

North Tyneside Council

Report to Cabinet

Member

Date: 26 June 2023

Title: North Tyneside Air Quality Strategy

Portfolio(s): Public Health and Wellbeing

Cabinet Member(s): Cllr K Clark

Report from Service

Area: Public Health

Responsible Officer: Wendy Burke, Director of Public Health (Tel: (0191) 2104)

Wards affected: All

PART 1

1.1 Executive Summary:

This report seeks Cabinet's approval and adoption of the North Tyneside Air Quality Strategy for 2023-2028 which is attached to this report at Appendix 1.

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

At its meeting on 23 January 2023 Cabinet agreed to the commencement of a six-week public engagement into the draft Air Quality Strategy. The draft Strategy has been developed following the conclusion of the engagement exercise. The comments and responses to the public engagement exercise are set out in Appendix 2 of this report.

1.2 Recommendation(s):

It is recommended that Cabinet:

- (1) Agree the adoption of the North Tyneside Council Air Quality Strategy for 2023–2028 attached as Appendix 1 to this report.
- (2) Note the comments and responses to the Air Quality Strategy in the Engagement Outcome document attached as Appendix 2 to this report.

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 17 March 2023.

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 impacts 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 those local authorities that have not had to designate an area an ‘Air Quality Management Area’ and as a result of doing so 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. The Air Quality 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 within the borough and produce a resulting Air Quality Action Plan, it is now required to produce a local Air Quality Strategy for the first time. There is no set format for the Air Quality Strategy however the Authority has been able to draw on the content of the last Annual Status Report on Air Quality and other relevant plans.

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 with partners to improve 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 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 those related to planning, transport and the Carbon Net Zero 2030 policy 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 Air Quality Strategy links to the policies set out below:

- 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.
- Joint Health and Wellbeing Strategy – aims to tackle health inequalities including those inequalities in exposure to air pollution.

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 quality and ensure appropriate mitigation measures are in place to reduce emissions and air quality exposure.

Progress made on improving the air quality across the Borough after the implementation of Air Quality Strategy, subject to Cabinet's approval, 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 aims of the Air Quality 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
- To reviewing and promote reductions in emission from industrial processes
- To promote public health and improve health outcomes linked to air quality
- To encourage public participation and informed choices on air quality and health
- To review and promote benefits of the Carbon Net Zero Action Plan on air quality
- To ensure the Authority works collaboratively with partner agencies.

The Annual Air Quality 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 of the air quality 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 at housing adjacent to roads that have a high traffic flow.

1.5.3 Consultation and public engagement

A consultation and engagement period of six weeks was undertaken between the 30 January 2023 and 2 March 2023 to enable responses to be received from those wishing to comment on the draft Air Quality Strategy.

External engagement involved consultation with the members of the public, businesses and interest groups via the Authority's engagement hub and sent directly to action groups with an interest in air quality. At the end of the consultation, comments were collated and reviewed.

A summary of the responses is attached to the report at Appendix 2.

There were 115 responses in total, 113 were received via the engagement hub and two from groups that identified themselves as action groups. Chart 1 in Appendix 2 shows the number of respondents who agreed or disagreed with the Strategy and its aims. The results of Chart 1 indicate that the majority of respondents were in agreement with the Strategy and with effectiveness of the proposed actions.

Table 1 of Appendix 2 details the comments and the percentage of responses in agreement and disagreement with the aims of the Strategy and the associated actions required to achieve these aims.

A small percentage of the responses disagreed with the Strategy and its aims due to concerns about perceived increased taxation and the cost of living crisis. The majority of responses agreed with the Strategy aims.

The highest agreement was to the following four aims:

- Aim 1; To Maintain and Improve Air Quality and health
- Aim 2; Reducing transport related emissions
- Aim 3; To review air quality in planning and
- Aim 4; Reductions in fixed source

A total of 60% or above from the total responses received were classified as agreeing or strongly agreeing that the actions for the detailed aims included in the Strategy will be effective. Disagreement was linked to public perception that development occurred on green belt and inadequate travel plans and

infrastructure to cope with development. However, the National Planning Policy Framework (NPPF) and Transport Strategy do consider air quality, sustainability and the need for transport plan and infrastructure. The responses and comments made are shown in Table 1 in Appendix 2.

The public were asked if they considered there were any challenges to the delivery of the Strategy. Table 2 in Appendix 2 details a summary of the comments provided. Seventeen participants considered there was no challenge compared to sixty-two who considered that delivery of the Strategy would be a challenge. The challenges considered ranged from "*not tough enough and need to work faster*" to resistance from the public due to "*cost to council tax payers*" and "*denial*" that air quality is an issue that impact on health.

The comments emphasised the need to show the benefits to the public of the aims of the Strategy and to encourage participation and compliance with the actions stipulated in the Strategy that will improve air quality. Promotion and reporting are a key part of the Strategy and its aims. The focus of Aim 5 of the Strategy is to promote and improve health outcomes linked to air quality.

In consideration of the public consultation, minor amendments were made to the draft Strategy, in particular to clarify the definition of the pollutant fine particulates.

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.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

Option 1 is recommended to 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 the local agendas. The Strategy has been subject to a six week consultation exercise and views expressed during that period have been considered in formulating the final draft document.

1.8 Appendices:

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

Appendix 2: Summary of consultation responses

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, Legal Manager, Governance and Regulatory, Legal Services, (0191) 643 5354

1.10 Background information:

1 Environment Act 1995 as amended by Environment Act 2021

[Environment Act 1995 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1995/42)

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-voll-070712.pdf

4 [UK Clean Air Strategy 2019](#)

5 The Air Quality (England) Regulations 2000

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 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 has taken place with Cabinet Members, Members and service areas.

2.3.2 External Consultation/Engagement

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

In total 115 responses were received from a wide range of respondents. A summary of the responses received, and amendments made to the Strategy is attached at Appendix 2.

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 ensured that all persons, groups and organisations had 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 X
- Director(s) of Service X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Assistant Chief Executive X