

**Cabinet 15 May 2017**

**Lambeth Air Quality Action Plan 2017-2022**

**Wards:** All

**Portfolio:** Councillor Jennifer Brathwaite, Cabinet Member for Environment and Housing

**Report Authorised by:** Sue Foster, Strategic Director, Neighbourhoods and Growth

**Contact for enquiries:**

Andrew Round, Sustainability Manager [ARound@lambeth.gov.uk](mailto:ARound@lambeth.gov.uk), 020 7926 1253

**Report summary**

In 2007 Lambeth declared itself an Air Quality Management Area (AQMA) for Nitrogen Dioxide and Particulate Matter. Both these pollutants are harmful to human health, and especially to the very young and old, and those suffering from heart and lung conditions. Urgent action is needed to improve air quality and to reduce our citizens' exposure to air pollution. Lambeth has therefore written a new Air Quality Action Plan (AQAP) attached as Appendix 1, which is a statutory duty as an AQMA. There was a three month consultation regarding the new plan with citizens and all statutory consultees from 15 August until 15 November 2016. The majority of feedback from the consultation was positive and any suggestions have been added into the document wherever possible. The Cabinet is now recommended to formally adopt our Air Quality Action Plan 2017-2022, after which it will be submitted to the Mayor of London to be ratified as per London Local Air Quality Management policy guidance.

**Finance summary**

The funding available to cover the full five year cost of the project for the period 2017-2022 is £335,000. The total cost to deliver the plan is £207,000. The total difference between the funding and expenditure is £128,000, this is for project contingencies. The funding will come from the following sources; Sustainability Budget of £155,000, London Improvement Plan (Air Quality) of £100,000, London Improvement Plan (TFL) of £20,000 and Defra 2015/16 underspend (held in reserves) of £60,000. The cost of the plan has been based on a benchmarking exercise with other London Boroughs and quotations.

**Recommendations**

1. To formally adopt the Lambeth Air Quality Action Plan 2017-2022 (Appendix 1)

## **1. Context**

- 1.1 Public Health England estimates up to 112 deaths a year in Lambeth alone are attributable to air pollution<sup>1</sup>. Citizens living in deprived areas are more likely to be exposed to poor air quality as they are often near busy roads where accommodation is cheaper. The young are disproportionately affected by air pollution as their lungs are still developing and often young people spend more time outdoors. Older citizens are more likely to suffer from heart and lung conditions, which are aggravated further by air pollution.
- 1.2 Lambeth is an AQMA for Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter 10 (PM<sub>10</sub>). At present road transport is the main source of pollution in Lambeth. The north of the borough has the worst levels of pollution, mainly Waterloo and Vauxhall, and also principal roads, such as the A23 and the South Circular. The other major sources of emissions in Lambeth include those from: residential and commercial premises, which mainly relate to gas boilers used for space and water heating; and construction sites, including dust and machinery emissions, from sites such as Nine Elms.
- 1.3 AQAP also realises the three strategic objectives in our Community Plan: Inclusive Growth by increasing sustainable transport and sustainable construction in the borough; Strong and Sustainable Neighbourhoods by making our streets cleaner, greener and healthier places to be; and Reducing Inequality by reducing the disproportionate effects of poor air quality on the very old, the very young and people on low income.

## **2. Proposal and Reasons**

- 2.1 It is recommended that Cabinet approves the Air Quality Action Plan 2017-2022. The plan has been written using the suggested London Local Air Quality Management template and we have consulted with residents and all statutory consultees. Changes have been made to the document wherever possible following the consultation with citizens' suggestions. The majority of feedback from the consultation was positive.
- 2.2 Like all London boroughs, Lambeth is part of the London Local Air Quality Management system. After Cabinet approves the Air Quality Action Plan, the document will be formally submitted to the Mayor of London to be officially recognised as our new Plan. An officer from the Greater London Authority (GLA) has already read the plan and their recommended changes have been incorporated into the document.

## **3. Finance**

- 3.1 The funding available to cover the full five year cost of the project for the period 2017-2022 is £335,000. The total cost to deliver the plan is £207,000. The total difference between the funding and expenditure is £128,000, this is for project contingencies. The funding will come from the following sources; Sustainability Budget of £155,000, London Improvement Plan (Air Quality) of £100,000, London Improvement Plan (TFL) of £20,000 and Defra 2015/16 underspend (held in reserves) of £60,000. The cost of the plan has been based on a benchmarking exercise with other London Boroughs and quotations.

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<sup>1</sup> Public Health England: Estimating Local Mortality Burdens associated with Particulate Air Pollution, April 2014

- 3.2 The table below outlines the available funding and expenditure to deliver the Air Quality Action Plan. Please see appendix 4 for a detailed breakdown.

Budget		Expenditure		Difference	
Funding	£	Action Points	£	Reason	£
Sustainability Budget	155,000	2.1, 7, 12.2, 15.1, 16.1, 16.2, 18, 21.2, 23, 40.1	87,000	The remaining in budget for contingency in case AQ monitoring station needs maintenance ,etc., and/or to use for other projects to be discussed with AQAP Steering Group	68,000
London Improvement Plan (Air Quality)	100,000	33	40,000	The remaining funds earmarked for AQ schools engagement project and building an additional monitoring station	60,000
London Improvement Plan (TFL)	20,000	17.4, 42.2	20,000		0
DEFRA	60,000	37	60,000		
<b>Total</b>	<b>335,000</b>		<b>207,000</b>		<b>128,000</b>

- 3.3 It is a statutory duty to produce an AQAP, as Lambeth is an AQMA. Failure to invest in projects to improve air quality, raise awareness and reduce exposure could result in a large fine from the EU being passed down to Lambeth from central government through the Localism Act 2011.
- 3.4 The Mayor has said that improving air quality is a priority for his administration and he has recently announced that £875m will be made available for air quality until 2021/22.

#### 4. Legal and Democracy

- 4.1 Part IV of the Environment Act 1995 (the Act) requires local authorities to review the quality of air within their area, for the time being and the likely future. Such reviews have to be accompanied by an assessment of whether any prescribed air quality objectives are being achieved or are likely to be achieved. The relevant objectives for this purpose are set out in the Air Quality (England) Regulations 2000 (as amended). These objectives specify:
- 4.1.1 Under section 83(1) of the Act, where any of the prescribed air quality objectives are not likely to be achieved within any part of a local authority's area, the authority concerned must designate that part of its area as an Air Quality Management Area. An action plan covering the designated area will then have to be prepared in accordance with Section 84(2) of the Act, setting out how the authority intends to exercise its powers in relation to the designated area in pursuit of the achievement of the prescribed objectives.
- 4.1.2 When the Borough was designated an Air Quality Management Area, under the Environment Act 1995, the Council prepared an action plan.
- 4.1.3 Under Section 84(3) of the Environment Act 1995 an action plan shall include a statement of the time or times by or within which the local authority in question proposes to implement each of the proposed measures comprised in the plan.

- 4.2 In April 2016 London Local Air Quality Management came into force. The LLAQM Technical Guidance (LLAQM.TG (16)) states that an AQAP has to be updated every five years. For the plan the Mayor is the key statutory consultee, and will need to approve final AQAPs prior to publication. In addition, Schedule 11 requires Lambeth to consult the following on the plan: the Secretary of State, the Environment Agency, TfL, all neighbouring boroughs, other public authorities as the borough considers appropriate, bodies representing local business interests and other persons/ organisations as considered appropriate. It is a statutory requirement to hold a three month consultation on the draft plan.
- 4.3 This proposed key decision was entered in the Forward Plan on 18 November 2016 and the necessary 28 clear days' notice has been given. The report will be published for five clear days before the decision is approved by Cabinet. A further period of five clear days - the call-in period – must then elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

## **5. Consultation and co-production**

- 5.1 The Sustainability team worked with colleagues to write the plan, including officers from public health, planning and transport. The Sustainability team also presented at a Lambeth Business Improvement District (BID) forum and additionally met individually with BIDs to discuss what should be included in AQAP. Furthermore, the Sustainability team advertised in Lambeth Talk and through the Green Champions network that AQAP was being written; a group of residents and pressure groups then attended an evening meeting to discuss the content for the Plan.
- 5.2 The plan has been written based on a template and guidance from the GLA. Sustainability officers have also consulted with colleagues in other councils about what should be included in the plan.
- 5.3 There was a three month consultation from 15 August to 15 November 2016. Residents, businesses and statutory consultees could read a copy of our AQAP on our website and then complete an online feedback form. Furthermore, copies of the plan were available in libraries in the borough with a paper feedback form. The consultation was advertised on Lambeth's webpage, regular tweets from @LambethCouncil, in Lambeth Talk and through the Green Champions network. A letter was sent to all residents living in air quality focus areas and posters were displayed on housing estates. An email was sent to all councillors to inform them of the consultation and there was also a reminder email. There were two open evenings on 15 and 28 September for citizens to ask questions and give feedback in person.
- 5.4 The website included a copy of the plan in full, a summary version and also a Frequently Asked Questions document.
- 5.5 The Sustainability Team attended the Health and Wellbeing Board, which approved the Plan. A sustainability officer also attended an Age UK event to ask for feedback from older citizens.
- 5.6 A report showing the results of the consultation is attached as Appendix 2.
- 5.7 Shirley Rodrigues, the Deputy Mayor for Environment and Energy, has also written to Cllr Brathwaite, Cabinet Member for Environment and Housing, to say regarding our draft AQAP that "this was an excellent plan that Lambeth should be very proud of" and "the plan outlines a range of ambitious

actions to improve air quality. This includes taking on and adapting for Lambeth the majority of the actions recommended for boroughs through the London Local Air Quality Management framework. In addition, it is also commendable that you are also taking forward your own locally derived projects dealing with specific local issues, which is the model approach”.

## 6. Risk management

Risk	Response
LIP funding is stopped due to cutbacks at TfL	This is unlikely to happen as the Mayor has made a commitment to improve air quality and has recently announced more funding
The plan details too much work, and we do not have the money or time to deliver the actions	Finance and all departments with actions in the plan have been consulted to ensure it is deliverable. We have also built financial contingencies into the plan
After the plan is agreed by Cabinet and the Mayor of London, it is forgotten about and not delivered	A Steering Group is being organised to meet every 3 months to monitor the plan and ensure all actions are delivered
Five years is a long time, new problems could emerge and new technologies could be developed, which the Plan does not address	Actions will be added, amended or removed from our AQAP with the approval of the Air Quality Steering Group

## 7. Equalities impact assessment

- 7.1 Citizens living in deprived areas, suffering with heart and lung conditions, and the old and young are disproportionately affected by poor air quality compared to other citizens.
- 7.2 An Equalities Impact Assessment (EIA) is attached as Appendix 3. The EIA highlights citizens disproportionately affected by poor air quality and details mitigating actions.

## 8. Community safety

- 8.1 None

## 9. Organisational implications

None

- 9.1 Environmental

This is an environmental report to help reduce levels of and exposure to Nitrogen Dioxide and Particulate Matter.

## 9.2 Staffing and accommodation

Improving air quality is a priority for Lambeth and all officers need to consider air quality in their day-to-day duties. Training will be provided at induction when new officers join the council, there will also be information on the intranet and in the weekly staff bulletin email to raise awareness.

## 9.3 Procurement

There are a number of actions in the plan regarding procurement, which will help reduce levels of pollution in Lambeth. These actions include reducing the number of diesel vehicles in Lambeth's fleet.

## 9.4 Health

During the three month consultation, the plan was presented at the Health and Wellbeing Board. The Plan supports the aims of the Health and Wellbeing Strategy especially the implementation of "health in all policies" and an action in the plan is to write and then regularly update an Air Quality JSNA.

## 10. Timetable for implementation

- 10.1 Work is already in progress to deliver a number of the actions in the plan. The document also details the deadline when each action will be completed.

<b>Audit trail</b>				
<b>Consultation</b>				
<b>Name/Position</b>	<b>Lambeth cluster/division or partner</b>	<b>Date Sent</b>	<b>Date Received</b>	<b>Comments in para:</b>
Sue Foster	Strategic Director, Neighbourhoods and Growth	27.01.17	20.02.17	
Councillor Jennifer Brathwaite	Cabinet Member for Environment and Transport	17.02.17	21.02.17	
Neil Wightman	Director Housing Services	24.01.17	25.01.17	
Raj Mistry	Assistant Director Neighbourhoods	09.01.17	17.01.17	1.2, 3.1 and 9.2
Kevin Crook	Head of Neighbourhoods	15.12.16	09.01.17	
Doug Black	Interim Assistant Director Planning, Transport and Development	24.01.17	26.01.17	
Sarah Corlett	Interim Director of Public Health	24.01.17	24.01.17	1.3
Rachel Willsher	Head of Procurement	24.01.17	06.02.17	
Dan Murray	Senior Programme Manager, YNTY	24.01.17	24.01.17	
Jonathan Evans	Interim Director of HR and Organisational Development	25.01.17		
Fiona Connolly	Director of Adult Social Care	25.01.17	01.02.17	
Mark Stancer	Director of Children's Social Care	25.01.17		
Hamant Bharadia	Finance	31.01.17	09.03.17	3
Jean-Marc Moccarme	Legal	31.01.17	07.02.17	
Alexander Harris	Democratic Services	31.01.17	09.02.17	4.3
<b>External</b>				

<b>Report history</b>	
<b>Original discussion with Cabinet Member</b>	26.07.16
<b>Report deadline</b>	12.04.17
<b>Date final report sent</b>	22.03.17
<b>Part II Exempt from Disclosure/confidential accompanying report?</b>	No
<b>Key decision report</b>	Yes
<b>Date first appeared on forward plan</b>	18.11.16
<b>Key decision reasons</b>	Meets community impact test
<b>Background information</b>	<a href="http://www.legislation.gov.uk/ukpga/1995/25/part/IV">http://www.legislation.gov.uk/ukpga/1995/25/part/IV</a> <a href="https://www.london.gov.uk/sites/default/files/llaqm_policy_guidance_llaqm.pg_16.pdf">https://www.london.gov.uk/sites/default/files/llaqm_policy_guidance_llaqm.pg_16.pdf</a> <a href="https://www.london.gov.uk/sites/default/files/llaqm_technical_guidance_llaqm.tg_16.pdf">https://www.london.gov.uk/sites/default/files/llaqm_technical_guidance_llaqm.tg_16.pdf</a>
<b>Appendices</b>	<ol style="list-style-type: none"> <li>1. Air Quality Action Plan 2017-2022</li> <li>2. AQAP Consultation Report</li> <li>3. Equalities Impact Assessment</li> <li>4. Finance</li> </ol>