

Report No:  
ES20041

## London Borough of Bromley

### PART ONE - PUBLIC

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

**Date:** Wednesday 9 September 2020

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

**Title:** AIR QUALITY ACTION PLAN 2020-25 CONSULTATION  
RESPONSE AND FINAL PLAN

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

**Ward:** (All Wards);

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1. Reason for report

This report presents a summary of the responses arising from the consultation and the final Air Quality Action Plan as approved by the Greater London Authority (GLA).

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2. **RECOMMENDATIONS:**

The Environment and Community Services Portfolio Holder is asked to:

1. Note the summary of responses received from the consultation (Appendix A)
2. Approve the final version of the AQAP for adoption by Executive on 16th September 2020 (Appendix B)

### Impact on Vulnerable Adults and Children

1. Summary of Impact: Poor air quality contributes to the shortening of 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 Healthy Bromley:
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### Financial

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre:
  4. Total current budget for this head: £185K
  5. Source of funding: Revenue budget 2020/21
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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: Not Applicable
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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. 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.

#### **Air Quality in Bromley**

- 3.3 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).

The objectives within Appendix B (page 6) contain the limits that should be met for both the annual and hourly averages.

- 3.4 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 further reductions of NO<sub>2</sub>, and are proportionate given the local context.

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

- 3.5 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.
- 3.6 This plan 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 PM<sub>2.5</sub> as now required.

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

- 3.7 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 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.

3.8 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 (See Appendix B page).

### Results of the Consultation

3.9 There were 3 main groups of consultees during the development of the Air Quality Strategy and Action Plan, these were:-

- Internal services who will deliver the actions;
- Statutory consultees – required by legislation;
- The public – due to significant public interest in local air quality.

3.10 The draft consultation version of the final AQAP had internal consultation from the action plan delivery service areas as it was being developed. The service areas were re-engaged once the public consultation had concluded, in order that specific comments raised could be addressed, and any necessary changes could be made to the final AQAP.

3.11 It is a legal duty under the Environment Act 1995 and the London Local Air Quality Management Framework to consult specific parties and agencies during the development of any air quality strategies and action plans. Table 1 below represents the statutory consulted and those who provided a response.

**Table 1 Statutory Consultees**

<b>Statutory Consultees</b>	<b>Response</b>
The Secretary of State DEFRA	<b>NO</b>
The Environment Agency	<b>NO</b>
Transport for London	<b>NO</b>
Greater London Authority	<b>YES</b>
Neighbouring Boroughs and Authorities	<b>NO</b>

3.12 The original timetable agreed a two stage approach: the first stage being with the statutory consultees, and the second stage being with the public.

- 3.13 Of the statutory consultees consulted, only the GLA responded. The GLA noted that the AQAP was:
- Well written;
  - Very well laid out;
  - Informative; and
  - Contained lots of good actions;
- 3.14 Notwithstanding the above positive points, they provided constructive comments for improvement prior to formal approval being given. These included:
- Additional details for some actions;
  - Deadlines for actions to included;
  - Targets and KPIs for actions to be included;
  - Firmer/clearer commitments required for some actions (e.g. around the Council's fleet).
- 3.15 The COVID 19 lockdown impacted on the timetable, as such the public consultation did not commence until 25th June 2020; additionally, an extension was agreed, to ensure that residents had enough time to consider the draft plan and respond.
- 3.16 The consultation concluded on the 10th August 2020; in total the public consultation ran for 8 weeks and 5 days, and received 869 responses (826 of these were received via the online survey).
- 3.17 The public were asked for their comments in relation to the proposal, and what other measures they would recommend. All comments were read, and these together with the comments from the GLA were sent back to internal partners for their consideration and response.
- 3.18 Following the conclusion of this stage, the feedback was considered and the final amendments to the plan were incorporated as appropriate, and resubmitted to the GLA for final checks and approval.
- 3.19 On the 27th August 2020 the GLA formally confirmed that the amended AQAP had been approved and could be progressed to the Executive for formal adoption. Specifically they noted:
- It is a well put together, robust plan which demonstrates a good understanding of the specific air quality challenges and solutions in Bromley and aligns with the London Local Air Quality Management requirements. The plan includes all of the Air Quality Matrix actions as well as a number of locally derived actions.*
- 3.20 The key themes and points made by the public were identified and summarised, and these are presented in Appendix B.

### **The Final Format of the AQAP**

- 3.21 The AQAP 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.

- 3.22 Although NO<sub>2</sub> is the main pollutant of concern in Bromley in terms of exceeding legislative limits (annual mean), the health impacts resultant of the inhalation of fine particulate matter (PM<sub>2.5</sub>) are also addressed within the plan. The latest GLA policy requirements have introduced a specific duty for London Boroughs to work towards reducing emissions and concentrations of PM<sub>2.5</sub> where this is possible.
- 3.23 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**

- 3.24 The final matrix has been amended in accordance with GLA suggestions and those of the public where appropriate. Within the Air Quality Matrix it now lists:
- The action number;
  - The action name;
  - The description of the action;
  - The evidence to support to delivery of the action, and the KPIs;
  - The responsibility;
  - The magnitude of benefits (high 3 (borough wide), medium 2 (neighbourhood), low 1 (localised)); and
  - The date actions will be delivered by.

## **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

Summary of Impact: Poor air quality contributes to the shortening of 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  E&C PDS March 17 <sup>th</sup> 2020 Draft AQAP and appendices