

# Southend-on-Sea City Council

Report of the Interim Executive Director for  
Neighbourhoods and Environment – John Burr

To

Cabinet

On

21 February 2023

Report prepared by: Elizabeth Georgeou, Head of Regulatory  
Services

Agenda  
Item No.

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## Adoption of Air Quality Action Plan 2023-2027

Cabinet Member: Councillor Mulroney

### Part 1

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#### 1. Purpose of Report

- 1.1 To seek adoption by Cabinet of the Air Quality Action Plan (AQAP) 2023-2027 (**Appendix 1**), detailing targeted measures to try to improve air quality within Air Quality Management Area (AQMA) 2 (**Appendix 2**) and by extension applying the measures to AQMA 1 (**Appendix 3**) and the rest of the City of Southend. The adoption of AQAP2 has been developed to meet the Council's statutory duty to develop an Air Quality Action Plan following the declaration of AQMA2.

#### 2. Recommendations

- 2.1 **To approve and adopt the Air Quality Action Plan 2023-2027 (Appendix 1) for the Air Quality Management Area 2 (Appendix 2) Air Quality Management Area 1 (Appendix 3) and across the City of Southend-on-Sea.**

#### 3. Background

- 3.1 Part IV of the Environment Act 1995 ('the Act') introduced the system of Local Air Quality Management (LAQM), placing a duty on local authorities to periodically review and assess the air quality within their areas. The provisions in Part IV of the Act are largely enabling and give local authorities the flexibility to take forward local policies to suit local needs. Local circumstances will also determine the content of air quality strategies, the designation of AQMAs and the content of AQAPs.
- 3.2 The air quality objectives for the protection of human health were set by Air Quality Directives 2008/50/EC and 2004/107/EC. These were transposed into UK law via the Air Quality Standards Regulations 2000.

- 3.3 Section 83(1) of ‘the Act’ states that a local authority must designate AQMAs for those parts of the local authorities’ area where air quality objectives (AQOs) are unlikely to be met.
- 3.4 Section 83(A) of ‘the Act’ states that where an AQMA is designated, a local authority shall prepare an AQAP to demonstrate how the authority intends to achieve and maintain the air quality objectives in the AQMA. Local authorities should also have regard of the statutory guidance published by the Department of Environment, Feed and Rural Affairs (DEFRA)
- 3.5 The Government has developed strategies which aim to improve the environment and air quality on a national basis:
- The Industrial Strategy which has been replaced by the Build Back Better: our plan for growth, March 2021;
  - The Clean Growth Strategy October 2017;
  - A Green Future: Our 25 Year Plan to Improve the Environment 2018;
  - Clean Air Strategy 2019.
- 3.6 On a local level, guidance is provided to local authorities through Local Air Quality Management (LAQM) Policy Guidance (PG22) and LAQM Technical Guidance (TG22). The aim of which is to shift towards evidence-based action planning for the benefit of public health and wellbeing.
- 3.7 The AQMA1 and AQMA2 in Southend-on-Sea were declared because the annual objective for Nitrogen Dioxide (NO<sub>2</sub>) had been exceeded.
- 3.8 Where there are exceedances in the air quality objectives, the Council must declare an AQMA. Once declared, the Council is then required to develop an AQAP which must be accepted by DEFRA as being adequate to bring the AQMA into compliance.
- 3.9 The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations 2017 outlines measures that are in place to improve air quality nationally and recognises the local nature of air quality requires action at a local level, with local authorities having a leading role.
- 3.8 Regulatory Services will continue to ensure that air quality is monitored after the implementation of the AQAP 2023-2027 and will report regularly on progress against it through the Air Quality Steering Group locally and the Annual Status Report to DEFRA.
- 3.9 The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations 2017 states ‘that air pollution predominantly affects those living in our major towns and cities due to the concentration of vehicles and other sources of pollution. This continues to have an unnecessary and avoidable impact of people’s health, particularly amongst the elderly, people with pre-existing lung and heart conditions, the young, and those on lower incomes.
- 3.11 The Air Quality “A Briefing for Directors of Public Health March 2017” reports that both long and short-term exposure to air pollution is known to adversely affect health. Studies have shown that long-term exposure (over several years) reduced life-expectancy, mainly due to increased risk of mortality from cardiovascular and respiratory causes and from lung cancer. The Joint Strategic Needs Assessment (JSNA) 2019, reported that 6 in 100 deaths locally in Southend were attributable to poor air quality.

- 3.13 The main source of air pollution in the City is road traffic emissions from major roads, notably the A127, A13 and A1159. Other pollution sources including commercial, industrial, and domestic sources also contribute to background pollutant concentrations.
- 3.14 Nationally the most immediate air quality challenge is tackling the exceedances of nitrogen dioxide (NO<sub>2</sub>) concentrations around roads.
- 3.15 The Action Plan 2023-27 is an up-dated version of the AQAP, which was adopted in July 2018, and includes some specific targeted actions for the AQMA2.
- 3.16 The purpose of AQAPs is to develop measures that will provide the necessary emissions reductions to achieve the air quality objectives.

#### **4. Other Options**

None.

The Local Authority has a statutory duty to adopt an AQAP where an AQMA has been declared. Cabinet may choose to amend the proposed AQAP [in accordance with section 83 (6) of the Act].

#### **5. Reasons for Recommendation**

The Council has a statutory duty to put in measures to improve local air quality through the development and implementation of an AQAP, to reduce the impact on the health of those living and working within Southend-on-Sea City Council area.

#### **6. Corporate Implications**

##### **6.1 Contribution to the Southend 2050 Road Map**

6.1.1 The action plan aligns with and reflects the Southend 2050 objectives and has been divided into the following 6 key priorities:

- Road Transport
- Land Use Planning
- Connected and Smart City
- Public Health and Raising Awareness
- Climate Resilience and Sustainable Innovation
- Air Quality Monitoring

##### **6.2 Environmental Impact**

6.2.1 Air pollutants from transport include nitrogen oxides and fine particles. These can have a damaging impact on the health of fauna and flora. The actions in the AQAP do not directly reduce carbon emissions however, none of the proposed actions have a detrimental impact on the City's carbon footprint. Many of the actions that mitigate the impact of air pollution also improve climate resilience. The AQAP positively supports the Council's Corporate Climate Change Programme and the climate resilience focus area of the Green City Action Plan.

6.2.2 The implementation of the AQAP to improve air quality will have a positive impact on vulnerable groups, providing a clear focus for the actions outlined in the AQAP. There is no known negative impact to the priorities of the Council.

### **6.3 Financial Implications**

6.3.1 The AQAP consists of existing initiatives, as detailed in AQAP, as well as new actions. Implementation of most of these actions will be met by existing budgets, consideration having already been given to the funding of air quality initiatives. Those actions identified as new, will be met through securing new (National) funding streams, and again consideration will be given when making grant applications to improvements to air quality.

### **6.4 Legal Implications**

6.4.1 Under Part IV of the Environment Act 1995 (as amended by the Environment Act 2021), the Council has a statutory duty to review air quality in the City and if required designate an AQMA and adopt an AQAP in line with DEFRA LAQM Policy Guidance (PG22) and DEFRA LAQM Technical Guidance (TG22) to try to improve air quality with the AQMA.

### **6.5 People Implications**

6.5.1 There are no People implications associated with this report.

### **6.6 Property Implications**

6.6.1 There are no Property Implications associated with this report.

### **6.7 Consultation**

6.7.1 Stakeholder consultation is a fundamental aspect of Local Air Quality Management, and the requirements are set out at paragraph 1 Schedule 11 of the Act.

6.7.2 The consultation took place between 7 May and 12 August 2021

- The appropriate relevant bodies were consulted in line with the requirements listed above.
- Public opinion via the Southend-on-Sea City Council's website
- Letters were distributed directly to households within the AQMA2

6.7.3 The response to the consultation is appended to the AQAP 2023-27 as Appendix 4.

### **6.8 Equalities and Diversity Implications**

6.8.1 The Equalities Assessment did not identify any negative effect on any of the protected groups.

### **6.9 Risk Assessment**

6.9.1 The DEFRA Policy Guidance 22 at Section 5.3 states that the Local Authority should produce their AQAP within 18 months of an AQMA being declared.

AQMA2 was declared on 10 November 2020. To discharge the Council's statutory duty to manage local air quality and the health risks associated with poor air quality an AQAP should be adopted as quickly as possible.

#### 6.10 **Value for Money**

6.10.1 Measures contained within the AQAP will be fully costed in line with financial requirements and available resources.

#### 6.11 **Community Safety Implications**

6.11.1 There are no Community Safety implications associated with this report.

### 7. **Background Papers:**

- Defra technical Guidance (TG22).
- Air Quality Action Plan 2018
- Joint Strategic Needs Assessment (JSNA) Summary Report 2019
- Defra Policy Guidance (PG22)
- Air Quality - A Briefing for Directors of Public Health March 2

### 8. **Appendices**

- **Appendix 1** Air Quality Action Plan 2023-2027
- **Appendix 2 AQMA** (Southend on Sea Borough Council) No. 2 Order
- **Appendix 3 AQMA** (Southend on Sea Borough Council) No. 1 Order
- **Appendix 4** Consultation responses