

**Name of meeting: Economy and Neighbourhoods Scrutiny Panel**

**Date: 21 March 2019**

**Title of report: Air Quality**

**Purpose of report**

To advise and inform the E&N Scrutiny Panel of the progress and approach of the preparation of Kirklees Council's Air Quality Strategy and Action Plan.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	<b>not applicable</b>  <b>If yes give the reason why.</b> For Scrutiny
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a></b>	<b>not applicable</b>  <b>If yes also give date it was registered</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>not applicable</b>  <b>If no give the reason why not</b> Report is for scrutiny call in
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>  <b>Is it also signed off by the Service Director (Finance)?</b>  <b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>Karl Battersby</b> <b>Rachel Spencer-Henshall</b>
<b>Cabinet member <a href="#">portfolio</a></b>	<b>Councillor Naheed Mather</b> <b>Councillor Mussarat Khan</b>

**Electoral wards affected: ALL**

**Ward councillors consulted:**

**Public or private: Public**

**No personal information contained in report.**

## 1. Summary

Air Quality is a term given to problems associated with pollution emissions to the atmosphere which have a harmful effect on human health and wellbeing. In general terms the pollutants of concern are Nitrogen Dioxides (NO<sub>2</sub> or NO<sub>x</sub>) and fine Particulates (PM<sub>10</sub>, PM<sub>2.5</sub>), amongst others such as Sulphur Dioxide, Ammonia, Ozone, Carbon Monoxide and Volatile Organic Compounds (not methane).

Air Quality in this context does not refer to the emissions of 'Greenhouse Gases' such as Carbon Dioxide or Methane, amongst others. Greenhouse Gases cause climate change over the longer term and are a chronic problem, however, Pollutants which lead to poor Air Quality cause harm to people exposed to harmful levels now and is an acute problem.

The sources of these emissions are from human activity and the main causes are Road Transport, Industrial Emissions, Energy Production, Agriculture, Non-Road Transport & Domestic Heating.

The health effects caused by poor air quality are asthma, respiratory illnesses, heart disease and shorter life expectancy. People who are elderly, have long term conditions, children and pregnant women are most at risk.

Actions to reduce pollution emissions and improve air quality need to be taken by national governments however, some actions need to be at a local level as Local Authorities and their Partners can influence some of the sources of pollution (local road transportation, some industrial emissions, domestic solid fuel burning. It is the Local Authorities responsibility to measure the levels of Air Pollution under the Environment Act 1995. The World Health Organisation set limits for pollutant levels, which are used by national governments in legislation.

Kirklees Council monitors Air Quality at around 80 sites across the district. Over the past 10 years Officers have identified 10 individual sites where pollution levels have been breached. As a result the Local Authority is duty bound to declare these areas as Air Quality Management Areas (AQMAs), which then requires the Authority to produce an Action Plan setting out the measures the Authority will take to reduce emissions and improve Air Quality in those areas and more generally in the district. The Action Plan is a statutory document required by law and is submitted to the Government for review and acceptance.

Kirklees Council declared 7 new Air Quality Management Areas in 2017 and intends to declare 1 new AQMA in 2019 Officers are currently producing a new Five Year Action Plan for Kirklees which is due to submission to Government for April 2019. Kirklees had 2 Action Plans associated with the 2 AQMAs declared in 2008 and 2009.

Local Authorities are also required by law to submit an annual report to Government setting out the previous year's monitoring activity, report on progress of any Action Plan which is in place and its intention to declare or remove any Air Quality Management Areas. This is the Annual Status Report (ASR) and is a statutory document.

Given the local and national interest in Air Quality and the immediate problems facing human health and wellbeing - Kirklees Council Members requested at Full Council that the Authority had an Air Quality Strategy. It is not a legal requirement to have a Strategy. The Air Quality Strategy will sit alongside the Action Plan setting out in general terms the problems faced by Kirklees and it's residents and business, the actions the Authority has already taken on improving and monitoring Air Quality, actions it is currently taking, future plans as well as what the public can do to improve Air Quality. The detailed improvement measures will be in

the Action Plan, detailed information on monitoring will be reported in the Annual Status Reports.

The production of the Strategy and Action Plan has been a collaborative process led by Environmental Health and Public Health Officers involving almost all departments of the Authority and Council Partners.

For more detailed information on Air Quality, Pollutants and Health Effects please refer to the presentation linked to this report.

## **2. Information required to take a decision**

This report and the presentation aim to set the scene regarding Air Quality, the national and local Policy, Kirklees Council's approach to complying with its legal duties and the future plans of Kirklees Council in tackling Air Quality in the District for the consideration of the Scrutiny Panel.

## **3. Implications for the Council**

### **3.1 Working with People**

For improvements to be made of pollution emissions we will have to work with members of the public and business as poor air quality is caused by human activity, such as light private vehicles as well as commercial light and heavy goods vehicles driving on the road, industrial emissions or how we choose to heat our homes. There is very limited legislative tools available to the local authority – so the Council will have to influence and change behaviour of the public at large using soft measures and leading by example.

The Strategy and Action Plan has working with people at its core. The delivery of the Strategy and Action Plan will involve a number of measures within the working with people strand of the Council's overall Corporate Plan. Some of this will be informing and bringing people along with us, however, some will require enforcement activity where people are not doing as they are required – such as pollution incidents and where the law is broken.

At the current stage of production of the Strategy and Action plan no consultation has occurred – however – formal consultation of the document is necessary and will occur before submission to Government and/or adoption by the Council. Up to now the Action Plan and Strategy has focused on the technical aspects of the documents and identifying what measures, including working with people are feasible.

### **3.2 Working with Partners**

Working with Partners is essential in improving Air Quality as actions the Council can take is will not improve Air Pollution enough to have a positive impact on health outcomes.

In developing the Strategy and Action Plan officers have engaged with a number of partners, both within and outside of the Council. Meetings and engagement sessions have been conducted to examine and explore what internal and external partners can do to improve air quality.

Internal Partners:

- Public Health
- Planning
- Strategic Transportation
- Investment and Regeneration (Carbon Reduction)

- Highways
- Fleet Management
- People Services
- Communications
- Procurement
- Property Services
- Ward Members in affected Wards

The main external partners:

- West Yorkshire Combined Authority
- Highways England
- NHS and Health Partners
- Huddersfield University
- Our neighbouring local authorities

We will be engaging directly with Local Business Organisations as part of the formal consultation process of the action plan.

### **3.3 Place Based Working**

Having a Place Based Working approach is necessary for delivery of the Action Plan and Strategy as measures that are appropriate in one location will not be appropriate in another. Officers have examined each area and assessed what is the most appropriate action(s) in that area – we are not just taking broad bush district wide measures.

The Action Plan is broken down into the individual areas in which AQMAs exist as well as district wide measures. The section which looks at the individual AQMA takes into account the local environment and what is appropriate for that area.

### **3.4 Improving outcomes for children**

As Children are one of the affected groups of poor air quality – any improvements in Air Quality will improve the Outcomes for Children.

### **3.5 Other (eg Legal/Financial or Human Resources)**

There are Legal implications for the Council if it does not agree and submit the Action Plan to Government on time. There is no legal requirement for a Strategy. As the UK as a whole is not complying with European Directives on Ambient Air – there is a possibility that the EU may fine the UK for non-compliance. UK national Government have advised in the past that it would pass on these fines to Local Authorities who are not complying with their obligations.

Internal Human Recourses measures are included in the Action Plan – as activity of the Council's Officers going about the Council's business causes pollution emissions. However, these measures are not anticipated to cause and Human Resources issues and collaboration with People Services is part of the Action Plan preparation.

Financial Implications for the Council – measures to tackle AQ cost money to implement – whether this is capital investment in changes in infrastructure such as new road lay outs or improved traffic signals, investment in monitoring and measurement equipment. Soft measures to influence behaviour change is resource intensive – such as officer time/materials etc. The Action Plan has been written in a way which obligates the Council to spend resources on actions which have already have budget commitments. However,

these committed measures will not go far enough to tackle the problem. The Action Plan may also contain financially uncommitted measures which the Council will take if the resources are available – such as through a new budget commitment or external funding such as a grant award. Once the Action Plan is accepted – detailed proposals will be brought forward for consideration within the Councils' normal decision making and governance procedures.

#### **4. Consultees and their opinions**

Ward Councillors have had the opportunity to engage in the process and a number of meetings on a ward by ward basis have already occurred. The outcome of the Ward level discussions have fed into the actions within the Action Plan where relevant and possible.

There will be a formal consultation of both the Action Plan and Strategy as required by the Environment Act 1995.

#### **5. Next steps and timelines**

This report and associated presentation is submitted to Scrutiny for their consideration.

During March to May the Action Plan and Strategy will be going through the Council's decision making and governance procedures for submission to Government.

#### **6. Officer recommendations and reasons**

N/A

#### **7. Cabinet portfolio holder's recommendations**

Portfolio Holder has been briefed and agrees with the report to be submitted to Scrutiny in this format.

#### **8. Contact officer**

##### **MARTIN WOOD**

Operational Manager  
Public Protection Service  
Environment Services  
Directorate of Economy and Infrastructure

##### **LUCY WEARMOUTH**

Public Health Manager – Wider Factors  
Public Health  
Directorate of Public Health & Corporate Strategy

#### **9. Background Papers and History of Decisions**

Draft Air Quality Strategy  
Air Quality Scrutiny Presentation

#### **10. Service Director responsible**

Karl Battersby – Strategic Director of Economy and Infrastructure  
Rachel Spenser-Henshall – Strategic Director of Public Health and Corporate Strategy