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| <b>Revision and Update of Air Quality Action Plan</b><br><b>Key Decision No - NHS016</b>               |   |
| <b>CABINET MEETING DATE</b><br><b>(2021/22)</b><br>19 July 2021  | <b>CLASSIFICATION:</b><br><br><b>Open</b> |
| <b>WARD(S) AFFECTED</b><br><br>All wards   |   |
| <b>CABINET MEMBER</b><br>Cllr Mete Coban, Cabinet Member for Energy, Waste, Transport and Public Realm |   |
| <b>KEY DECISION</b><br>Yes<br><br><b>REASON</b><br>Affects two or more wards                           |   |
| <b>GROUP DIRECTOR</b><br>Ajman Ali, Group Director for Neighbourhoods and Housing                      |   |

## 1. CABINET MEMBER'S INTRODUCTION

- 1.1. Air pollution is a serious issue with significant adverse health impacts. The evidence showing the negative effects that air pollution is having on human health, especially the most vulnerable in society, such as the young, the old, and people with pre-existing medical conditions, is now indisputable. As a local authority in a highly-populated urban area, improving air quality is going to be a challenge. However, we can and must take action to address this major public health issue.

- 1.2. This report introduces Hackney's Air Quality Action Plan (AQAP) for the years 2021-25. The AQAP sets out 47 actions to help improve air quality and thereby protect the health of all who live, work, study and visit the borough. These actions will help ensure that we meet the air quality objectives in the borough for all pollutants under the system of London Local Air Quality Management<sup>1</sup>. Hackney is also going further by committing to meet the World Health Organisation limit levels for particulate matter by 2030.
- 1.3. Our urban built environment is predicted to grow significantly over the next decades. Working across our organisation, we have set out our commitment and actions across nine core themes. These will not only address air pollution, but will deliver co-benefits in areas covered by other council strategies, plans and policies, such as noise pollution, green energy and the climate emergency. For example, by introducing measures that discourage the use of motor vehicles and move people to more active modes of travel, carbon emissions will be reduced. The reduced levels of motor transport will also deliver a decrease in noise pollution while increased activity will improve people's health. All of these benefits will lead to a better quality of life.
- 1.4. By setting out the measures we intend to take to tackle air quality and by linking to other Council Strategies, we aim to ensure that our actions are coordinated across the different Services within the Council. In this way, we seek to ensure that actions we introduce have positive impacts on air quality but also do not conflict with other goals that we are aiming to achieve. For example, electric vehicles have zero tailpipe (exhaust) emissions, so switching to electric has some positive impact on air quality. However, we need to be mindful that these vehicles still contribute to emissions from brake and tyre wear. Further, promoting the uptake as a solution to air quality can have impacts on other areas such as congestion, parking stress and energy consumption. Therefore, an action plan that brings together stakeholders from the various different Services is essential to avoid unintended consequences.
- 1.5. We also need to strive for improvements and avoid complacency in order to protect the health of the most vulnerable in our community. The response to the consultation has highlighted that people are rightly concerned about the impacts of air quality on health and agree that improving air quality is important. This demonstrates that people support the Council taking action through this AQAP. However, despite us seeing improvements in air quality over the years, almost half of respondents expressed dissatisfaction with the work that Hackney is doing. This is why our AQAP aims to go above and beyond the Greater London Authority's (GLA) requirements, and includes a commitment to work to the World Health Organisation's recommendations.
- 1.6. Based on the consultation responses, we recognise that we need to do more to engage with people. Communication and provision of information is key; to

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<sup>1</sup> Table 1-1 Air Quality Objectives -

[https://www.london.gov.uk/sites/default/files/llaqm\\_technical\\_guidance\\_2019.pdf](https://www.london.gov.uk/sites/default/files/llaqm_technical_guidance_2019.pdf)

deliver this Action Plan and to improve air quality we need to work with others and they need to have trust in us to coordinate and facilitate action, and ensure delivery of those actions. Amendments have since been made to the draft AQAP to help emphasise that engagement and communication form a vital part of its delivery so that people can see what we are doing as well as having access to the information that they need.

- 1.7. Where Hackney is unable to have a direct impact itself, we will work with partners and lobby for change to improve air quality, for example, pushing for the adoption of the WHO limit levels for particulate matter into legislation and the implementation of road user charging.
- 1.8. By reducing air pollution levels we will contribute to a healthier and more vibrant society and make Hackney an even better place to live, work and visit. We can't achieve this alone and this AQAP sets out how we will build on our previous successes and further work with residents and businesses, other boroughs, the GLA, Transport for London and various partnerships and communities to improve air quality in Hackney.

## **2. GROUP DIRECTOR'S INTRODUCTION**

- 2.1. This paper introduces the Council's Air Quality Action Plan 2021-2025 (Appendices 1a & b) and sets out the progress that has taken place and amendments that have been made in response to feedback from the statutory consultation.
- 2.2. A draft AQAP was approved by Cabinet on 30 November 2020 and consent was granted to undertake a statutory consultation exercise in line with Part IV and Schedule 11 of the Environment Act 1995.
- 2.3. Hackney is required to have an AQAP in place as the borough was designated an Air Quality Management Area (AQMA) in 2006. The AQAP sets out the actions that the borough will implement in order to improve air quality so as to meet the Air Quality Objectives but, more importantly, to protect the health of people who spend time in the borough.
- 2.4. Of the various Air Quality Objectives which are included in the table in Section 6, it is those for nitrogen dioxide and for particulate matter which are not being met at some locations within the borough. While progress is being made, more work needs to be done and the AQAP sets out 47 actions that Hackney intends to deliver over the next 5 years.
- 2.5. Particulate matter (PM) is the term used for very fine particles of dust that can penetrate the airways and lungs when inhaled. These are categorised according to the diameter of the particle. Historically, the focus has been on particles with a diameter of 10 microns or less (PM<sub>10</sub>) and the Objectives were set for this size. However, smaller particles can penetrate deeper into the

airways so can have more serious health consequences. Therefore, assessment of levels of smaller particles such as PM<sub>2.5</sub> is required.

- 2.6. Although the Objective for PM<sub>10</sub> is now being met in most locations, it is predicted that there are some small pockets where concentrations remain above the prescribed limit. However, we can not afford to be complacent. The World Health Organisation has recognised that health can still be impacted at lower levels and also that particles which are even finer than PM<sub>10</sub> present a greater risk. Therefore, the first action in the AQAP is to secure a commitment to go further than the Air Quality Objectives and to work towards meeting the WHO guidelines for both PM<sub>10</sub> and PM<sub>2.5</sub>.
- 2.7. There are a number of different sources of particulate matter including natural sources. Therefore, some levels of particulate matter will always be present. In order to protect people's health, Hackney has a duty to take action to tackle the sources that are within its control and to work with others to ensure that they also play their part.
- 2.8. Nitrogen dioxide in the air primarily occurs as a result of combustion. This includes burning fuel to power motor vehicles but also for heating and cooking, as well as bonfires and fireworks. All of these activities also contribute to PM<sub>10</sub> levels so tackling these sources and making cleaner alternatives readily available is a priority. This is clearly reflected in the measures set out in the AQAP.
- 2.9. Following consultation, the draft AQAP has been amended to take account of comments and feedback that was received.
- 2.10. Feedback was received from statutory consultees, Councillors, internal colleagues and members of the public, and all comments were read and considered as part of the consultation process. Some of the key findings from the consultation process are set out in Section 6 below. Most notable is the strength of feeling among respondents who want to see action being taken to improve air quality and also to have more information readily available.
- 2.11. Following on from the analysis of comments and feedback, changes were made to the draft AQAP that was presented to Cabinet in November 2020, and the number of actions has now increased from 42 to 47. The changes that have been made have been summarised in the AQAP action matrix (Appendix 1b) and further details on the rationale for changes have been included in the Consultation Report at Appendix 2a. However, owing to the net agreement with the themes contained in the draft and the overall support for the vision set out in the AQAP, significant changes were not considered necessary.
- 2.12. The AQAP now submitted sets out the measures and milestones for improving air quality across the borough over the years up to and including 2025. Following the amendments, the updated AQAP was sent to the Mayor of

London's Office for formal approval and this was granted on 3 June 2021 (Appendix 3).

### **3. RECOMMENDATION(S)**

#### **3.1. Cabinet is recommended:**

To Approve the Air Quality Action Plan (2021-2025) for adoption and publication.

### **4. REASONS FOR DECISION**

- 4.1. Air pollution has been shown to have impacts for public health and there are consistently high levels of support for tackling air quality among Londoners according to polling carried out by London Councils<sup>2</sup>. The impacts of air pollution on health have been made even more apparent with the recent findings into the causes of the death of Ella Kissi-Debrah<sup>3</sup>, and with the effects of Covid-19 being exacerbated where sufferers are also exposed to poor air quality.
- 4.2. Part IV of the Environment Act 1995 requires local authorities to designate an Air Quality Management Area (AQMA) where Air Quality Objectives are being exceeded or are predicted to exceed. Where an AQMA is designated, an Air Quality Action Plan (AQAP) must be produced setting out the measures that will be delivered in order to work towards meeting the Air Quality Objectives.
- 4.3. The Council's current AQAP ran until 2019. Although officers continue to work to deliver the measures within the previous AQAP, Hackney is required to revise and update its Action Plan to take account of changes that have occurred since the previous version was adopted.
- 4.4. The revised AQAP now sets out the measures that Hackney will implement to improve air quality over the years up to and including 2025 and sets a clear goal of achieving clean air for all who live, work and spend time in Hackney. The AQAP has been developed taking into account the relevant guidance including the actions recommended by the Mayor of London.
- 4.5. Having regard for not only the environmental implications of poor air quality, but the very real public health impacts on our society, our action plan has gone above and beyond the standard GLA requirements and developed nine broad themes that will help to improve the air quality in Hackney:

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<sup>2</sup><https://www.londoncouncils.gov.uk/our-key-themes/environment/air-quality-london/air-quality-public-polling>

<sup>3</sup> <https://www.judiciary.uk/wp-content/uploads/2021/04/Ella-Kissi-Debrah-2021-0113-1.pdf>

**Monitoring and other core statutory duties:** evaluating the air quality monitoring throughout Hackney to enhance compliance with our core statutory objectives;

**Emissions from development and buildings:** emissions from construction alone accounts for approximately 37% of the PM<sub>10</sub> emissions across Hackney, and therefore work in this area is important in reducing particulate concentrations. This will focus on air quality mitigation through the planning system and correlates with the Council's sustainability objectives;

**Public health and awareness raising:** increasing awareness can drive behavioural change to lower emissions as well as reducing exposure to air pollution. For example, a shift in attitude with respect to solid fuel burning through increasing awareness of the impact this causes, can help facilitate overall behaviour change;

**Delivery servicing and freight:** ensuring delivery servicing and freight vehicles are re-evaluated as these are usually heavy-duty diesel-fuelled vehicles with high primary NO<sub>2</sub> emissions;

**Borough fleet:** Hackney's fleet includes a mixture of light and heavy-duty diesel-fuelled vehicles alongside 66 electric vehicles. Building on our 2018 Green Fleet of the Year award, we will continue to make improvements in our own fleet, thereby leading by example;

**Localised solutions:** these seek to improve the environment of neighbourhoods through a combination of measures such as Low Traffic Neighbourhoods, traffic filtering, parking schemes and biodiversity projects;

**Cleaner transport:** road transport is the main source of air pollution in London and Hackney. We have been and will continue to incentivise and facilitate a change to walking, cycling, public transport and ultra-low emission vehicles (such as electric) as far as possible;

**Schools and communities:** implementing initiatives that target the most susceptible groups in Hackney in order to ensure those most at risk are not disproportionately affected by the impacts of poor air quality;

**Lobbying:** Hackney will continue to lobby and influence regional and national organisations and stakeholders on policies and issues beyond Hackney's influence to introduce progressive measures aimed at improving air quality.

- 4.6. Following the decision by Cabinet on 30 November 2020, a statutory consultation was carried out to gather feedback on the revised draft AQAP for Hackney. The AQAP that has now been produced takes account of the comments and feedback received during this process. This has included comments from statutory consultees, Councillors, partner organisations, the public and internal colleagues.
- 4.7. To ensure transparency, the results from the consultation have been set out in an attached Consultation Report, Appendix 2a. The report provides a breakdown of the mix of respondents according to factors such as age, religion, ethnicity, and their relationship to the borough.
- 4.8. Although covered in more detail in the Consultation Report, some of the key findings from the feedback are:

- Over three quarters of the people who provided a response (78.3%) were resident within the borough. This is very encouraging as, although people from outside of the borough can contribute to and experience air pollution in Hackney, the people most affected are the residents. Having their feedback and taking account of their views is essential to the successful delivery of the AQAP;
- The percentage of respondents was split fairly evenly between males (51.9%) and females (48.1%). Despite this even split, it does differ slightly from the figures in the 2011 census which shows even more balance with 49.8% being male and 50.2% female. Other consultations carried out within Hackney have also tended to show a slightly higher number of females among the respondents.
- Most respondents were aged between 25 and 64, with the age group 35-44 representing 29.38% of all respondents. Those aged over 65 made up 11.38% of the respondents. However, despite 2011 Census data showing that 25% of Hackney residents were aged under 20, less than 0.5% of respondents were aged under 24, and no responses were received from those aged 18 or under. It is encouraging that responses were received from more elderly residents who are more vulnerable to the effects of air pollution. As the other vulnerable age group is young children, it is possible that this encouraged parents to respond. However, the lack of response from younger people indicates that more work needs to be done to engage this age group;
- The percentage of respondents who stated that they have a disability was 11.8%. This is slightly lower than the figure for the borough based on 2011 census data (14.6%). Given the subject matter of the consultation and taking account of how air pollution can impact on those with pre-existing illnesses together with the concerns expressed about the impacts of promoting active travel on people with mobility issues, an equivalent or higher figure was expected;
- 73% of respondents described their ethnicity as 'White'. Only 5.6% identified as 'Asian' and 4.1% as 'Black', which are lower figures than within the population of the borough as a whole (10.5% and 23.1% respectively);
- 65.6% of the respondents indicated that they had no religious belief or were atheist. This is a much higher proportion than in the borough population as a whole and meant that respondents who stated that they hold religious beliefs were under-represented. Those identifying as Christian made up 18.7%, Muslim 7.3% and Jewish 1.7% which compares to 39%, 14% and 6.3% of the borough population respectively;
- When considering agreement / satisfaction, the figures have been aggregated to represent those who ticked 'agree' and 'strongly agree'. 78.3% of respondents stated that they felt it was important to tackle air pollution in Hackney and 52.9% responded to say that they were or had been impacted by poor air quality. Although 46.2% expressed dissatisfaction with the work that Hackney is doing to improve air quality, 59.85% agreed with the vision that is set out in the AQAP for delivering improvements. This indicates support for the AQAP and for Hackney taking more action to improve air quality in the borough.

- 4.9. As well as providing details on the people who responded to the consultation and the level of agreement with the different themes, the Consultation Report also includes the issues that were raised through the free text responses. A table has been included within the Consultation Report (see pp.26-46) setting out the issues that were raised by multiple respondents together with the changes that have been made to the AQAP to take account of the comments received.
- 4.10. Some of the comments have resulted in new actions being inserted and these are highlighted within the AQAP matrix of actions in Appendix 1b. In some cases, these were the result of separating out details of actions contained in the earlier draft version as this has helped to clarify the objectives and intended outcomes. Other new actions cover work that Hackney already undertakes under its statutory obligations but their inclusion demonstrates a commitment to deliver this work and will mean that progress is included within our annual reporting. However, some brand new actions have been inserted in response to comments received.
- 4.11. Where new actions require support and resources from other teams, officers have been made aware of the amendments so that confirmation has been obtained regarding the ability to deliver the measures. Therefore, the development of the revised AQAP has been carried out in close collaboration with other stakeholders.
- 4.12. The AQAP matrix includes a column which sets out the anticipated cost range for each measure. As action to improve air quality cuts across several different services, the costs will be met through different service budgets. For many of the actions, the costs are already being met through their existing budgets or there are proposed funding streams to meet the costs. It should also be noted that the AQAP will cover a period up to and including 2025 so the costs will be spread throughout the whole time period.
- 4.13. The final version of the AQAP produced by London boroughs requires approval by the Mayor of London. Correspondence took place with the Mayor of London's office throughout the period of consultation so that comments could be given consideration and agreement reached on the amendments. The final version was then submitted to the Mayor of London's office and approval was granted on 3 June 2021 (Appendix 3).

## **5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 5.1. There is a statutory requirement for the borough to have an AQAP in place. As the previous AQAP ran until 2019, it was necessary to revise and update the Action Plan.



- 5.2. Under the system of London Local Air Quality Management (LLAQM), the Mayor of London asks that boroughs now ensure their AQAPs are revised and updated at least every 5 years. Failing to revise the AQAP would mean that Hackney's AQAP is out-of-date and it would not meet the Mayor of London's set timeframe for revision. The GLA publishes a report each year which includes information on the dates of borough's AQAPs. Failing to have an up-to-date AQAP would have reputational consequences for the borough leading to loss of trust among the public and potentially the loss of opportunities to bid for air quality funding. Therefore, the option to not revise and update the AQAP was rejected.
- 5.3. While the GLA provides an action matrix for boroughs to consider, there is no requirement to adopt any or all of the measures within the matrix since the AQAP needs to reflect the circumstances and objectives of each individual borough. However, the Mayor of London provides guidance to boroughs in the development of their Action Plans and it is, therefore, important to take account of the recommended actions. Failing to do so would risk the AQAP not receiving approval from the GLA. As such, developing an AQAP without taking account of LLAQM Guidance or the comments from the GLA was not considered.
- 5.4. Hackney's AQAP has been developed to both take account of the actions recommended in the GLA's matrix while ensuring that it reflects the goals and ambitions of the borough.

## **6. BACKGROUND**

### **Policy Context**

- 6.1. Under Part IV of the Environment Act 1995, each local authority is statutorily required to review and assess the air quality in their area and to determine whether Air Quality Objectives are being met. These Objectives are shown in Table 1 below which is taken from Annex A of the LLAQM Policy Guidance.

| <b>Pollutant</b>   | <b>Objective</b>   | <b>Averaging Period</b>           |
|--|--|-----------------------------------|
| Nitrogen dioxide (NO <sub>2</sub> )                          | 200 µg/m <sup>3</sup> not to be exceeded more than 18 times/year | 1-hour mean                       |
|  | 40 µg/m <sup>3</sup>   | Annual mean                       |
| Particulate Matter (PM <sub>10</sub> )                       | 50 µg/m <sup>3</sup> not to be exceeded more than 35 times/year  | 24-hour mean                      |
|  | 40 µg/m <sup>3</sup>   | Annual mean                       |
| Sulphur Dioxide (SO <sub>2</sub> )                           | 266 µg/m <sup>3</sup> not to be exceeded more than 35 times/year | 15 minute mean                    |
|  | 350 µg/m <sup>3</sup> not to be exceeded more than 24 times/year | 1-hour mean                       |
|  | 125 µg/m <sup>3</sup> not to be exceeded more than 3 times/year  | 24-hour mean                      |
| Benzene (C <sub>6</sub> H <sub>6</sub> ) <sup>11</sup>       | 16.25 µg/m <sup>3</sup>  | Running annual mean               |
|  | 5.00 µg/m <sup>3</sup>   | Annual mean                       |
| 1,3-butadiene (C <sub>4</sub> H <sub>6</sub> ) <sup>11</sup> | 2.25 µg/m <sup>3</sup>   | Running annual mean               |
| Carbon Monoxide(CO) <sup>11</sup>                            | 10.00 mg/m <sup>3</sup>  | Maximum daily running 8-hour mean |
|  | 10.00 mg/m <sup>3</sup>  | Running 8-hour mean               |
| Lead (Pb) <sup>11</sup>                                      | 0.5 µg/m <sup>3</sup>  | Annual mean                       |
|  | 0.25 µg/m <sup>3</sup>   | Annual mean                       |

Table 1: Air Quality Objectives contained in the Air Quality (England) Regulations 2000

- 6.2. Section 82 of the Environment Act 1995 Act provides that every local authority shall review the air quality within its area, both at the present time and the likely levels in the future. It shall also cause an assessment to be made of whether air quality standards and objectives are being achieved, or are likely to be achieved, within the relevant period within its area.
- 6.3. Where exceedances of Air Quality Objectives are found to occur or are predicted to occur, the borough is required to declare an Air Quality Management Area (AQMA) covering the areas of exceedance as a minimum, although the area can be wider.
- 6.4. In June 2006, Hackney declared the whole borough an AQMA for nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>). Although there have been improvements since this time, and the areas of exceedance have reduced, the AQMA designation has been retained for both pollutants. Where an AQMA is designated, an Air Quality Action Plan (AQAP) must be produced setting out the measures that will be implemented in order to work towards meeting the Air Quality Objectives.
- 6.5. The Council first produced an AQAP in 2006 and this has been reviewed and updated periodically. Significant progress has been made in delivering on

actions in the previous Action Plan (2015 - 2019), and this report highlights some of the successes from that particular Plan. These include:

- Establishing one of the most comprehensive air quality monitoring networks in the country, with a mixture of diffusion tubes monitoring nitrogen dioxide (NO<sub>2</sub>), real time monitors and reference monitors;
- Operating one of the most sustainable vehicle fleets in London increasing the number of our electric vehicles (EVs) so that they represented 12.3% of the total fleet by 2020;
- Collaborating with the Zero Emissions Network (ZEN) that offers sustainable transport initiatives to businesses and residents including cargo bike trials, bike maintenance workshops and scooter switches. 1,300 business members and over 700 residents are part of the ZEN;
- Launching the Low Emissions Neighbourhood (LEN) in the City fringe in 2017. This programme, in collaboration with Islington and Tower Hamlets, only allows Ultra Low Emission Vehicles (ULEV) in the scheme area at certain periods throughout the day;
- Pioneering the School Streets programme originally launched at 9 primary schools in Hackney and increasing to a total of 37 by September 2020. Moreover, officers developed a toolkit to support councils nationwide to implement their own School Streets;

- 6.6. Lobbying national and regional governments, as well as responding to consultations, in particular with regard to ULEZ and more recently consultations on airport expansions, to ensure that air quality issues are addressed.
- 6.7. This revised AQAP builds on that work and sets out an ambitious vision for improving air quality in Hackney in the coming years.
- 6.8. Since the development and publication of the National Air Quality Strategy, responsibility for managing air quality in London has been devolved to the Mayor of London, who has a supervisory role, with powers to intervene and direct London boroughs under Part IV of the Environment Act 1995. In support of these devolved powers, the Mayor has established a London-specific management system (LLAQM) for the effective and coordinated discharge of borough's respective responsibilities under Part IV of the Act. Under this system, when revising their AQAPs, London boroughs are required to refer to the guidance and recommendations issued by the Mayor of London's office including the matrix of recommended actions. All revised AQAPs by London boroughs must now receive final approval from the GLA.
- 6.9. The LLAQM Policy Guidance 2019 produced by the GLA provides detail on the expectations for an AQAP, including content, ownership and the consultation process.
- 6.10. As the Council's current AQAP ran from 2015 - 2019, it has, therefore, expired. Guidance issued on behalf of the Mayor of London now includes a time limit of 5 years in which boroughs are expected to review and update their Action

Plans to take account of current policy. However, the Action Plan is intended to be a live document which is continually reviewed and developed.

- 6.11. Hackney's AQAP was reviewed to take account of current local, London wide and national policies, and a revised draft was presented to Cabinet on 30 November 2020. Approval was granted to undertake a statutory consultation on the draft AQAP between 14 December 2020 and 8 February 2021. This is a slightly longer time period than the minimum required to take account of the consultation taking place over the Christmas period.
- 6.12. Schedule 11 of the Environment Act 1995 requires that local authorities consult with a number of organisations and groups when preparing their AQAP. Comments were sought from all of the required Statutory Consultees. Table 2 containing details of the Statutory Consultees is shown below.

| Statutory Consultee                   | Consulted | Responded |
|---------------------------------------|-----------|-----------|
| Secretary of State/Defra/GLA          | Yes       | Yes       |
| The Environment Agency                | Yes       | Yes       |
| Transport for London                  | Yes       | No        |
| LB Islington                          | Yes       | No        |
| LB Camden                             | Yes       | No        |
| LB Haringey                           | Yes       | No        |
| LB Waltham Forest                     | Yes       | No        |
| LB Newham                             | Yes       | Yes       |
| LB Tower Hamlets                      | Yes       | Yes       |
| City of London                        | Yes       | No        |
| London Legacy Development Corporation | Yes       | No        |

Table 2: Statutory Consultees contacted and those that responded

- 6.13. There is no specific requirement to consult with individual businesses or members of the public under Schedule 11 of the Environment Act 1995. However, involving stakeholders in the development of an AQAP is more likely to result in its successful delivery. Therefore, the consultation was placed on Citizen Space and promoted on media platforms inviting members of the public to respond. In order to ensure that responses were reflective of the wider community, plans to promote the consultation using posters and by making paper copies available were developed.
- 6.14. Owing to restrictions put in place to help limit the spread of Covid-19, it was not possible to distribute hard copies and many of the venues which would have received them were also closed. As a result, alternative measures were put in place to engage with as many people as possible while ensuring adherence to

lockdown restrictions. A number of organisations, businesses, charities and campaign groups were contacted via email and asked to promote the consultation to their members and service users. The non-statutory consultees are also listed in Appendix 2b. The organisations covered a broad range of different communities, many of which provide support services to groups that often do not engage in Council consultations or would require help to submit a response. The offer of paper copies being made available was also included in the communications with these groups.

6.15. In addition to the direct approach to charities and organisations, the decision was made to extend the time period for consultation. The extension to the deadline gave more time for organisations to raise awareness among their members and service users during the lockdown period and for responses, including any paper responses, to be submitted. Therefore, the consultation deadline was extended from 8 February to 7 March 2021.

6.16. There were 673 responses to the online consultation and a further 6 responses that were sent as direct emails. All the responses received were analysed. This process considered the levels of support for each Theme within the AQAP as well as all the comments received. Based on the responses, some changes were made to the AQAP, primarily to the action matrix. Amendments have been summarised and set out in an additional column titled 'Amendments post-consultation' of the table in Appendix 1b. Further details are provided in the Consultation Report included in Appendix 2a. However the key changes are set out below:

- A new milestone towards meeting the WHO guidelines for particulate matter was set for 2025 as feedback showed that people wanted results sooner;
- New actions were inserted to cover the actions the Council takes in fulfilling its statutory duties under LLAQM and other air quality legislation;
- An action from the draft AQAP to minimise emissions from construction was separated into 4 separate actions to make it clearer what would be delivered and to include more targets;
- In response to a number of concerns raised during the consultation regarding solid fuel burning, additional targets were added to Action 15 which covers the promotion and enforcement of the Smoke Control Area;
- A new action was inserted regarding the inclusion of Air Quality Positive and Healthy Streets approaches into master planning. This was requested by the Mayor of London's office;
- Amendments were made to actions regarding awareness-raising and campaigns to make it clear that the focus would be on working with communities and residents;
- Wording was amended to make it clearer that air quality and transport policies are to be integrated and coordinated. This was a response to free text comments in the consultation which suggested that people felt there was insufficient joined-up working;
- A new action was inserted to reference the implementation of Low Emission Neighbourhoods (LENs). This was a request from the Mayor of London's

office and reference was made to the funding that has been awarded to help implement a LEN in Stoke Newington;

- The wording of Action 32 has been amended to reference 'Green Infrastructure'. This aligns with the wording in the GLA matrix and is broader so that it can cover the range of vegetative options that exist. Comments regarding more trees and greening of the borough came up in a number of the responses;
- In a number of actions, comments made indicate that people wanted to see a balance between facilitating and encouraging positive actions but ensuring that penalties existed for non-compliance with legislation. The wording of actions and targets were reviewed to try to make it clear that a balanced approach would be adopted;
- Further to the above point, engine idling was mentioned in a number of comments. In response, more details and targets have been inserted including the intention to carry out enforcement when possible;
- Responses also felt that there was insufficient reference to the role that public transport can play in improving air quality. Although public transport services are operated by Transport for London and our lobbying role was already covered, a new action has been inserted to cover support for public transport where possible such as with public realm improvements.

6.17. The Mayor of London is a Statutory Consultee for consultations on new and revised AQAPs. Therefore, the draft AQAP was submitted to the GLA and there have been ongoing discussions regarding the content. The AQAP that is included at Appendices 1a and 1b has received final approval from the Mayor of London's Office. The amended document is now presented to Cabinet for formal adoption by the London Borough of Hackney.

6.18. Once the AQAP is formally adopted and published, progress with delivering the measures contained within it will be reported to the GLA in Hackney's Annual Status Report (submitted each May).

### **Equality Impact Assessment**

6.19. The Council has a duty under the Equality Act 2010, and in particular, section 149 of the Act, which set outs the three equality needs that must be taken into account when undertaking its functions:

- a. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c. Foster good relations between people who share a protected characteristic and those who do not.

6.20. An Equalities Impact Assessment (EIA) was undertaken to assess the impact of the adoption of an Air Quality Action Plan prior to the consultation on the draft being launched. Following the analysis of the consultation results, the EIA has

been reviewed and updated taking into account the protected characteristics and the impact the proposals will have on those groups. The consultation provided feedback and comments that served to develop a greater understanding of people's views on air pollution, how they feel impacted and how proposals to tackle air pollution may affect them. In addition, some changes have been made to the draft AQAP so the previous EIA has been revised and updated to take account of these changes.

- 6.21. The groups known to be at greatest risk of harm from the effects of air pollution are the young, including babies in the womb, the elderly and those with a pre-existing illness that affects the cardio-pulmonary system. In addition, studies have linked exposure to air pollution with deprivation and deprivation with ethnicity. Therefore, the protected characteristics which are most relevant are age, race and disability.
- 6.22. As these vulnerable groups will be disproportionately affected if exposed to air pollution, having an AQAP in place that aims to reduce air pollution should impact positively on these groups. The greater impacts on equality would arise from failing to deliver on the aims of meeting the Air Quality Objectives for all pollutants. Owing to current exceedances of the Air Quality Objectives and the borough being an AQMA, Hackney is statutorily required to have an AQAP in place. We need to ensure that the AQAP is sufficiently robust to deliver the improvements required.
- 6.23. The AQAP is the overarching framework for delivering improvements to air quality. It contains 47 actions that Hackney intends to deliver over the next few years in order to work towards meeting the Air Quality Objectives. Most of the actions are projects in their own right which will be delivered by Services across the Council and most will be subject to a separate, project-specific Equality Impact Assessment at the time that the project is being developed. Some actions such as the monitoring of air quality or the carrying out of statutory duties will not have a separate EIA so have been considered here. However, no equality issues have been identified in relation to these specific actions.
- 6.24. The consultation included monitoring of the different protected characteristics. Although the responses to these questions were optional, a significant number of responses were received. The consultation was not confined solely to residents of Hackney but just over 78% of respondents stated that they were resident within the borough and the breakdown of responses were compared to 2011 Census data for the borough. In this way, we considered the degree by which the responses were representative of the borough population as a whole.
- 6.25. Although the responses did not necessarily identify a protected characteristic as being affected by the proposed AQAP, through the consultation, the most common concern raised about impacts on equality was that changes to road layouts, measures to deter motor vehicles and encouraging active travel could disproportionately affect those with mobility issues who are dependent on transport. As mentioned above, the specific impacts of such measures will need to be considered separately and individually.

- 6.26. The issue and concerns described above, however, demonstrate that it is important to have an overarching Action Plan so that actions taken to improve air quality in one area or addressing issues faced by one group do not negatively impact on another.
- 6.27. In addition, a high percentage of respondents indicated that they felt that they were negatively impacted by exposure to air pollution. This is an impact on health but does not necessarily correlate with a protected characteristic. However, combined with the reported levels of dissatisfaction with current action to improve air quality and the support for the future vision, the consultation showed that people want to see action being taken to address air pollution. By improving air quality, this will reduce the negative impacts on groups possessing one or more of the protected characteristics identified as being most at risk.
- 6.28. The mitigating actions that have been considered relate to all protected characteristics that have been identified as being potentially affected. These include:
- Utilise data from the consultation on the draft AQAP to identify the groups that were under-represented and develop a communications strategy to help reach these groups. This includes people living with disabilities, those from ethnic minorities, those with a religion or belief and people under the age of 20;
  - Develop and deliver awareness-raising campaigns that educate people about both reducing their contributions to poor air quality and also actions to reduce their exposure. The latter needs particular management to ensure that people are encouraged to remain active, especially since exposure is reduced when being outside where dispersion is greater;
  - Ensure that meetings take place regularly with stakeholders who are responsible for delivering actions in the AQAP to monitor progress and ensure that the actions are coordinated and link to the Council's other strategies;
  - Work with stakeholders on the implementation of their actions so that equalities issues raised during the consultation are taken into account in EIAs for specific measures such as changes to road layouts;
  - Ensure that monitoring of air quality is undertaken to assess impacts across the wider area so that any issues arising from displacement are identified.
- 6.29. The consultation results were used to inform the development of the EIA, and the mitigating actions described above. The consultation did not identify any correlation between any specific protected characteristic and support or opposition to the AQAP.
- 6.30. It should be noted that the consultation received 679 responses, was self-selecting and not representative of the demographic of Hackney. The variations have been described above but the key points were the high



percentage of respondents who gave their ethnic background as White, the high percentage that stated having no religious belief, the very low response rate from those aged under 25 and the slightly higher proportion of males responding compared to both the borough population and other consultations.

- 6.31. The EIA can be found in Appendix 4.

### **Sustainability**

- 6.32. The aim of the draft AQAP is to address air pollution and improve air quality to meet Air Quality Objectives and WHO Guidelines for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> resulting in a safer and cleaner environment for all who live, work or spend time in Hackney.
- 6.33. The draft AQAP and other corporate strategies, including the Transport Strategy and Net Zero Energy Strategy, aim to achieve results through the implementation of similar objectives. For example by reducing fossil fuel powered vehicular traffic on our roads with greener modes of transport such as active travel, and by improving the energy efficiency of buildings and increasing the uptake of alternative sources of energy, air quality may be improved resulting in a cleaner and more sustainable environment.
- 6.34. There are a few situations where improving air quality may conflict with the wider aims of the Council's sustainability strategies. For example, whilst a move to electric vehicles will reduce emissions from the exhaust and, therefore, can help to meet the Air Quality Objectives, it does not mean that there are no associated impacts on air quality. Recent studies have shown that non-exhaust emissions i.e. particulate matter from brakes and tyres, can be far worse than emissions from exhausts. Further, an increased uptake of electric vehicles can also lead to an increase in residual carbon emissions as the grid isn't yet 100% renewable. Where such conflicts arise they will need to be considered carefully.
- 6.35. This draft AQAP forms a part of the broader sustainability strategies that the Council is currently developing. It covers our activities to reduce and remove pollution which has a co-benefit of reducing our carbon emissions.
- 6.36. More detail on the sustainability impact of the AQAP is included within the Action Plan itself.

### **Consultations**

- 6.37. Following approval from Cabinet on 30 November 2020, a statutory consultation was undertaken to gather comment and feedback on the content of the draft Air Quality Action Plan 2021-25. The consultation ran from 14 December 2020 until 7 March 2021.
- 6.38. Schedule 11 of the Environment Act 1995 requires that local authorities consult with a number of specific organisations and groups when preparing an AQAP. A

table listing the statutory consultees has been included in Para 6.12. However, in order to gather feedback from a broad spectrum of respondents and to engage the local community, the consultation was placed in the public domain and made available to all. Therefore, any individual who wished to make a comment on the draft AQAP was able to submit their response.

- 6.39. As part of the preparation of the draft AQAP, an internal stakeholder workshop was held to develop the priority areas. Stakeholders who attended this workshop and who were involved in developing the draft AQAP included officers from Streetscene, Planning, Energy, Fleet, Hackney Housing, Parking, Environmental Services, Parks, Corporate Strategy, Communications, Public Health, Procurement and Corporate Health & Safety. Internal comments were taken into consideration in both the development of the draft AQAP and when making amendments to produce the version which is now attached.
- 6.40. Following a procurement exercise, Arup were appointed to review the content that officers prepared for the draft AQAP. The work included reviewing the documents in their entirety, making recommendations for any improvements and suggested amendments to the text throughout. The amendments were made to the document in order to prepare the draft AQAP that was presented to Cabinet in November 2020.
- 6.41. In conjunction with the Communications Team, a consultation document was prepared and was made available via the Consultation Hub. This can be seen at Appendix 2c. The consultation document gathered information about the respondent such as whether they were resident in the borough and whether they felt impacted by exposure to air pollution. The document also asked the respondent to indicate whether or not they agreed or disagreed with each of the various 9 themes and the 10 priorities.
- 6.42. The respondents were able to select strongly agree, agree, neither agree nor disagree, disagree or strongly disagree. The responses were then used to help determine whether or not there was overall agreement and support for the various themes.
- 6.43. Boxes were also provided for free text comments so that people could raise specific issues that were not captured by the set questions.
- 6.44. Quantitative analysis of the responses was undertaken and has been set out in the Consultation Report in Appendix 2a. In addition, all text comments were read and considered to identify recurring themes. Furthermore, some responses were sent via other means of communication and all of these were compiled and considered when determining how to respond.

## **Risk Assessment**

6.45. High level risks, and mitigation measures, associated with the AQAP are set out below.

| Risk  | Mitigation   |
|---|--|
| Air Quality Objectives / WHO Guidelines not being met | <p>Monitoring of pollutant concentrations using a mix of diffusion tubes and real time monitors will provide an evidence base to target where mitigation and adaptation measures need to be implemented.</p> <p>Modelling to get a baseline for the borough for future comparisons will be undertaken so that the effectiveness of implemented actions can be assessed. This will provide information on where any further measures are necessary;</p> <p>Air quality features as a key issue across the main areas that impact on levels of pollution, such as transport, planning and public health. The Land Water Air Team work with these key areas to ensure that air quality considerations are taken into account.</p> <p>AQAP Working Groups will be established and will meet regularly (at least twice a year) in order to keep track of progress.</p>  |
| Financial risks                                       | <p>The health costs in London arising from air pollution have been estimated to be as much as £10.32billion<sup>4</sup> and so financial risks associated with actions need to be balanced against the risk of doing nothing at all.</p> <p>The current financial challenge facing the Council and public finances generally, particularly arising from the impact of Covid, presents a risk to the delivery of the higher cost actions within the plan. External funding may reduce and the Council's finances will be squeezed over the medium term. Delivering the actions within the plan will, wherever possible, be embedded into other existing plans to minimise the need for additional resources.</p> <p>The AQAP sets out indicative costs from the outset so that budgets can be planned and the most cost-effective measures pursued:</p> <ul style="list-style-type: none"> <li>● No additional cost – may be undertaken with existing staff/financial resources</li> <li>● Low cost – less than £10,000 to deliver</li> <li>● Medium cost – between £10,000 and £50,000 to deliver</li> <li>● High cost – above £50,000</li> </ul> <p>The actions themselves have been put forward by, or agreed with, the responsible department, and in the most part link to corporate priorities and service plans. There are some actions, most notably the retrofitting action which is high cost and whilst the financial implications of those actions will be known, they are not funded and will need to be considered as</p> |

<sup>4</sup> European Public Health Alliance - <https://cleanair4health.eu/>

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|--|--|
|  | <p>part of the Council's budget strategy and/or when external funding opportunities arise.</p> <p>For other actions in the AQAP, these will need to be partly or entirely dependent on grant funding or other funding sources, and as such alternative funding sources will need to be secured to deliver against that action, whether that be people or budget.</p> <p>This is a strong Action Plan, and to ensure that the Plan is delivered we will need adequate internal resources to drive it forward to completion, in particular around the management and reporting thereof. The actions within the plan will be delivered through a refocus of current resources on the need to improve air quality in the borough.</p>  |
| <p>Potential impacts on different sectors of the community</p> | <p>An Equalities Impact Assessment has been undertaken both before and after public consultation. This has identified the groups most at risk from air pollution, but also those that may be more at risk from the implementation of certain actions. While all people are likely to benefit from having access to clean air, monitoring will be carried out to assess the impacts of localised solutions on surrounding areas to ensure that impacts are equitable and that additional mitigating measures are implemented where necessary.</p>   |
| <p>Public and business don't change behaviour</p>              | <p>The AQAP is an overarching plan that requires everyone to play a part. It contains a mix of awareness raising and behaviour change campaigns, such as anti-idling, ZEN engagement and solid fuel burning. While Hackney can deliver the AQAP by implementing actions and encouraging behaviour change, the outcomes will be, in part, dependent on the cooperation with others. The mitigation, therefore, involves building strong relationships and engendering trust between the Council and its partners. The amendments to emphasise working with communities and making more information available will help to achieve this.</p>   |
| <p>Impact of Covid-19</p>                                      | <p>The impact of Covid during lockdown saw an improvement in air quality. However, as lockdown measures were relaxed, it appears there has been an increase in people using cars rather than public transport and active travel measures. This will have an impact on air quality concentrations. However, the risk is that measures set out in the AQAP will not be delivered according to the timescales set out owing to restrictions that are in place.</p> <p>Amendments to the AQAP post-consultation have been carried out based on current knowledge and experience of the impacts of the Covid-19 pandemic. Therefore, some target dates have been amended to be more realistic given the current circumstances. While it is likely that actions can still be implemented where restrictions persist, alternative</p> |

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|  | means of delivering the actions which rely on more use of information technology will be explored. |
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## **7. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES**

- 7.1. This report recommends the Council adopt the Air Quality Action Plan for the borough attached at Appendix 1. There are cost implications arising from the Air Quality Action Plan some of which will be significant. In the current financial environment there are significant financial challenges facing the Council particularly arising from the impact of Covid, and, as outlined above this presents a risk to the delivery of the higher cost actions within the plan.
- 7.2. The national financial picture is such that the opportunities to secure external funding to support actions to improve air quality may reduce and therefore as far as possible the actions within the Action Plan will be contained within existing budgets. Many of the actions within the plan have been proposed by service departments, and in the most part link to corporate priorities and are contained within service plans.
- 7.3. There are, however, some actions, most notably the retrofitting of buildings, including homes, which are very high cost and not funded. These actions will need to be considered as part of the Council's budget strategy and/or when external funding opportunities arise. Any actions requiring additional funding will be considered on a case by case basis as part of the Council's Medium Term Financial Planning process. Full business cases will be required for actions requiring significant investment and will be considered along with other Council priorities.
- 7.4. Every opportunity will be taken to secure external funding to support the delivery of the action plan. Again full business cases will be required to support any decision to apply for external funding in line with the Council's Financial Procedure Rules to ensure that any financial commitments on the Council arising from grant agreements are fully assessed and considered as part of the Council's Financial Planning process.

## **8. COMMENTS OF THE DIRECTOR, LEGAL & GOVERNANCE SERVICES**

- 8.1. The Council is under a statutory duty to monitor air pollution and to determine whether the Air Quality Objectives are being met. The Air Quality Action Plan is a methodology to assist compliance.
- 8.2. Approval of the recommendations as set out in paragraph 3 above, which is a key decision affecting all wards, is a decision to be taken by Cabinet under the Mayor's Scheme of delegation.
- 8.3. There are no other immediate legal implications arising from this report.

## APPENDICES

|              |   |
|--------------|---|
| Appendix 1a: | <a href="#">London Borough of Hackney Air Quality Action Plan 2021-2025</a>   |
| Appendix 1b: | <a href="#">Air Quality Action Plan 2021-2025: Amended Matrix of Actions</a>  |
| Appendix 2a: | <a href="#">Air Quality Action Plan 2021-2025: Consultation Report</a>        |
| Appendix 2b: | <a href="#">Air Quality Action Plan 2021-2025: Consultee List</a>             |
| Appendix 2c: | <a href="#">Air Quality Action Plan 2021-2025: Consultation Questions</a>     |
| Appendix 3:  | <a href="#">Approval Letter from GLA - 3 June 2021</a>                        |
| Appendix 4   | <a href="#">Air Quality Action Plan 2021-2025: Equality Impact Assessment</a> |

## BACKGROUND PAPERS

[Cabinet Decision Notice 30 November 2020](#) - Decision approving undertaking of consultation on the draft AQAP.

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