

North Tyneside Council

Report to Cabinet

Date: 23 January 2023

Title: North Tyneside Air Quality Strategy

Portfolio: Environment	Cabinet Member: Councillor Sandra Graham
Report from Service Area: Public Protection	
Responsible Officers: Wendy Burke, Director of Public Health	Tel: (0191) 643 2104
Wards affected: All	

PART 1

1.1 Executive Summary:

This report seeks Cabinet's approval to consult on the draft North Tyneside Air Quality Strategy which is attached to this report at Appendix 1. A further report will be presented to Cabinet at the end of the consultation period seeking approval for the adoption of the Strategy.

North Tyneside is considered to have good air quality and monitoring has consistently shown that it meets the UK air quality objectives. Previously areas that failed to meet these objectives were required to implement an action plan. The introduction of the Local Air Quality Management policy guidance 2022 now requires all local authorities to introduce a Strategy that will identify aims and actions that regulate or encourage reductions in air pollution.

1.2 Recommendation:

It is recommended that Cabinet:

- (1) authorise the Director of Public Health to commence public consultation on the draft North Tyneside Air Quality Strategy attached at Appendix 1 to this report; and
- (2) agree that a further report be received by Cabinet at the conclusion of the public consultation process when Cabinet having regard to any consultation responses will be asked to agree to the adoption of the Air Quality Strategy.
- (3) authorise the Director for Director of Public Health in consultation with the Cabinet member for Environment to approve and publish an Annual Status Report on Air Quality and to submit the report to the Secretary of State on behalf of the Authority.

1.3 Forward Plan:

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 18 November 2022.

1.4 Council Plan and policy framework:

This report relates to the following priorities in the 2021 – 2025 Our North Tyneside Plan:

A caring North Tyneside:

- We will work to reduce inequality, eliminate discrimination and ensure the social rights of the people of North Tyneside are key to council decision making.

A secure North Tyneside:

- We will tackle health and socio-economic inequalities across the borough including through our Poverty Intervention Fund to tackle food poverty.

A green North Tyneside

- We will increase opportunities for safe walking and cycling, including providing a segregated cycleway at the coast
- We will publish an action plan of the steps we will take and the national investment we will seek to make North Tyneside carbon net-zero by 2030.

1.5 Information:

1.5.1 Background

Air quality has an effect on the environment, human health and global warming. The National Clean Air Strategy indicates that air pollution is the top environmental risk to human health in the UK, and the fourth greatest threat to public health after cancer, heart disease and obesity. According to the latest data published in the Public Health Outcomes Framework (PHOF) 5% of deaths in England are attributable to long-term exposure to particulate air pollution.

Poor air quality shortens lives and contributes towards chronic illness as long-term exposure to air pollution can cause chronic conditions such as cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy.

In recognition of the impacts of air quality on health, the Local Air Quality Management (LAQM) policy guidance 2022 ('the guidance') published by the Department for Environment Food and Rural Affairs requires local authorities that have not had to designate an area an 'Air Quality Management Area' and thereafter been required to produce an 'Air Quality Action Plan' to now produce a local Air Quality Strategy for addressing air pollution in their area from 2023. This Strategy is intended to bring together all existing policies and strategies into one comprehensive focused document.

As the Authority has not had to declare an Air Quality Management Area and produce a resulting Air Quality Action Plan, it is one of the local authorities required to produce a local Air Quality Strategy. There is no set format for the Air Quality Strategy and in developing the Strategy the Authority has been able to draw on the content in the last Annual Status Report on Air Quality and other plans such as the Authority's Transport Strategy.

1.5.2 North Tyneside Air Quality Strategy

The guidance encourages local authorities to take early preventative action to improve local air quality, avoid exceedances of the air quality objectives set out in The Air Quality (England) Regulations 2000 and reduce the long-term health impacts associated with air pollution. It is anticipated that this approach will enable local authorities to adopt measures that reduce the need for costly health interventions at a later date.

The Air Quality Strategy is intended to set out the aims of the Authority to maintain and improve air quality and show how collectively the Authority will work to improve air quality. The aims include how to encourage change to achieve good air quality.

As well as setting out actions to reduce pollutants which will improve health, the Air Quality Strategy will set out the actions which will be taken to help to reduce global warming associated from gases such as carbon dioxide, nitrogen dioxide and particulates. The Air Quality Strategy will provide greater focus on how small improvements in air quality will impact public health outcomes.

The Air Quality Strategy links into existing policies including planning, transport and the Carbon Net Zero 2030 policies adopted by the Authority aimed at improving air quality across the Borough. All policies adopted by the Authority must consider the impact on the environment and the Authority recognises the need to reduce its own carbon footprint, and to consider measures that will promote and support a reduction in greenhouse gases. The policies and teams will assist as follows:

- Transport Strategy - aims to reduce congestion and promote cleaner transport.
- Planning Policy - seeks to maintain and improve air quality with the expectation that developers will assess the impact of any development on air quality and the environment and to provide mitigation measures.
- Environmental Health will act as the consultees on reviewing such air quality assessments.
- Public Health will provide an important role in demonstrating how pollutants impact on health and ensure adequate focus given to health inequalities.

Development of the draft Strategy involved the establishment of a steering group made up of officers from different areas of the Authority who are currently involved with actions that contribute towards the improvement of air quality of the Borough. This includes officers from Environmental Health, Public Health, Transport, Planning and Sustainability. The aim of the group was to identify aims and actions that regulate or encourage reductions in air pollution and ensure appropriate mitigation measures are in place to reduce emissions and air quality exposure.

Progress on the Strategy will be reported annually through the Annual Air Quality Status Report which it is proposed will be produced and published by the Director of Public Health.

The draft Air Quality Strategy is attached at Appendix 1. The aims of the strategy are:

- To maintain and improve air quality and health
- To reduce transport related emissions
- To review air quality in planning policy, development and land use
- Reviewing and promoting reductions in emission from industrial processes
- Promoting public health and improving health outcomes linked to air quality
- Encouraging public participation and Informed choices on air quality and health
- To review and promote benefits of carbon Net Zero Action Plan on air quality
- To ensure the Authority works collaboratively.

The Annual Status Report in addition to providing a review of the air quality in the borough, will provide a progress report on the actions set out in the local Air Quality Strategy. The Annual Status Report will consider new or changing sources of emissions and monitoring will be focused on any polluting areas.

The Strategy will be reviewed at least every 5 years.

Annual Status Report

Currently, local authorities have a duty under the Environment Act 1995 to monitor and review air quality against short and long-term exposure objectives and to publish an Annual Status Report that is submitted each year to the Secretary of State. This report has consistently established that the pollutants of main concern in the Borough are fine particulates and nitrogen dioxide that arise from the burning of fossil fuels. Traffic is the predominant source of pollution in the Borough. The monitoring of air quality in North Tyneside between 2017 to 2021 has shown that North Tyneside had no exceedances in the UK air quality objectives set out in the Regulations referred to above.

The Environment Act 1995 requires local authorities to declare an Air Quality Management Area if exceedances in the air quality objectives are found in their area and to produce an Air Quality Action Plan. Although the Authority has not needed to declare an Air Quality Management Area within the Borough, it continues to actively monitor air quality through 29 indicative monitoring sites located in the Borough. The locations are chosen based on potential exposure to high levels of pollutants and are predominantly sites located in residential areas adjacent to roads that have a high traffic flow.

1.5.3 Consultation and public engagement

An engagement period of six weeks from 30 January 2023 to 6 March 2023 will enable responses to be received from those wishing to comment on the draft Strategy.

External engagement will involve consultation with the members of the public, businesses and interest groups with responses reported back to Cabinet at the conclusion of the consultation exercise.

1.6 Decision Options:

The following decision options are available for consideration by Cabinet:

Option 1

Cabinet approve the recommendations at paragraph 1.2 of this report.

Option 2

Cabinet does not approve the recommendations at paragraph 1.2 of this report.

Option 3

To instruct officers to make amendments to the Strategy and to bring a further report to Cabinet for it to consider those amendments before consultation commences.

Option 1 is the recommended option.

1.7 Reasons for Recommended option:

Option 1 is recommended to allow engagement to be commenced which will enable the Authority to have a considered and approved Strategy in place. This will ensure that the Authority meets the requirements set out in the Local Air Quality Management Policy guidance and that the subject of air quality is promoted and remains high on local agendas.

1.8 Appendices:

Appendix 1: Draft North Tyneside Air Quality Strategy 2023- 2028

1.9 Contact Officers:

Joanne Lee, Head of Public Protection, (0191) 643 6901
Frances McClen, Environmental Health Group Leader, (0191) 643 6640
Claire Wilson, Senior Environmental Health Officer Tel. (0191) 6436645
David Dunford, Senior Business Partner, (0191) 643 7027
John Barton, Lawyer, (0191) 643 5354

1.10 Background Information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- 1 Environment Act 1995 as amended by Environment Act 2021
[Environment Act 1995 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1995/24/contents/enacted)
- 2 Local Air Quality Management Policy Guidance (PG22)
<https://laqm.defra.gov.uk/wp-content/uploads/2022/08/LAQM-Policy-Guidance-2022.pdf>
- 3 The Air Quality Strategy for England, Scotland, Wales and Northern Ireland
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69336/pb12654-air-quality-strategy-vol1-070712.pdf

- 4 [UK Clean Air Strategy 2019](#)
- 5 The Air Quality (England) Regulations 2000
- 6 [Equality Impact Assessment](#)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and Other Resources:

There are no financial implications directly arising from the report. The costs of preparing the Air Quality Strategy and the associated consultation arrangements can be met from existing revenue budgets.

2.2 Legal:

The Environment Act 1995 places a legal obligation on the Authority to check air quality in the Borough against objectives for seven air pollutants set out in The Air Quality (England) Regulations 2000. Through the Local Air Quality management (LAQM) system the Authority is also required to assess air quality in the Borough. The Environmental Act 2021 sets out environmental targets for fine particulates, referred to as PM2.5 with an anticipated targets to be met.

The Local Air Quality Management Policy Guidance referred to in the report is not law. However, it is statutory guidance and therefore the Authority must have regard to it. If the Authority does not follow the Guidance it will have to give detailed and cogent reasons for not having done so.

2.3 Consultation/Community Engagement:

2.3.1 Internal Consultation

Internal consultation will take place with Cabinet Members, Members and service areas.

2.3.2 External Consultation

As outlined in section 1.5.3 of the report, an engagement process will commence to allow comments on the draft Air Quality Strategy to be received. An online response form will be available for respondees to make consultation responses as well as written responses via Customer First Contact Centres.

2.4 Human Rights:

There are no human rights implications directly arising from this Strategy.

2.5 Equalities and Diversity:

The Strategy has been drafted having regard to the Authority's Public Sector Equality Duty. An Equality Impact Assessment has been undertaken in relation to the formulation of this Strategy and to inform the consultation process. The Assessment has assessed the potential impact of the Strategy. The consultation process will be undertaken to

ensure that all persons, groups and organisations will have an opportunity to participate, including those with protected characteristics.

2.6 Risk Management:

There are no risk management implications directly arising from this report. Risks associated with delivery of the Authority's Public Protection function are monitored via the Public Health risk arrangements.

2.7 Crime and Disorder:

The Strategy aims to protect air quality in the Borough and identifies legislation that may be utilised to allow financial penalties to be introduced as an alternative to prosecution when dealing with polluters linked to the Clean Air Act. There is the intention to implement this new enforcement option to enable a quicker resolution to pollution issues.

2.8 Environment and Sustainability:

The implementation of an Air Quality Strategy referred to in this report directly supports the goals of the Carbon Net-Zero Action Plan, which itself highlights the reduction in local air pollution as a co-benefit of many interventions aimed at decarbonising different sectors. The proposals set out within the Air Quality Strategy tackle the sources of both local air pollution and climate pollution..

PART 3 – SIGN OFF

- Chief Executive
- Director of Service
- Mayor/Cabinet Member
- Chief Finance Officer
- Monitoring Officer
- Assistant Chief Executive