

LIVERPOOL CITY REGION COMBINED AUTHORITY

To: The Chair and Members of the Combined Authority

Meeting: 16 June 2017

Authority/Authorities Affected: All areas

EXEMPT/CONFIDENTIAL ITEM: No

Non Key Decision

REPORT OF THE INTERIM HEAD OF PAID SERVICE

IMPROVING AIR QUALITY IN THE UK: DRAFT RESPONSE TO CONSULTATION

1. PURPOSE OF REPORT

- 1.1 This report briefly updates the Combined Authority on the problem of poor air quality across the Liverpool City Region, and on some of the approaches being developed at a national and local level to address these.
- 1.2 Principally, the report sets out a draft response to a recent draft national air quality consultation document, produced by the Department for Transport and by Defra. This draft response is set out in Appendix Two for consideration and approval by members.

2. RECOMMENDATIONS

- 2.1. It is recommended that the Liverpool City Region Combined Authority:
 - (a) Notes the issues set out in this report on the problems associated with poor air quality, which will form the basis of more detailed reports and recommendations to members at a later date; and
 - (b) Considers and endorses the draft response to the Government's draft air quality plan set out within Appendix Two to this report.

3. CONTEXT

- 3.1 Members will be aware that air quality is a significant problem affecting the Liverpool City Region and other conurbations across the country. The main pollutant is Nitrogen Dioxide, when stems from transport and from diesel engines, principally. The health risks are wide ranging and well documented, including heart and lung disease, autism, brain development, cancer and overall reduced life

expectancy. The Royal College of Physicians, for example, cite 40,000 premature deaths per annum from long-term exposure to outdoor air pollution¹.

- 3.2 The Liverpool City Region currently has 11 Air Quality Management Areas, on account of poor air quality and all of Liverpool City Council is an Air Quality Management Area. These designations have typically been in place for over a decade. The map in Appendix One shows the location of the declared Air Quality Management Areas across the City Region.
- 3.3 In view of the source of the problem locally, measures to tackle poor air quality and reduce carbon and other emissions from transport have been long-standing priorities in the statutory Local Transport Plans for the Liverpool City Region. These plans also draw upon best practice from other European cities, where sustainable mobility, clear air and a healthy population are all recognised as core components of a strong and prosperous economy. Equally, traffic growth, traffic congestion, pollution and poor health are no longer seen as inevitable or acceptable consequences of economic growth.
- 3.4 The impetus to improve air quality was also furthered in the Liverpool City Region's second Devolution Deal, which committed to joint exploratory work on Clean Air Zones²:-

"The Government will work with the Liverpool City Region Combined Authority to explore ways in which the Liverpool City Region Combined Authority Mayor can be enabled to implement Clean Air Zones in the Combined Authority area. This will help achieve Air Quality Plan objectives at both the national and local level."

- 3.5 However, whilst the majority of Nitrogen Dioxide emissions stem from transport sources, solutions are needed that extend beyond the scope of a transport bodies and transport providers in isolation; action is needed across National and Local Government. Developers, the private sector and local residents also need to work collectively to address the issues and challenges.
- 3.6 Within Liverpool, the Elected City Mayor has established a Task Group as part of "Operation Breathe Liverpool" to review air quality and to make recommendations for accelerating the delivery of clean air³. This is a very welcome approach, and it is anticipated that this group will make recommendations to Liverpool City Council's Cabinet towards the end of June 2017. Appropriate City Region-wide implications and recommendations stemming from this report will be presented to members of the Authority in a follow-up report at a later date.
- 3.7 The air quality issue has now risen to the top of the political agenda nationally as a consequence of proceedings brought against the UK Government by the EU Commission in 2016 for not meeting air quality targets. As such, the Government is required to produce a new national air quality strategy and plans for compliance by 2020. The publication date of this new air quality strategy was subject to legal

¹ <https://www.rcplondon.ac.uk/file/2914/download?token=NZzDVymh>

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/508118/160314_Further_devolution_to_Liverpool_City_Region_-_FINAL.pdf

³ <http://www.liverpoolexpress.co.uk/breathe-liverpool-plan-improve-air-quality/>

challenges, but culminated in the Government being mandated to publish proposals during 'purdah' on 5 May 2017⁴.

3.8 The draft plan sets out proposed actions to meet air quality standards within the shortest possible time and sets out:-

- A draft UK Air Quality Plan for tackling nitrogen dioxide ('Improving air quality in the UK: tackling nitrogen dioxide in our towns and cities'); and
- A technical report, including details of modelling techniques and assumptions used in the draft UK Air Quality Plan for tackling nitrogen dioxide

3.9 The consultation response deadline is 15 June 2017, to enable the Government to be in a position to publish its final plan and to meet the deadlines set by the European Commission. Agreement has been reached with Defra to allow the Liverpool City Region's response to be submitted on the 16 June 2017, in order to allow the Combined Authority to consider and endorse the response.

4. KEY ISSUES

4.1 Overall, the consultation document is considered generalised and vague in its approach, with no attempt to quantify the effectiveness of the various measures being advocated. A further flaw rests in emphasis on the role of technology on and reducing emissions from polluting vehicles. A very significant onus is also exerted on local authorities, and the shared responsibility between National and Local Government and the private sector is underplayed.

4.2 Whilst measures such as retrofitting and diesel scrappage are highly likely to have an important role to play, the role of good land use and transport planning in *reducing* vehicle flows and promoting alternatives to the car via greater use of walking, cycling, bus and rail, aided by complementary land use, parking, school travel and pricing policies, for example, should not be underestimated or overlooked. In this respect, suggestions in the consultation document about the removal of traffic calming features in order to smooth vehicle flows and their emissions are short-sighted and unhelpful.

4.3 Allied to the above, the response also highlights the importance of co-ordinated, cross-government and multi-agency working on measures to tackle poor quality, rather than it being seen as solely a "transport" solution. As an example, the location of schools, their operating hours, catchments and associated parental choice and pupil travel policies are significant determinants of travel choice and in turn, significant issues that have an air quality bearing.

4.4 Funding sources also need to be better aligned at a national level to support the improvement of air quality. For local authorities, the lack of revenue funding to support and roll-out effective, though resource-intensive activities such as travel planning, behavioural change, road safety and cycling training present major challenges.

⁴ <https://consult.defra.gov.uk/airquality/air-quality-plan-for-tackling-nitrogen-dioxide/>

- 4.5 The draft document also raises issues that are inconsistent with the spirit of devolution, notably in respect of the designation of Clean Air Zones, and where Central Government approval is needed for Clean Air Zone plans produced by local areas. Irrespective of the merits or otherwise of Clean Air Zones in tackling the problem, it is considered that such issues should be for local areas to determine, with Central Government providing the appropriate 'enabling' provisions.
- 4.6 The draft response is set out within Appendix Two to this report for members' comments and endorsement.

5. RESOURCE IMPLICATIONS

- 5.1 Notwithstanding uncertainties surrounding 'Brexit', the EU has the power to take action against non-compliant member states in the form of fines. There remains a real risk that fines of £300m per year could be levied on the UK for not having a 'credible plan' to meet air quality standards, and these could be passed down to local authorities to pay.
- 5.2 Poor air quality exerts costs on the health sector and on society in general, including impacts that cannot be quantified easily.
- 5.3 Poor air quality is also recognised as a factor that can discourage inward investment as a result of the stigma associated with the problem, and the risks presented to end users, staff or customers.

6. RISKS AND MITIGATION

- 6.1 Poor air quality is now recognised as a potential risk to local authorities, in addition to the serious health risks that it causes. These health risks are wide ranging and well documented, including heart and lung disease, autism, brain development, cancer and overall reduced life expectancy. Measures to reduce the impact of car traffic and to clean existing vehicle fleets will make some contribution towards mitigation against these risks, but it is recognised that further work is needed to test and evaluate the likely costs and relative benefits of these measures and that they will need to form part of a package of wider interventions.

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1. Evidence suggests that the poorest and most vulnerable people in society are often those who are most exposed to pollution arising from road traffic, as these areas are typically those most affected by road traffic on main arterial routes. As such, measures to improve air quality will be likely to have greatest benefit from the point of view of this cohort.

8. COMMUNICATION ISSUES

- 8.1 No direct issues at this stage, as the report is focused on the development of a consultation response, rather than on any specific courses of action. However, the Government's publication "Air Quality: A Briefing for Public Health Directors"⁵ sets out good practice on how best to communicate with stakeholders on the issues at stake, recognising that they are typically complex and scientific in nature.

9. CONCLUSION

- 9.1. This report briefly updates the Combined Authority on the problem of poor air quality across the Liverpool City Region, and on some of the approaches being developed at a national and local level to address these.
- 9.2. Principally, the report sets out a draft response Defra and the Department for Transport's national air quality consultation document. Overall, this consultation document is considered generalised and vague in its approach, with no attempt made to quantify the effectiveness of the measures at stake. This draft response is set out in Appendix Two for consideration and approval by members.

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Appendices:-

Appendix One – Map showing the location of Air Quality Management Areas across the Liverpool City Region

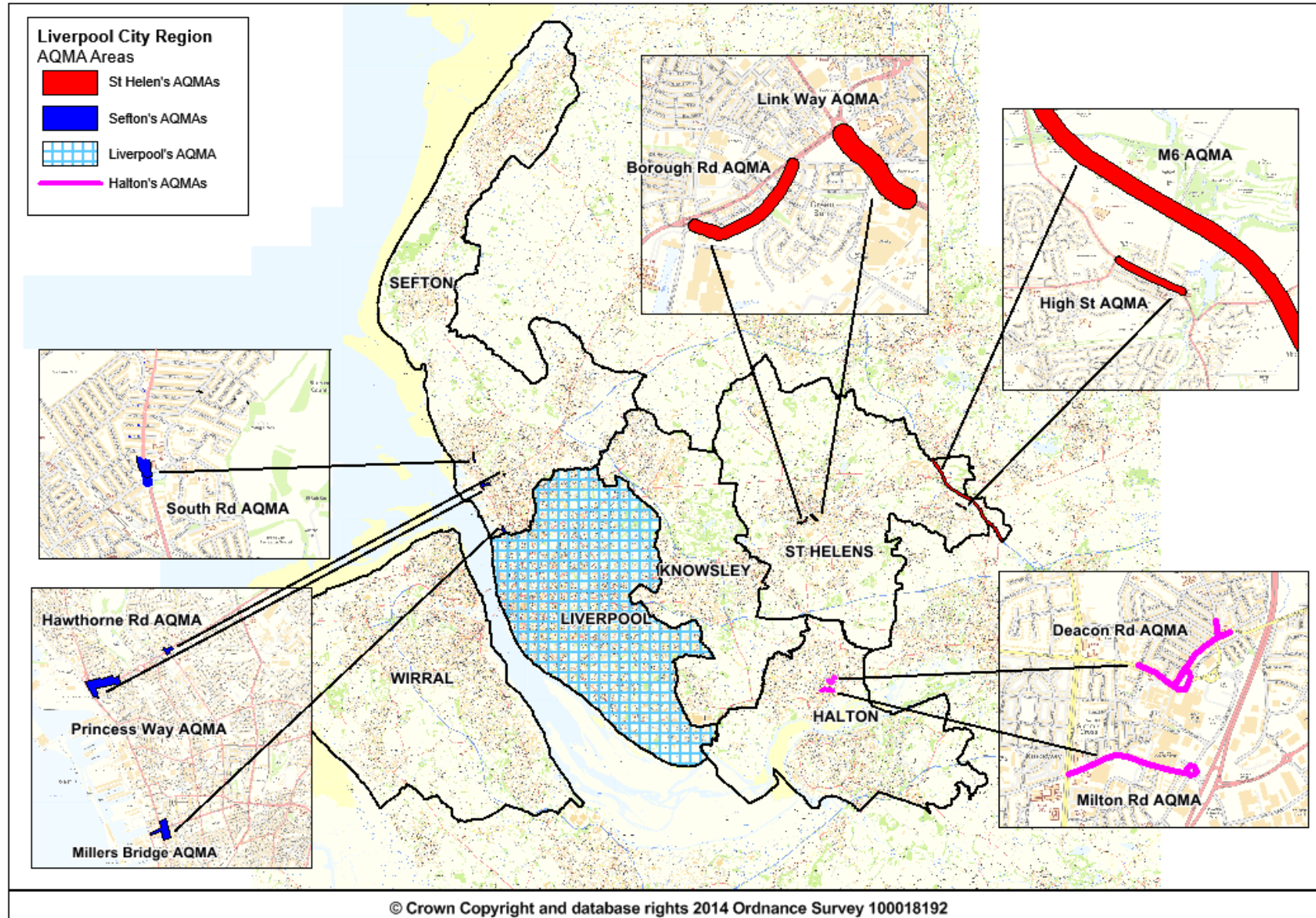
Appendix Two – Draft response to air quality consultation

Background Documents:-

None

⁵ <https://laqm.defra.gov.uk/assets/63091defraairqualityguide9web.pdf>

Map showing declared Air Quality Management Areas (Air Quality Management Areas) Across Liverpool City Region



**Draft Combined Authority Response to
“Improving air quality: National plan for tackling nitrogen dioxide”**

1. What is your name?

2. What is your email address?

3. Are you responding as an individual or an organisation?

Individual Organisation

4. If you are responding as an organisation please provide the name and nature of your organisation.

Name of organisation

Liverpool City Region Combined Authority

Other public sector organisation

5. Which region are you based in?

Location

6. Would you like your response to be confidential?

No

7. How satisfied are you that the proposed measures set out in this consultation will address the problem of nitrogen dioxide as quickly as possible?

The Liverpool City Region Combined Authority does not believe there is sufficient detail or substance in the plan to allow either central government or local government (namely the Combined Authority and its constituent local authorities in the case of the latter) to take action and plan with certainty in pursuit of the improvement of air quality.

The measures outlined in the plan are unquantified and untested, and the onus will typically be on local areas to test these, leading to a high degree of duplication and cost. National government could usefully provide a more robust framework in this regard.

A very significant onus is also exerted on local authorities and the shared responsibility between central and local government and the private sector is underplayed. The plan also exerts a significant onus on local authorities at a time that revenue funding, in particular, is under major pressure. This is addressed further below.

Whilst the role and responsibilities enjoyed by local authorities and Combined Authorities in respect of transport and air quality are very significant, there remain areas where it is essential that central government exerts clear leadership. This includes areas including, but not limited to:

- taxation and incentives on road vehicles;
- the future funding regime for greening bus and rail fleets;
- the funding national Government would make available to affected areas; and
- the measures that Highways England will be taking on their network in affected urban areas

A further weakness rests in the document's emphasis on the role of technology on and reducing emissions from polluting vehicles, rather than seeking to tackle the root cause of the problem through effective land use and transport planning in reducing vehicle flows and promoting more sustainable alternatives to private transport (i.e. walking, cycling and public transport) where possible. Whilst technology has an unquestionable role to play, it must form part of a suite of policy measures to address the problem.

At a very specific level, references to removing traffic calming measures because of their likely effect on vehicle emissions are both unhelpful and short sighted. This is an example of the document's narrow focus on technological, vehicle and infrastructure solutions and failure to address the myriad of inputs that will be needed across society.

8. What do you consider to be the most appropriate way for local authorities in England to determine the arrangements for a Clean Air Zone, and the measures that should apply within it? What factors should local authorities consider when assessing impacts on businesses?

As part of its second Devolution Deal with government in 2016, the Liverpool City Region is committed to joint exploratory work on Clean Air Zones, and intends to commission a detailed study to test and evaluate the likely costs and benefits of Clean Air Zones relative to other measures.

However, the proposed arrangements for Clean Air Zones appear to leave national Government with considerable scope to micro-manage local Clean Air Zones including ambiguous tests such as the need to be sure that there are 'no unintended consequences'

This is inconsistent with Government's wider stated commitment to devolution on the basis that local areas are best placed to determine the most appropriate response to specific local public policy issues and challenges. It should be Government's role to provide the associated 'enabling' policy and legislative framework for local areas to utilise.

The ambiguity and scope for centralised management could also hinder the development of effective air quality management strategies as local areas will need to second guess what the Government might consider acceptable. Given the tight timescales for achieving air quality targets this could also lead to valuable time being wasted.

9. How can government best target any funding to support local communities to cut air pollution? What options should the Government consider further, and what criteria should it use to assess them? Are there other measures which could be implemented at a local level, represent value for money, and that could have a direct and rapid impact on air quality? Examples could include targeted investment in local infrastructure projects. How can government best target any funding to mitigate the impact of certain measures to improve air quality, on local businesses, residents and those travelling into towns and cities to work? Examples could include targeted scrappage schemes, for both cars and vans, as well as support for retrofitting initiatives. How could mitigation schemes be designed in order to maximise value for money, target support where it is most needed, reduce complexity and minimise scope for fraud?

It is ultimately a matter for local authorities to best determine the most effective local strategies and policies for tackling their local air quality problems. The Liverpool City Region's transport strategies, for example, are committed to tackling these issues and promoting a clean, sustainable and inclusive transport system that supports growth across the city region.

However, national Government can and should support this through ensuring that those authorities are adequately funded to deliver those strategies and policies and ensuring that funding sources are better aligned at a national level to support the improvement of air quality. For local authorities, the lack of revenue funding to support and roll-out effective, though resource-intensive activities such as travel planning, behavioural change, road safety and cycling training present major challenges.

More significantly, the document is lacking in its recognition of the importance of co-ordinated, cross-government and multi-agency working on measures to tackle poor quality, rather than it being seen as solely a "transport" solution. As an example, education policy and aspects such as the location of schools, their operating hours, catchments and associated parental choice and pupil travel policies are significant determinants of travel choice and in turn, are significant issues that have a bearing on air quality.

There has been a lack of cohesion within and between national Government (e.g. DEFRA, DfT, ULEV, BEIS and CLG) and local areas with insufficient sense of common purpose, consistent policy and sharing of information and good practice. Tackling air quality problems effectively requires a joint endeavour between national and local government with national Government providing a clear framework which includes specific plans and strategies for those areas which are clearly the responsibility of national Government (such as the national fiscal and taxation regime for transport) with local authorities given the autonomy and funding they need to deliver effective local air quality plans.

10. How best can governments work with local communities to monitor local interventions and evaluate their impact?

Within the Liverpool City Region, any engagement from central government is best addressed and channelled through the Elected City Region Mayor and through members of the Combined Authority

11. Which vehicles should be prioritised for government-funded retrofit schemes?

In simple terms, this should be informed by a clear evidence base, so that the most polluting vehicles (and journey types) are targeted and prioritised by Government.

12. What type of environmental and other information should be made available to help consumers choose which cars to buy?

The impact of a vehicle labelling scheme would be much greater if this was also introduced for the sale of second hand vehicles.

13. How could the Government further support innovative technological solutions and localised measures to improve air quality?

See response to previous questions

14. Do you have any other comments on the draft UK Air Quality Plan for tackling nitrogen dioxide?

It is understood that the impact of fine Particulate Matter (PM_{2.5}) on the health of the population is greater than Nitrogen Dioxide (NO₂). More people suffer from ill health due to exposure to PM_{2.5} than NO₂. Despite this, the draft plan only considers the value of health improvements due to a reduction of NO₂ expected from measures and makes no attempt to quantify benefits from reductions of PM_{2.5}. Not only does this undervalue the potential overall benefit actions will have to health, it also suggests that Government are at risk of failing to develop a robust coherent and holistic approach to improving air quality that addresses wider responsibilities to improve other pollutants. This is of concern, as it is apparent that there is a strategic opportunity to ensure that multiple problems are addressed now, rather than dealing with issues separately, with a risk that unintended consequences arise.