

# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of Deputy Chief Executive (Place)

to  
Cabinet

on  
6<sup>th</sup> November 2018

Report prepared by Carl Robinson, Director of Public  
Protection

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## Adoption of a Low Emission Strategy (part of the Air Quality Action Plan)

Cabinet Member: Councillor Mark Flewitt

### Part 1 (Public Agenda Item)

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#### 1. Purpose of Report

To seek adoption by Cabinet of the Low Emission Strategy (“the Strategy”). The policy contained in the Strategy aims to improve health outcomes through reducing emissions from transport and supports sustainable development across Southend on Sea Borough Council. The Strategy is an integral part of the Council’s Air Quality Action Plan for Air Quality Management Area No. 1 (**Appendix 1**). See Cabinet report 18/029 (**Appendix 2**)

#### 2. Recommendations

It is recommended that Cabinet approves and adopts the Low Emission Strategy contained in **Appendix 3**.

#### 3. Background

Taking action to improve air quality is crucial in order to improve the health of the population. There is growing evidence that air pollution is a significant contributor to preventable ill health and early death. These health impacts impose a cost on the economy estimated to run into billions.

In June 2018 the Council adopted its first Air Quality Action Plan. A key priority of the action plan is to develop and implement a Low Emission Strategy.

##### 3.1 Legislative Background

Air quality limit values for the protection of human health have been set by two EU Air Quality Directives 2008/50/EC and 2004/107/EC. These were transposed into UK Law via the Air Quality Standards Regulations 2010.

Action is then driven by the UK's Air Quality Strategy which sets out equivalent Air Quality Objectives (AQOs).

Part IV of the Environment Act 1995 places a statutory duty on all local authorities in the UK to periodically review and assess air quality within their areas. This is to determine the likelihood of complying with prevailing health based air quality objectives for a number of pollutants. The UK Air Quality Strategy, Policy and Technical Guidance provide the over-arching themes for local air quality management in the UK.

Local Authorities that identify a breach of any of the air quality objectives in their area are required to formally declare an Air Quality Management Area. Once declared the authority has a duty under Section 84 (2) of the Act to produce an Air Quality Action Plan which has already been adopted by the Council. The Low Emission Strategy is a natural extension and an integral part of the action plan

Local Authorities are not legally obliged to meet the air quality objectives but they must be able to demonstrate that they are working towards the objectives, and are expected to adopt a Low Emission Strategy as part of the air quality action planning process.

### **3.2 Air Quality Action Planning**

In order to effectively discharge duties under the Local Air Quality Management regime the Council is required to report on air quality throughout the Borough. This function is undertaken by Regulatory Services.

Regulatory Services will continue to ensure that ambient air quality is monitored after the implementation of the strategy. The team will report regularly on progress, both through the local air quality management reporting schedule to DEFRA and via the Council's Corporate Priority Actions Protocol: Action 1718 PLACE PPC03.

### **3.3 The Action Planning Process**

Action planning is an essential part of the local air quality management process, providing a practical opportunity for improving air quality in areas where review and assessment has shown that national measures will be insufficient to meet one or more the air quality objectives. A suitable air quality action plan should include the adoption of a Low Emission Strategy.

The aims of the Strategy are to:

- a. To take actions that will reduce emissions from transport in the area and support sustainable development.
- b. To reduce emissions from all classes of vehicles, and to work with all groups who travel or generate traffic, including emissions from Council owned or leased fleet and staff vehicles (driven for business use).

- c. To improve the understanding of air pollution as an issue that should be considered during the development of policy, and to influence decisions made in the greater area. To raise awareness to the fact that we all have a role to play.
- d. To actively seek funding opportunities to implement stretching and innovative measures, especially the opportunity to increase the use of (Ultra) Low Emission Vehicles.

### **3.4 Priorities for Action**

- i. Reducing Transport Emissions via the Local Transport Plan (LTP3), Southend Local Plan and Joint Spatial plan.
- ii. Southend Intelligence Hub, Smart (“Connected”) City Journey and Digital Strategy.
- iii. Land Use Planning and Development Control via Low Emission Infrastructure.
- iv. Sustainable Procurement.
- v. Reducing Emissions from Commercial Vehicles.
- vi. Reducing Emissions from Car and Light Goods Vehicles.
- vii. Reducing Emissions from Taxis.
- viii. Reducing Emissions from Buses.
- ix. Raising Awareness.

### **3.5 Southend 2050**

The strategy and associated actions have clear links to the ambitions around the Southend 2050 work, especially in respect of protecting and improving the quality of life for those most vulnerable in our community; health improvements being at the heart of the strategy. The strategy will help to ensure Southend is leading the way in making public and private travel smart, clean and green.

## **4. Other Options**

None, the strategy is an integral component of the Air Quality Action Plan (AQAP) the adoption of which was a statutory duty.

## **5. Reasons for Recommendations**

It was a statutory duty to adopt an AQAP. Taking action to improve air quality via a Low Emission Strategy is part of the air quality action planning process, and crucial in order to improve the health of Southend-on-Sea residents.

## **6. Corporate Implications**

### **6.1 Contribution to Council’s Vision & Corporate Priorities**

The vision of the Council is to “Create a Better Southend” supported by the five corporate aims of a “Clean, Safe, Healthy and Prosperous Southend, led by an

Excellent Council”. This vision will be reflected in and provide a clear focus for the actions outlined in the Low Emission Strategy.

## **6.2 Financial Implications**

The priorities for action of the strategy are a combination of existing and new initiatives. Implementation of these will incur no additional costs as the funding will be met by existing budgets and/or securing new (national, European) funding streams.

## **6.3 Legal Implications**

The council has a statutory duty to create and implement an AQAP, of which the Low Emission strategy is an integral part. DEFRA “expect” all authorities with an Air Quality Management Area to adopt such a strategy.

## **6.4 People Implications**

Actions to improve air quality will have a positive impact for residents of all age groups and visitors to Southend.

## **6.5 Property Implications**

No implications.

## **6.6 Consultation**

The formal consultation period was 20 August to 5 October 2018.

Stakeholder consultation is a fundamental aspect of Local Air Quality Management, and a legal requirement under Schedule 11 (s90) of the Environment Act 1995.

Internal Stakeholders Consulted:

- Strategic Transport Policy.
- Public Health.
- Planning and Development Control.
- Energy and Sustainability.
- Procurement.
- Economic Development.
- Members.

External Stakeholders Consulted:

- Transport Companies.
- Key Freight Operators.
- Key Local Businesses.

- Local Environment/Transport Group.
- Chambers of Commerce.
- Local Community Representatives and Residents.
- DEFRA.
- Essex Local Authorities.

The Air Quality Action Planning Steering Group will oversee the implementation of the strategy and report back as necessary.

## **6.7 Equalities and Diversity Implications**

To be completed once consultation results are reviewed.

## **6.8 Risk Assessment**

At high concentrations nitrogen dioxide (NO<sub>2</sub>) and particulate pollution cause a range of health effects. Delay in the adoption and implementation of the strategy is a risk to the health of residents particularly within the Air Quality Management Area declared in 2016.

Failure to meet or strive towards the air quality objectives is a breach of European Union and UK law respectively. Fines may be imposed by the EU on the UK. DEFRA have issued a policy statement with respect to Part 2 of the Localism Act 2011 indicating that if fines were to be imposed by the EU and the local authority was responsible for permitting the breach, the authority could be required to pay the full cost.

## **6.9 Value for Money**

A successful joint application by Southend, Essex CC, Rochford, Colchester and Chelmsford LAs for Clean Bus Technology funding (£1.1m) was confirmed in January 2018.

The new measures contained within the Strategy will be fully costed in line with financial requirements.

## **6.10 Community Safety Implications**

No implications.

## **6.11 Environmental Impact**

Air pollutants from transport include nitrogen oxides, carbon monoxide, hydrocarbons and particulates, all of which have a potentially damaging impact on the health of flora and fauna.

## **7. Background Papers**

2018 Air Quality Annual Status Report for Southend-on-Sea Borough Council  
DEFRA Policy Guidance (PG) 16 April 2016

**8. Appendices**

1. Air Quality Action Plan for AQMA No. 1
2. Cabinet Report No 18/029
3. Low Emission Strategy