

Low Emissions Strategy and Action Plan

Joint Report of the Director, Regeneration and Strategy and Director, Public Health

1. Purpose of Report

- 1.1 The purpose of this report is to agree the Low Emission Strategy 2018-2023, attached as Appendix 1 and agree the Air Quality Action Plan, attached as Appendix 2, for consultation.

2. Need for a decision

- 2.1 Members are asked to agree drafts of the *Calderdale Low Emission Strategy* and high level outcomes and to agree the *Air Quality Action Plan* for public consultation.
 - 2.1.1 This is a new strategy for Calderdale Council and seeks to provide a policy framework and action plan to address the air quality issues in the borough.
 - 2.1.2 These documents have policy and financial implications and require Cabinet approval. The Air Quality Action Plan is a legal requirement.
 - 2.1.3 The Strategy will enable the Council to fulfil its responsibility to support reduction in air pollution and compliance with both EU and UK Directives and to protect public health.

3. Recommendation

It is recommended:

- 3.1 That Cabinet approves the Calderdale Low Emissions Strategy and Air Quality Action Plan for consultation.
- 3.2 That Cabinet receive a further report on the results of consultation prior to final approval of the documents.

4. Background

- 4.1 Most of the UK's current air quality requirements under the law come from the European Union. While the government has indicated that it would continue with current air quality standards after Brexit, the UK, alongside a number of other EU countries, has not met current standards since 2010. The government continues to face sanction from the EU and legal action from organisations such as Client Earth.
- 4.2 A consistent approach from central government has been to emphasise the role of Local Authorities in delivering on air quality objectives, and indeed their potential culpability if targets are not met. Whilst major strategic approaches to tackling air pollution from vehicles undoubtedly requires national action, this report introduces potential local measures that can help deliver cleaner air in Calderdale.
- 4.3 While ambient monitoring in Calderdale indicates that levels of 'particulate matter' are compliant with air quality objectives, the annual mean objective for nitrogen dioxide is currently (2017) being exceeded in seven areas of the Borough. These areas have been declared Air Quality Management Areas (AQMAs) and in each AQMA road traffic is the major contributor to the levels of nitrogen dioxide.
- 4.4 Calderdale's 5 year Low Emission Strategy's aim is to ensure that we improve the air quality in Calderdale to protect both public health and our environment. The evidence points¹ to vehicle emissions as the most significant contributor to poor air quality in Calderdale. For this reason Calderdale's strategy focuses on reducing the volume of traffic, improving the flow of traffic and reducing transport vehicle emissions at source. This will require:
- a significant investment in public transport and infrastructure to support active travel;
 - better use of our highway capacity;
 - development of a 'smart system';
 - introduction of cleaner technologies and supporting infrastructure;
 - and crucially commitment from multiple organisations and the communities of Calderdale.

It will also need continuing complementary action by central government to use policy and spending to accelerate the introduction of cleaner vehicles with less harmful emissions. At the same time individuals and communities will need to make choices to embrace less polluting means of transport.

- 4.5 The Low Emissions Strategy complements the Calderdale Transport Strategy and ambitions for sustainable growth as set out in the Local Plan. It also addresses the need to comply with EU directives and UK Air Quality objectives.
- 4.6 The aim of Calderdale's Air Quality Action Plan 2017 is to identify the specific actions required to deliver against the objectives set out in the Strategy. The previous Action Plan (2009) does not cover all the AQMAs and required revision. Calderdale Council will use its existing powers and work together with other agencies, organisations and the local communities in pursuit of the achievement of

air quality objectives in the declared Air Quality Management Areas (AQMAs) within the district.

- 4.7 Together, the Low Emission Strategy and the Air Quality Action Plan sit within a wider strategic context which will support delivery of the objectives.
- 4.8 The success of this strategy will depend on good governance and a firm commitment across the Council to adhere to the policy whenever practical. Officers are working to understand the detailed implications of delivering against the objectives outlined in these reports. Progress will be monitored by the Air Quality Steering Group and there is clearly a role for Scrutiny Panels.

5. Options considered

- 5.1 In 2009, Calderdale had three declared AQMAs. There are now seven. Not acting now will lead to levels of pollution in the Borough remaining above the air quality objectives. This may result in adverse economic, environmental and public health consequences. Supporting and monitoring the delivery of this strategy and action plan will ensure that we are using the available knowledge and technology available to us to reduce the impact of vehicle emissions and protect public health and our environment.
- 5.2 To not act, may result in the problems in the AQMAs being exacerbated and non-compliance with EU and UK Directives.

6. Financial implications

- 6.1 The introduction of the measures as outlined in the attached reports will have a capital and revenue implication. Officers are working to understand the deliverability and affordability of these measures. Many of the measures are an adaptation of practices and a re-focusing of resources rather than new investment. Funding for any significant expenditure will be sought from 3rd party investment or if necessary, brought back to Cabinet for further consideration. The Council has access to very significant capital spending opportunities through the West Yorkshire Transport Fund and it is essential that these funds are used, inter alia, to take forward the proposals in the attached documents.
- 6.2 Whilst planning and engineering budgets and outcomes can adapt to support this strategy additional resources are likely to be needed to engage residents and the business community to ensure that there is a high level of awareness and ownership of the issue leading to a change in travel behaviour. Without this additional resource, policies and interventions can align with the strategy but the necessary improvements to air quality will likely be delayed. No additional resources are sought however at this stage and this issue will be addressed further in the report back to Cabinet after consultation.

7. Legal Implications

7.1 Since the subject matter relates to statutory requirements, it is not only important that those requirements be fulfilled, but also that the process of achieving this is compliant. This means that the Council has to do the appropriate consultations.

8. Consultation

8.1 The 1995 Act provides the statutory basis for consultation and liaison in respect of Local Air Quality Management (LAQM). Defra (for England authorities, outside of London) is the key statutory consultee under LAQM. Schedule 11 of the 1995 Act also requires local authorities to consult the following:

- Environment Agency;
- Highways England;
- All local authorities neighbouring the local authority in question;
- Any National Park authority as appropriate;
- Other public authorities as appropriate; and
- Bodies representing local business interests and other organisations as appropriate.

8.2 Much of the reporting process under the Environment Act has now been superseded by changes implemented via the Deregulation Act 2015 (e.g. removal of Further Assessments) and the LAQM review. As such, local authorities in England are required to consult on the following:

- Annual Status Report (ASR) - including review and assessment of air quality, progress on Action Plan measures and decisions to declare, revoke or amend (subject to the degree of amendment) AQMAs; and
- Preparation or revision of an Air Quality Action Plan;

8.3 Local Authorities are encouraged to consult widely and consider innovative approaches to engage with their local area. In determining how to consult, local authorities are likely to have regard to the Consultation Principles¹⁵ issued by the Cabinet Office.

9. Environment, Health and Economic Implications

9.1 The implications are discussed in detail in Appendix 1: the Calderdale Low Emission Strategy;

10. Equality and Diversity

- 10.1 The outcomes of this work will not discriminate against any one individual or group but will improve the air quality for all residents and visitors to Calderdale.

11. Summary and Recommendations

11.1 Calderdale Council has a statutory obligation to develop a process for reducing air pollution. The Council has a robust policy framework which sits well within a National Framework for delivering against the objectives in this strategy. The challenges are significant but must not be shied away from if we are to reduce emissions and protect the health and well-being of our communities. The context within which we are delivering against these objectives is favourable.

11.1.1 We are undertaking massive capital expenditure on our highway network and this provides a unique opportunity to act, and act now to deliver against some of the objectives in the Strategy.

11.1.2 Government is introducing measures to support our transition to a low emissions future with financial support for innovation in this area, legislation on diesel and petrol engines, for example.

11.1.3 Our Digital Strategy supports the creation of a smart system for parking, traffic light management and the creation of platforms for future mobility.

11.2 The way to a low emission future is an evolving process and will take a degree of cultural change for both the way we operate and manage our networks, for how we choose to travel and the vehicles we drive.

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The documents used in the preparation of this report are:

1. Local Air Quality Management Technical Guidance (TG16) April 2016 (DEFRA)

2. Local Air Quality Management Policy Guidance (PG16) April 2016 (DEFRA)

and the website <https://laqm.defra.gov.uk/review-and-assessment/review-and-assessment.html>

The documents are available for inspection at: Princess Buildings, Halifax

ⁱ See Air Quality Action Plan 2017