

DERBYSHIRE COUNTY COUNCIL

CABINET

26 July 2018

Report of Director of Public Health

**RESPONSE TO THE GOVERNMENT'S CONSULTATION ON DEPARTMENT FOR
ENVIRONMENT FOOD AND RURAL AFFAIRS CLEAN AIR STRATEGY 2018**

1. Purpose of Report

To agree the County Council's response to the Government's Consultation on the Clean Air Strategy 2018.

2. Information and Analysis

i) Introduction

Air pollution is the top environmental risk to human health in the UK, and the fourth greatest threat to public health after cancer, heart disease and obesity. The draft Clean Air Strategy sets out the case for action and outlines the government's ambition to improve air quality. The strategy aims to tackle wider sources of air pollutants that damage health and the environment, building on the Air Quality Plan for Nitrogen Dioxide published in 2017.

ii) Overview of Clean Air Strategy

The consultation will inform the final Clean Air Strategy and detailed National Air Pollution Control Programme, to be published by March 2019. The strategy includes details of proposed legislation which seeks to strengthen frameworks to tackle air pollution, as well as England wide powers to control sources of air pollution, in line with the risk they pose to public health and the environment. Alongside new local powers, the strategy sets out enforcement mechanisms which will support the creation of clean air zones. The strategy covers a range of issues and sources of air pollution including, protecting the environment, securing clean growth and innovation, leadership and reducing emissions from transport, home, farming and industry. The breadth of the strategy and its ambitions are welcomed and outline positive moves to improve air quality. Details regarding many of its measures are however omitted from the report and as such it is difficult to accurately conclude the likely impacts of the strategy on national and local air quality levels.

iii) Implications for Derbyshire

The Strategy offers an important opportunity to outline interventions to improve air quality from a range of sources, at both national and local level. Previous national policies and plans have placed responsibilities strongly with local government. The impacts of air pollution with respect to morbidity and mortality are however predominantly attributed to long term exposure, as such measures must incorporate action at national as well as local level.

Within Derbyshire air pollution is attributed primarily to road transport and often to roads outside of local authority control, as such interventions to improve air quality often require significant infrastructure development and investment, as well as wider organisational support. The introduction of greater powers for local government at both lower and upper tier is therefore welcomed, however this must be supported with adequate resourcing. Previous policy and plans have focused on the highest polluting areas nationally with the outcome being investment for market towns and communities living near major truck roads is more difficult to obtain, despite the significant impacts on health. It is important therefore that the views of Counties such as Derbyshire are reflected within the consultation, to ensure real advances in air quality are achieved for Derbyshire's residents.

iv) Proposed response

The consultation period is due to end on the 14th August 2018.

The consultation asks a series of specific questions on the 10 outlined chapter areas. The questions and proposed responses are shown in Appendix 1. The proposed response has been developed collaboratively by Sustainable Travel, Transport Strategy, Fleet Services, Climate Change and Sustainability and Public Health. Responses seek to ensure the strategy reflects the needs of rural and smaller urban communities, highlight need for a greater focus on active and sustainable travel solutions and seek clarity of outlined actions.

3. Financial considerations

Not applicable

4. Legal considerations

Not applicable

5. Environmental considerations

Many of the measures suggested in the Clean Air Strategy will also reduce greenhouse gas emissions mitigating climate change.

6. Other considerations

In preparing this report the relevance of the following factors has been considered: equality of opportunity, health, planning and transport considerations.

7. Background Papers

Details of the consultation are available at:

<https://consult.defra.gov.uk/environmental-quality/clean-air-strategy-consultation/>

8. Key decisions

No

9. Call in

Is it required that call-in be waived for any decision on this report? – No

10. Officer recommendations

Note the Department for Environment Food and Rural Affairs consultation on Clean Air Strategy 2018.

Agree the proposed response to consultation questions shown in Appendix 1.

Appendix 1

1. What do you think about the actions put forward in the understanding the problem chapter?

The aims reflect the need to act on both background emission levels, national emissions and reducing human exposure. There are clear targets by which the strategy aims to reduce national pollution levels. The use of modelling is useful in determining wider air pollution levels however this must not seek to replace local modelling data. There must be continued investment in location monitoring, with particular reference to particulate matter where currently limited monitoring data exists at local levels.

2. How can we improve the accessibility of evidence on air quality, so that it meets the wide-ranging needs of the public and other interested parties?

Raising awareness of air quality at both a national and local level is fundamental to ensuring behaviour change. Modelled air quality indexes such as the UK Air provide a useful tool to raise public awareness of short term high pollution episodes. Such tools can however provide a false reassurance when utilised at a small geographical area particularly within less urban areas, and do not reflect long term exposure risk. We would therefore welcome the inclusion of local data sources within national publically accessible modelling tools. Data must be provided in its raw form to enable local analyses to be carried out.

3. What do you think of the package of actions put forward in the health chapter?

The sources of air pollution and health impacts are well represented. The strengthening of targets for particulate matter is welcome, however the strategy fails to outline the mechanisms by which improvements will be achieved.

Transport continues to be the leading cause of personal exposure to air pollution with 96% of air quality management areas stating transport as the main source (Defra, 2017). Reductions in PM_{2.5} and Nitrogen Dioxide will require considerable national investment in innovative technologies to reduce transport related emissions, improved monitoring and a greater emphasis on sustainable travel infrastructure.

Within Derbyshire air pollution is attributed primarily to road transport and often to roads outside of local authority control, as such interventions to

improve air quality often require significant infrastructure development and investment, as well as wider organisational support.

The introduction of greater powers for local government at both lower and upper tier is welcomed, however this must be supported with adequate resourcing and further detail is required about how this may work in practice.

A previous focus on Clean Air Zones has inadvertently polarised thinking around air quality to individual areas, and risks having a detrimental impact on air quality within counties such as Derbyshire by causing displacement of more polluting vehicles and restricting funding. Future policies to address air pollution must therefore provide equitable access to funding and seek to mitigate any unintentional impacts.

The role of green infrastructure and green space is not included within the outlined solutions, and further emphasis on such measures to support local improvements in air quality would be welcomed, particularly within national planning policy. Green infrastructure can also be a key factor in supporting individuals to use active travel for short journeys.

Further investment to build evidence of the health and economic impacts of air pollution as well as cost effectiveness of interventions is essential to support local decision making. Whilst a strong evidence base is fundamental for Directors of Public Health, barriers to implementing change at a local level relate predominantly to a lack of resource and ability to influence outside agencies such as Highways England.

4. How can we improve the way we communicate with the public about poor air quality and what people can do?

Increased communication around the impacts and actions would be welcomed. Effective communication must utilise evidence, considering principles such as nudge theory and other societal behaviour change approaches. Messages must clearly reflect individual's ability to influence their exposure (DEFRA, 2017). Similarly it is important to ensure messages reflect local communities and do not inadvertently create a sense that air pollution is an issue for only highly urbanised areas, through the use of imagery of inner cities and smog. In order to reduce long term exposure and local areas of poor air quality, messages must reflect the need for large scale change across society, and be localised.

Widely recognised air alert systems may be useful in raising awareness around the impacts of short term episodes of poor air quality, these must however be widely available and well understood. At present there is a need for greater evidence of the cost effectiveness of such measures in reducing morbidity and influencing behaviour change (NICE, 2018), and pilots of such schemes in a range of areas would be valuable.

Whilst it is important to raise awareness of local short-term air quality issues, awareness of the long-term, cumulative effect of poor air quality also needs to be raised. This is particularly an issue in more rural areas.

5. What do you think of the actions put forward in the environment chapter?

Investment into research to develop a great understanding of the environmental impacts of air pollution is essential to inform government policy.

Greater controls to mitigate the risk of air pollutants on the natural environment are also welcomed in principle, however further detail is required in order to understand the implications for both local government, the rural economy and local environment.

6. What further action do you think should be taken to reduce the impact of air pollution on the natural environment?

A stronger evidence base is required to accurately identify measures which may reduce the impact of air pollution on the natural environment.

7. What do you think of the package of actions put forward in the clean growth and innovation chapter?

Investment in sustainable energy, battery technology and take up of low emission vehicles is positively received. Measures to support that take up of low emission vehicles must reflect the scale of infrastructure required and be delivered equitably between rural and urban areas. Current grant based systems often create inequity in both investment and subsequently infrastructure, impeding the move to more sustainable solutions in County areas.

Measures to jointly tackle air quality and climate change are welcomed. The review of policy around biomass is welcomed as well as solutions to support a move away from industrial and domestic coal burning. Derbyshire County has a significant number of homes known to utilise coal as the main heating source. Local hot spots of domestic coal use are evident across the County within ex mining communities, where individuals and widows access free supplies of coal. These are often situated within deprived areas and communities with existing poorer air quality, and include individuals with long term conditions susceptible to poor indoor and outdoor air quality. Measures to support a move away from coal use are welcome but must support communities such as those described in order to prevent issues of fuel poverty. Rural fuel poverty must also be addressed providing financially and practical non-carbon-based heating options for the large number of households which are off-gas. This must be combined with energy efficiency measures to reduce the demand for energy.

A review of non road diesel tax is essential in order to reflect the environmental impact of fuel choice. This must however also support small business and the farming industry to enable the use of viable alternatives.

Actions to support growth and innovation within the field of sustainable travel are overlooked within the strategy. Sustainable travel and its infrastructure are key to reducing sources and exposure to air pollution, as well as supporting improvements in physical health. Greater investment is required to understand and support active travel including measures to encourage and facilitate sustainable travel use, cycling infrastructure and ebike technology.

The need for future energy, heat and industrial policies to tackle air quality and climate change are welcomed. These must address long-term costs and benefits. The long-term benefits of energy efficiency measures, particularly in new-builds, must be supported. Further investment in renewable energy initiatives for heat and power, particularly those which can be applied in rural areas, needs to be addressed and the roles of local authorities, including two-tier authorities in these rural areas must be defined and supported with resources.

8. In what areas of the air quality industry is there potential for UK leadership?

Detail of actions to support a move away from the use of fossil fuel within industry is required. Education and training in relevant innovation and technological development and production should be supported.

9. In your view, what are the barriers to the take up of existing technologies which can help tackle air pollution? How can these barriers be overcome?

Infrastructure to support the take up of ultra-low emission vehicles is currently lacking within rural and market town communities. Rural communities often have limited access to viable public transport and commute greater distances for employment. As such the take up of ULEVs in Counties such as Derbyshire are key to ensuring a move away from traditional fuels. Issues such as battery range anxiety are also heightened within rural communities. Despite an evident need for investment in low emission infrastructure many of the current funding streams are allocated inequitably and lend themselves to more urbanised areas where implementation is seen to be more economically viable. A national strategy for the implementation of low emission infrastructure, which is achieved in conjunction with local authorities is required in order to ensure sufficient access to charging and an effective infrastructure network. Strengthening of planning regulations to ensure access to home charging facilities within all new developments would also be welcomed. However, active travel, including the use of e-bikes should be promoted as a first priority. Greater emphasis should be placed on the take-up of energy efficient forms of heating particularly in off-gas areas.

There is not sufficient confidence in alternative technologies (e.g. air-source heat pumps) to encourage take-up. Also, from a consumer's point of view, trusted and experienced installers of such technologies are difficult to find.

10. In your view, are the priorities identified for innovation funding the right ones?

Investment in innovation to support the green economy is welcomed, particularly for small and medium enterprises. Priority areas accurately reflect need, including technologies to support reductions in transport related particulate matter and viable alternatives for heavy goods vehicles. Innovation funding to better understand and reduce personal exposure within vehicles and housing would also be welcome. More should be done to support heating alternatives.

11. What do you think of the package of actions put forward in the transport chapter?

The broadening of strategy to include non road transport sources is welcomed, in order to address wider sources of air pollution which impact background exposure. The announcement of a Road to Zero strategy is also welcomed. Road transport continues to be a significant contributory factor to local air pollution. Strategy which builds on plans outlined within the nitrogen dioxide plan are required in order to ensure emissions are reduced across the Country and in particular where exceedances are known to occur at local levels, but sit outside of the current nitrogen dioxide plan. Across the County a significant proportion of exceedances are related to the County's major trunk roads which sit outside of local authority control. Strategies to improve air quality must therefore not fall solely at the feet of local authorities, but must engage wider organisations and national government.

Improvements in air quality within local air quality management areas has stalled in recent years, due primarily to rising traffic demand and a lack of resources to invest in major infrastructure. If local authorities are to effectively improve air quality, significant investment to support behaviour change and infrastructure will be required.

In order to address the long term impact of air pollution on local communities it is essential a comprehensive approach is taken which seeks to primarily reduce demand for travel. The mode of transport and hence its contribution to emissions, is a secondary issue. Reference to strategies to address demand reduction would therefore be welcome within 5.2 of the strategy.

Further work is required to ensure reductions in exhaust emissions in order to support mitigation and the take up of lower emitting vehicles. Rating systems such as the euro rating may not accurately reflect real life emissions and therefore creates consumer confusion.

A widely recognised rating system is required which reflects real emissions and includes both new and used vehicles, similar to the energy rating system used for small domestic appliances. Such measures will ensure consumers are able to make informed decisions regarding vehicle choice and also ensure the motor industry invests in innovation. Whilst measures to move away from petrol and diesel by 2040 are welcomed, more needs to be done to retrofit the worst offending vehicles currently in circulation in order to reduce emissions.

The strategy includes limited detail around new measures to support active travel and public transport, despite modal shift being a key priority in reducing local and national air pollution. National support is required to facilitate measures which promote modal shift, including;

- Guidance within the National Planning Policy Framework to promote connectivity and prioritisation of sustainable travel within planning and highways policy.
- Reducing the need for travel
- Review of disincentives to car travel
- Measures to incentivise active travel
- Greater financial resource to enable local authorities to support business, schools and workplaces to promote and facilitate active travel.

12. Do you feel that the approaches proposed for reducing emissions from Non-road mobile machinery are appropriate or not? Why?

Great controls of non-road mobile machinery are welcome in principle. This must however also support small business and the farming industry to enable the use of viable alternatives.

13. What do you think of the package of actions put forward to reduce the impact of domestic combustion?

The inclusion of domestic heat sources within the strategy is welcomed. As outlined smoke control areas can be difficult to enforce and are not widely understood by the public. The move to a national programme would therefore support local authorities and widen their usage. Controls on the most polluting fuel sources and incentives for the cleanest fuels will support the move to cleaner fuels. As outlined, there needs to be greater public awareness of the polluting impacts of various heat sources. These need to be standardised and widely recognised. Rating systems similar to those used for small appliances and infographics such as those on page 51 are welcomed. Measures to support a move away from the most polluting fuels is welcome, but must provide financially and practically proven technologies alternatives and support communities such as ex miners and rural properties where access to mains gas may not be possible. Strengthening of planning guidance to ensure provision of the cleanest fuels is required.

14. Which of the following measures provide information on a products non-methane volatile organic compound content would you find most helpful for informing your choice of household and personal care products? ABC label, manufacturer website, leaflet, inclusion in advertising, other

We would support the use of an ABC rating scheme, in order to facilitate consumers to make informed choices about the products they use in their homes. Ratings need to be widely understood in order to be effective and the use of a voluntary scheme may therefore not encourage wide spread use. The use of a voluntary scheme may also not create the same industry pressure to reduce usage of VOC in products. We would therefore welcome a compulsory rating system.

15. What further actions do you think can be taken to reduce human exposure from indoor air pollution?

Improve energy efficiency and building standards to maintain suitable temperature but increase ventilation.

16. What do you think of the package of actions put forward in the farming chapter?

We welcome action to reduce pollutants from farming in principle and support the action to provide farmers with support to make investment in farm infrastructure and equipment. This is particularly important for smaller farms where investment in infrastructure or changes to farming practice may be less economically viable. Detailed data collection and dissemination around ammonia, methane and nitrates should be available to farmers and supporting industries. We would support the consultation considering the views of organisations representing the farming industry, who have specialist knowledge within this field.

17. What are your preferences in relation to the 3 regulatory approaches outlined and the timeframe for their implementation?

The regulatory approaches outlined appear to provide viable mechanisms to reduce the impact of farming on air pollution levels. We would welcome a multifaceted approach to regulation to ensure this is equitably delivered. Suitable timescales to enable the industry to adapt must be considered and provided in conjunction with the necessary financial resources to support the farming industry. Measures must also include the necessary resource for local authorities to support implementation and regulation. We would support the consultation considering the views of organisations representing the farming industry, who have specialist knowledge within this field.

18. Should future anaerobic digestion supported by government schemes be required to use best practice low emissions spreading techniques through certification?

We would welcome measures to ensure digestate produced from AD is spread using best practice techniques in principle, however we would support the consultation of industry experts and representatives from the speciality.

19. What do you think of the package of actions put forward in the industry chapter?

We welcome measures to ensure continuous improvement in the impact of industry on air pollution at local levels.

We would welcome the inclusion of greater powers around illegal waste sites within the Strategy, including additional resource to monitor and undertake enforcement action in response to illegal waste fires. Illegal waste burning can have a negative impact on local air pollution levels and the neighbouring environment. We advise this be considered within the Strategy.

Support for low-carbon renewable energy generation should be more evident.

More detail on how emissions will be monitored and reported is needed to understand the implications of this. Any 'emissions trading scheme' should be avoided as this does little to reduce emissions. Pollution prevention and control would be better supported.

20. We have committed to applying Best Available Techniques to drive continuous improvement in reducing emission from industrial sites. What other actions would be effective in promoting industrial emission reductions?

No further comment.

21. Is there scope to strengthen the current regulatory framework in a proportionate manner for small industrial sites to further reduce emissions?

We welcome the review of evidence in this area and a proportionate approach to regulation. This should be based on consultation with experts within the field. Any increase in regulation will need to be supported by additional resource to support monitoring and enforcement.

22. What further action if any should Government take to take emission from medium combustion plants and generators?

Further support de-carbonised and decentralised energy generation.

23. How should we tackle emissions from combustion plants in the 500kW-1MW thermal range?

Update regulations making use of BATs

24. Do you agree or disagree with the proposal to exempt generators used for research and development from emission controls?

Unable to comment.

25. What do you think of the package of actions put forward in the leadership chapter?

We welcome moves to ensure EU law continues following Brexit, and the publication of the National Air Pollution Control programme. We also welcome simplification of legislation around Clean Air Zone, air quality management areas and smoke control areas. Additional detail of the changes proposed to the legislative framework are required in order to comment further.

26. Do you feel the England-wide legislation package set out in 9.2.2 is appropriate?

27. Are there gaps in the powers available to local government to tackling local air problems?

Increased powers or regional support is required in order to support local authorities where air quality management areas relate to highways infrastructure outside of the local authority control. Alongside powers for local authorities additional resource is required to support both the monitoring, staffing resource and financial support required to implement local air quality improvements. Authorities do not currently exert powers in relation to particulate matter, as monitoring is primarily focused around nitrogen dioxide, due to the costs associated with specialist monitoring. Wider real monitoring of wider pollutants would support local authorities to monitor, model and act in relation to other pollutants.

28. What are the benefits of making changes to the balance of responsibility for clean local air between lower and upper tier authorities? What are the risks?

Within Derbyshire air pollution is attributed primarily to road transport and often to roads outside of local authority control, as such interventions to improve air quality often require significant infrastructure development and investment, as well as wider organisational support. The introduction of greater powers for local government at both lower and upper tier is therefore welcomed, however this must be supported with adequate resourcing, and must also include greater responsibility for agencies such as Highways England. Further detail is required regarding the outlined proposals in order to provide further comment.

29. What improvements should be made to the Local Air Quality Management system? How can we minimise the bureaucracy and reporting burdens associated with LAQM?

Greater support is required for local authorities in order to improve the air quality management system. Authorities need greater regional support in order to facilitate local modelling to identify solutions, share best practice and support monitoring of progress against actions.

Further information is required about incentives proposed to support authorities to utilise local powers.

30. What do you think of the package of actions in the strategy as a whole?

The strategy sets out a breadth of actions and covers a range of sources of air pollution. Further clarity is required regarding the operationalisation of these measures in order to provide accurate comment on the likely impact these may deliver for both national and local air pollution. Previous policy and strategies have often omitted to reflect the needs of rural and market towns as well as densely populated urban areas. Measures and resources must be delivered equitably in order to seek improvements in air quality for the population as a whole and reduce long term exposure. A greater emphasis on active travel and modal shift is required.

Whilst innovation and regulation will facilitate reductions in air pollution, a large cultural shift is required if we are to facilitate a move to sustainable sources and active travel, and improve air pollution levels long term. This will require strong national leadership and investment, and would therefore welcome a separate strategy or plan to address these issues.

We would also welcome greater inclusion of measures to support mitigation and source reduction in national planning policy, including set backs, use of green infrastructure, prioritisation of sustainable travel within highways, cleaner domestic heat sources, energy efficiency and inclusion of low emission vehicle infrastructure.

31. Do you have any specific suggestions for additional or alternative actions that you think should be considered to achieve our objectives?

These have been included within the response to the relevant chapters.