrass@eppingforestdc.gov.uk

Date of completing the assessment: 23 December 2023

Section 2: Policy to be analysed

2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p>No</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision):</p> <p>To ensure that members are briefed on the requirement for an Air Quality Action Plan.</p> <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)?</p> <p>Members agree to allow the draft AQAP out for public consultation.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none">• service users• employees• the wider community or groups of people, particularly where there are areas of known inequalities? <p>The report is to provide an overview of the Draft Air Quality Action Plan to be approved for public consultation. This decision will not affect any group at this stage as it is being recommended that the draft guidance documents should be subject to consultation.</p> <p>Will the policy or decision influence how organisations operate?</p> <p>No</p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>No</p>
2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>The draft AQAP provides a direct positive contribution to the stated Council Objectives.</p> <ul style="list-style-type: none">• Reduce our Carbon Footprint across the district and within our council.• Ensure the residents have the opportunity to lead healthy and fulfilling lives.

Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	What does the information tell you about those groups identified? The current position affects the District as a whole.
3.2	Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision? No, they will be consulted once the draft AQAP is approved for public consultation.
3.3	If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary: As soon as it passes the Scrutiny stage.

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Positive, will contribute to improved health outcomes across the district and within known areas of deprivation.	M
Disability	Positive, will contribute to improved health outcomes across the district and within known areas of deprivation, specifically those with respiratory conditions but not exhaustively.	M
Gender	Neutral	L
Gender reassignment	Neutral	L
Marriage/civil partnership	Neutral	L
Pregnancy/maternity	Positive, will contribute to improved	L

	health outcomes.	
Race	Neutral	L
Religion/belief	Neutral	L
Sexual orientation	Neutral	L

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqIA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No X	
		Yes	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.
Digital engagement may be more challenging for some groups who are less digitally connected.	Connect with community groups and agencies who are able to assist us in reaching out to these people. We will also provide a paper copy of the draft Plan to anyone who requests it. One will also be held at the Civic Office.	Jan-Feb 2023

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service:

Date:

Signature of person completing the EqIA:

Date:

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqIA you undertake to the director responsible for the service area. Retain a copy of this EqIA for your records. If this EqIA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.