

# London Borough of Bromley

## PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO HOLDER

**For Pre-Decision Scrutiny by the Environment & Community Services PDS Committee on:**

**Date:** Tuesday 17 March 2020

**Decision Type:** Non-Urgent Executive Key

**Title:** DRAFT AIR QUALITY ACTION PLAN

**Contact Officer:** Joanne Stowell, Assistant Director of Public Protection  
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**Chief Officer:** Colin Brand, Director of Environment and Public Protection

**Ward:** (All Wards);

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### 1. Reason for report

This report seeks agreement to undertake public consultation on the draft Air Quality Action Plan (AQAP) 2020-25 “the draft plan”.

The draft plan contains revisions including a proposed extension of the current Air Quality Management Area (AQMA) which was declared in 2007(Appendix A). The proposed extension incorporates those areas where the annual mean of the London air quality objective for nitrogen dioxide, (NO<sub>2</sub>) is exceeded.

The draft plan (Appendix B) also incorporates the Greater London Authority (GLA) derived air quality matrix; this contains the 25 actions points for boroughs to consider delivering locally as part of their London Local Air Quality Management action planning obligations (Appendix C).

The draft plan will replace the current plan which was adopted in 2010, and the revisions have been made in accordance with the London Local Air Quality Management Technical Guidance 2019 (LLAQM TG 19), that supports London boroughs in carrying out their duties under the Environment Act 1995 and connected regulations.

### RECOMMENDATION(S)

**The Portfolio holder is asked to:**

1. Agree that the revised Air Quality Management Area, as set out in the report and detailed at Appendix A, be approved.

2. Agree that the Draft Air Quality Action Plan 2020 - 2025 (Appendix B) be approved for a 2 stage consultation process as set out at paragraph 3.31.
3. Receive feedback following the full consultation at the next meeting on 9<sup>th</sup> September 2020
4. Agree that the Director of Environment and Public Protection, in consultation with the Portfolio Holder for Environment, approve any minor changes required to the Action Plan arising from the GLA's approval process.
5. Approve the final version of the AQAP for adoption by Executive on 16<sup>th</sup> September 2020

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Poor air quality contributes to shortening life expectancy and disproportionately impacts on the most vulnerable population, in particular the young and elderly. The aim of the plan is to put measures in place to improve the health and wellbeing of everyone living and working in Bromley.
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## Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres Healthy Bromley Regeneration:
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## Financial

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Environmental Protection
  4. Total current budget for this head: £185k
  5. Source of funding: Revenue budget 2019/20
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## Personnel

1. Number of staff (current and additional): Not Applicable
  2. If from existing staff resources, number of staff hours: Not Applicable
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## Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Applicable
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## Procurement

1. Summary of Procurement Implications:
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough Wide
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

## **3.0 COMMENTARY**

### **The Framework**

- 3.1 As part of the UK National Air Quality Strategy, the Environment Act 1995 requires Local Authorities to declare Air Quality Management Areas at locations where air quality does not meet the Air Quality Objective (AQO) limits for certain pollutants.
- 3.2 In 2016 the Mayor of London introduced the London Local Air Quality Management system for London (LLAQM). Although the statutory framework outlined by National Air Quality regulations and Part IV of the Environment Act remains, the London specific local air quality management policy and technical guidance has been refined to reflect the unique challenges, and opportunities, faced by local authorities in London. All boroughs are now required to work in accordance with this new guidance.

### **The AQOs:**

- 3.3 The table within Appendix A presents the AQOs that London Local Authorities need to achieve. Benzene, 1,3-Butadiene, Carbon Monoxide, Lead and Sulphur Dioxide remain in the regulations, however the limits for these pollutants have been met by Bromley for several years; and these pollutants are no longer reported on. As such, the relevant pollutants that remain for Bromley are: Nitrogen Dioxide (NO<sub>2</sub>), and Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>).
- 3.4 Air quality data is usually presented in one of two ways:
- As an annualised figure – this reflects the average concentrations of a particular pollutant (at a particular monitoring point, or through modelled data), or
  - As the number of hours in a year that pollution levels were above a particular level (at a particular monitoring point, or through modelled data).
- 3.5 The objectives within Appendix A contain limits that should be met for both the average annual exposure, together with daily (24hr) and hourly exposure.

### **Air Quality in Bromley**

- 3.6 According to modelled data from: the Department for Environment Food and Rural Affairs (DEFRA), the GLA and the LAEI, Bromley is the least polluted of all London boroughs for annual average levels of PM<sub>2.5</sub> and NO<sub>2</sub>. Additionally, it has no schools exposed to annual average NO<sub>2</sub> concentrations above the limit stipulated in the AQO. Whilst the GLA modelled data also shows that emissions of NO<sub>2</sub> have reduced since 2010, the annual average concentrations of this pollutant remain a concern for the borough; the actions set out within the matrix will deliver to further reductions of NO<sub>2</sub>, and are proportionate given the local context.

### **The Existing Air Quality Management Area (AQMA)**

- 3.7 Bromley has met all of the AQO's other than the annual mean objective for the pollutant NO<sub>2</sub>. It is a statutory requirement that an AQMA be declared for areas where air quality does not meet the AQO limits for certain pollutants, as a result, one AQMA was declared in 2007 in the north west of the borough due to exceedances of the annual mean for NO<sub>2</sub> (see Appendix A).

### **The Proposed AQMA**

- 3.8 As required by the LLAQM, from 2020 onwards, local monitoring and mapping provided by the GLA must be utilised to review whether any declared AQMAs should be revised. This review was undertaken, and whilst modelled data from the GLA shows an overall decline in the

annual average concentrations for NO<sub>2</sub> since 2010, the data supported an extension to the AQMA. The updated pollution maps within the draft plan clearly demonstrate that the areas of highest pollution are attributable to the strategic and major road networks including the A20 and A21, and it is proposed that the current AQMA be extended across the north of the borough (the top two thirds). The map of the current and proposed AQMA boundaries is shown in Appendix A.

### **The Air Quality Focus Areas (AQFA)**

3.9 The GLA has identified specific AQFAs throughout London, the Focus Areas are described as areas where the risk of exceeding pollution limits is high, there is relevant public exposure and where local authorities are expected to prioritise improvement actions for those emissions which are under their direct control. In Bromley there are two such areas, these being:

- Tweedy Rd A21/High St/Widmore Rd A222
- Croydon Road between Elmers End Green and Croydon Rd.

### **The Draft Air Quality Action Plan (AQAP) “the plan”**

3.10 Where an Air Quality Management Area has been declared local authorities must have a consulted and approved AQAP to reduce the relevant atmospheric pollutant/s within that area so that at some point in the future, the area will meet the national air quality objective limits.

3.11 This draft plan attached at Appendix B, replaces the current action plan that was adopted in 2010; it has been developed in recognition of the legal requirement on the Local Authority to work towards air quality objectives under Part IV of the Environment Act 1995, and relevant regulations made under that part. It meets the requirements of the LLAQM statutory process, by which boroughs are required to monitor, assess and take actions to tackle pollution, supports the extension of the AQMA, and demonstrates the borough’s work towards reducing emissions and concentrations of PM2.5 as now required.

### **The Broad Themes and the Priorities of the Draft AQAP**

3.12 In 2019 there was a revision to the LLAQM air quality matrix; it now contains 25 actions that boroughs are expected to deliver locally as part of their LLAQM action planning. The actions are spread across 7 broad themes; however, as three of these themes are transport related, Bromley’s draft AQAP has combined these three elements and split its commitments across five themes, these being:

1. Monitoring and other core statutory duties;
2. Reducing emissions from developments and buildings;
3. Public health and awareness raising;
4. Reducing emissions from Transport (including, deliveries, servicing, freight and fleet actions); and
5. Localised Solutions.

3.13 In addition to the 25 action points as provided within the air quality matrix, Bromley has also included additional locally appropriate measures. All locally derived actions within the matrix have a letter after their number. The action plan will be included in the final AQAP, but is appended separately at this point (See Appendix C).

## **The Format of the AQAP**

- 3.14 The draft plan is split into two key parts, the first provides the Bromley context; it summarises the key pollutants of concern, describes the health impacts of pollution, provides a summary of air quality in London as a whole, then provides a closer look at pollution in Bromley.
- 3.15 Although NO<sub>2</sub> is the main pollutant in Bromley that exceeds legislative limits (annual mean), the health impacts resultant of the inhalation of fine particulate matter (PM<sub>2.5</sub>) is also addressed within the draft plan. The latest GLA policy requirements have introduced a specific duty for London Boroughs to work towards reducing both emissions and concentrations of PM<sub>2.5</sub> where this is possible.
- 3.16 The second part of the AQAP is the action plan itself, this comprises of the five broad themes together with the air quality matrix, which contains all the actions the council aim to take to meet our statutory requirements and to reduce levels of all pollutants as far as reasonably practicable within the local context.

## **The Air Quality Matrix**

3.17 Within the Air Quality Matrix it lists:

- The action number
- The action name
- The description of the action
- The evidence to support to delivery of the action
- The responsibility and
- The magnitude of benefits (high 3 (borough wide), medium 2 (neighbourhood), low 1 (localised))

## **Consultation and Next Steps**

- 3.18 If the extension of the AQMA is agreed, the boundary will be formally changed following the LLAQM prescribed process.
- 3.19 In formulating the draft AQAP, internal stakeholders have already been consulted and their contributions have been incorporated. Following approval of the draft AQAP, Schedule 11 of the Environment Act 1995 requires that local authorities undertake a consultation. The Mayor of London is the key statutory consultee, and will need to approve final AQAP prior to publication. In addition, Schedule 11 requires boroughs to consult the following:
- The Secretary of State;
  - The Environment Agency;
  - Transport for London (who will provide a joint response with the Mayor);
  - all neighbouring boroughs and/or neighbouring district and county councils;
  - other public authorities as the borough considers appropriate;
  - bodies representing local business interests and other persons/ organisations as considered appropriate.
- 3.20 The consultation will be carried out in 2 stages: the first stage being with the statutory consultees as prescribed in 3.19; this will run for 4 weeks. Once the first stage has completed, responses will be analysed and any appropriate amendments will be made. The amended

draft plan will then be released for the second stage for public consultation. This stage will also run for 4 weeks; the standard communications approach will be used, together with a survey to be published online. Following the conclusion of this stage, the feedback will be considered and the final amendments to the plan will be incorporated as appropriate. At this stage the draft plan must be resubmitted to the GLA for checks and approval before it is approved by the committee or published. Once the approved plan is received, it will be presented to the E&CS PDS for recommendation for adoption by the Executive.

### 3.21 Timetable:

<b>Stage 1: Consultation with Statutory Consultees - 4 weeks</b>	<b>23<sup>rd</sup> March – 20<sup>th</sup> April 2020</b>
<b>Collate responses and Amend as Appropriate</b>	<b>20<sup>th</sup> April – 6<sup>th</sup> May 2020</b>
<b>Stage 2: Public Consultation – 4 weeks</b>	<b>7<sup>th</sup> May – 4<sup>th</sup> June 2020</b>
<b>Collate responses and Produce Final Plan</b>	<b>5<sup>th</sup> June – 19<sup>th</sup> June 2020</b>
<b>Send to GLA for final approval</b>	<b>22<sup>nd</sup> June 2020</b>
<b>Environment E&amp;CS PDS Presentation of Final AQAP</b>	<b>9<sup>th</sup> September 2020</b>
<b>Adoption of Policy – Executive</b>	<b>16<sup>th</sup> September 2020</b>

## 4.0 IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 Summary of Impact: Poor air quality contributes to shortening life expectancy and disproportionately impacts on the most vulnerable population, in particular the young and elderly. The aim of the plan is to put measures in place to improve air quality and improve the health and wellbeing of everyone living and working in Bromley.

## 5. FINANCIAL IMPLICATIONS

5.1 Work associated with producing the AQAP is undertaken by officers within existing budgets and there are no direct additional costs as a result.

5.2 The actions within the AQAP will be taken forward through existing Council work streams within existing resources and commitments, these include: planning development, Section 106 agreements, town centre improvements, Council office upgrades, fleet replacement, contract requirements, partnership work, regulation and enforcement regimes. Where the actions required to secure air quality improvements are transport-related, funding from via the LIP3 (2019-2022) allocation from Transport for London will be utilised where available and as appropriate. Bidding opportunities to secure funding for other further improvements will be sought throughout the timescale of the Plan, such as the Mayor's Air Quality Fund, Liveable Neighbourhoods bids and others where applicable.

## 6. LEGAL IMPLICATIONS

6.1 The Council is under a statutory duty to monitor air quality under part IV of the Environment Act 1995. Further legal implications are set out within the body of the report.

<b>Non-Applicable Sections:</b>	PERSONNEL IMPLICATIONS, POLICY IMPLICATIONS, PROCUREMENT IMPLICATIONS
Background Documents: (Access via Contact Officer)	Air Quality Action Plan 2010