

Air Quality Management Area Declaration

Cabinet

Date: 20th March 2019

Author: Cabinet Member for Housing and Public Safety
Director of Public Health

Wards: Old Town, Eastcott,

Parishes Affected: Central Swindon South

1. Purpose and Reasons

- 1.1 This report asks Cabinet to approve the draft Air Quality Action Plan for the Kingshill Air Quality Management Area. Cabinet approved the declaration of an Air Quality Management Area for a stretch on the Kingshill in February 2018. This was following a review and assessment of air quality within the Borough of Swindon, the Department for Environment, Food and Rural Affairs (DEFRA) objectives for Air Quality, with respect to Nitrogen Oxides (NOx) not being achieved in the Kingshill area. This report presents the work of the Air Quality Steering Group.
- 1.2 The council is obliged to prepare an Air Quality Action Plan setting out the measures it intends to put in place in pursuit of the objectives. This report sets out the plans to reduce the exceedance of NOx on Kingshill Road to levels within DEFRA's threshold within 5 years (2019-2014).
- 1.3 This report supports the Council's Vision and Outcome 5 of the Swindon Health and Wellbeing Strategy: Creation of sustainable environments in which communities can flourish. This action would also support the Council's Vision for Swindon Plan 2016-2020, Priority 1: "Improve infrastructure and housing to support a growing, low-carbon economy".

2. Recommendations

Cabinet is recommended to:

- 2.1 Approve these priorities to improve air quality in the Air Quality Management Area
 1. To investigate sustainable options for reducing emissions from road vehicles on Kingshill Road; particularly in the uphill, South-East direction.
 2. To facilitate a shift to more sustainable modes of travel, more active travel, better planned journeys, and more sustainable fuels.
- 2.2 Approve the draft Air Quality Action Plan for the Kingshill Air Quality Management Area as set out in appendix 1 to the report.
- 2.3 Authorise the Director of Public Health, to consult with DEFRA, the Environment Agency and neighbouring Local Authorities on the draft Action Plan for the

Further information on the subject of this report can be obtained from Ayo Oyinloye, extension 7074, AOyinloye@swindon.gov.uk.

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Kingshill Air Quality Management Area and to report back to cabinet following such consultation for final approval of the plan.

3. Detail

- 3.1 The Environment Act 1995, together with DEFRA's Policy Guidance (*PG16*) – *Local Air Quality Management*, requires Local Authorities to monitor local air quality and report on progress in keeping pollutants below thresholds to DEFRA. This is with a view to meeting objectives (i.e. not exceeding these target levels) in relation to a number of pollutants. The most common pollutant is Nitrogen Dioxide (NO₂). The target is that the long-term, annual average, concentration of NO₂ at relevant receptors should be less than 40µg/m³. The data are calculated as an annual average of readings and not point estimates.
- 3.2 Regular monitoring of NO₂, together with detailed assessment using additional monitoring and information, indicates that the following discrete location is currently in breach of the annual average air quality objective of 40µg/m³,
 - 3.2.1 Kingshill Road: The section of the A4289 eastwards from grid reference 414635E 183838N on Kingshill Road to its junction with Okus Road. Continuous monitoring of this site suggests this is due to the volume of traffic.
- 3.3 The recommendations in this report build on the Joint Strategic Needs Assessment on Air Quality in Swindon and on the Council's Annual Status Report (ASR) on Air Quality in Swindon 2017 submitted to DEFRA and the Council's declared Air Quality Management Area.
- 3.4 Air pollution, if not addressed, is associated with a number of adverse health effects. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, Poor air quality has a disproportionate effect on children and older people, and those with heart and lung conditions. There is also often a strong correlation with inequalities as less affluent communities are more likely to be situated near polluted busy roads, and are more likely to get adverse health impacts. The annual health cost to society of the poor air quality in the UK is conservatively estimated to be around £16 billion.
- 3.5 The Swindon Air Quality Joint Strategic Needs Assessment (JSNA) shows that no direct effect on health on Swindon residents has been observed as a result of poor air quality, the actual health impact in Swindon is difficult to isolate using local data. Although, poor air quality is a contributor to ill health it is often not the sole cause of disease.
- 3.6 At this identified location, Kingshill Road, current estimates are that NO₂ levels at relevant receptors, based on the calendar year 2017 monitoring data, are likely to be in the order of 51-µg/m³.

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- 3.7 Swindon is a large growth town. The size of the town, and so the number of people travelling within it, is forecast to grow by in excess of 15% between 2010 and 2022.

We must reduce emissions generated on Kingshill Road by 30% from today's base, and maintain that reduction as the number of miles travelled in Swindon grows in line with the town's growth.

- 3.8 The Air Quality Management Steering Group has met over the past year to review the options for addressing the air quality issues in the AQMA. It has met with local residents and local businesses to raise the issues and solicit support. This was done in conjunction with local elected members through the Cabinet Member Advisory Group (CMAG) and with local parish councillors through an engagement event. The Steering Group produced the draft action plan that was put to a public consultation which version is attached as appendix 2.
- 3.9 The consultation survey opened to the public on the 21st December 2018 and closed on the 3rd February 2019. There were a total of 72 responses. Respondents were asked to select answers to two questions before being invited to leave any additional feedback on the Swindon Borough Council Air Quality Action Plan. In addition to the survey responses, Swindon Borough Council received a written response to the Air Quality Plan from the Central Swindon South Parish Council.
- 3.10 Seven out ten of respondents (71%) agreed with the council's priorities to Priority 1 – To investigate sustainable options for reducing traffic flow of Kingshill Road; particularly in the uphill, South East direction. Priority 2 – To facilitate a shift to more sustainable modes of travel, better planned journeys and more sustainable fuels.
- 3.11 Three quarters of the respondents (75%) agreed with the actions in the draft action plan. The details of the consultation is in Appendix B of the draft Air Quality Action Plan.
- 3.12 To reduce the emissions on this road this plan aims to remove Heavy Good Vehicles from this stretch of road. Source apportionment shows that removing heavy vehicles from the road will remove more than 10% of the NO2 emissions there. We estimate that around 250 heavy vehicles will be displaced in this way, but that these can be accommodated on alternative and better suited routes. We will seek to put in place a Traffic Regulation Order to restrict heavy vehicles on the road as quickly as possible.
- 3.13 Private Hire and Hackney Carriages. There are over 1000 taxis and 100 Hackney Carriages licensed by Swindon Borough Council. It is not known precisely what proportion of the traffic on this road is a taxi or hackney carriage, but it is clear that the road is an important route in and out of Old Town, and so private hire and hackney cab vehicles will make up a meaningful part.
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Private Hire Vehicles may be no older than 5 years at the time of first licence, and cannot be licensed older than 10 years under current arrangements. Hackney Carriages may be 15 years old before replacement, but make up only a small proportion of the fleet as a whole.

Under current licence conditions; the great majority of licensed private hire vehicles will be Euro 6b by 2024; as they were first registered after August 2015. A Hackney Carriage could be as old as Euro 5b however, and have done many miles by that age.

We will put forward proposals to the Licensing Committee to improve the emissions of the taxi and hackney carriage fleet through licence conditions; beyond that already mandated.

- 3.14 Bus Fleets. There are currently few buses that use Kingshill Road, but a modern, clean and efficient bus service will help us to accomplish the modal shift that we need to reduce travel in cars more generally. We will support our local bus companies to identify and obtain funding to improve the emissions profile and quality of their fleets.
- 3.15 Strategies and Policies. There are a number of Council Strategies and Policies which have the potential to influence the amount of traffic on Kingshill Road, and the emissions produced there:

The Local Plan 2026

The Local Transport Plan

The Town Centre Movement Strategy

The Park & Ride Strategy

The Local Authority Fleet Vehicle Purchasing Policy

We will refresh and update these documents to give a higher priority to air quality, particularly where they have potential to positively impact on air quality on Kingshill Road.

- 3.16 Modal shift and a switch to more sustainable fuels. In order to be successful in remedying the non-compliance with air quality criteria within the AQMA, and cope with the inevitable increase in travel as Swindon grows rapidly; we must achieve a modal shift in travelling behaviour.

More journeys must be made by public transport, walking, or cycling; all modes which also convey public health benefits through a more active lifestyle. There are important Public Health improvements, beyond an improvement in air quality, which might be obtained here.

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Where motorized transport is unavoidable; we must do what we can to foster the use of low or zero emission vehicles where possible. Much of this aim is outside our local control. Scrappage schemes and subsidy for ultra-low emission vehicles are most successful if done at national scale. However, there are things which we can influence in this area. We can prioritise electric charging facilities and parking spaces for ultra-low emission vehicles in the town and promote provision of charging facilities in new homes and businesses.

- 3.17 Council Vehicle Purchasing. The light vehicle fleet mostly operated by the Council's housing service will be renewed on a 1/3rd per year basis in the future. There is potential then to remove emissions from Swindon quickly through a change in the Council's procurement policy. A review of that procurement policy is currently under way.

We will refresh the light vehicles procurement policy to prioritise zero or low emission vehicles where it is viable.

For larger and heavier vehicles, such as refuse lorries and gritters; zero emissions is more difficult to achieve. We are though currently reviewing our procurement policy for large vehicles with a view to prioritizing zero emission or low emission vehicles where viable too.

- 3.18 Council Fuelling Infrastructure. In order to support a shift in the Council fleet; charging infrastructure must be provided at the depot.

We will install sufficient charging points at the depot to support a shift to zero emission vehicles where viable.

- 3.19 Increasing Public Transport Use. Buses and trains carry people to their destinations while producing significantly lower emissions per passenger mile.

We will work to increase the use of Public Transport, and will review the Park & Ride Strategy to provide alternative means of reaching the town centre.

- 3.20 Walking and cycling infrastructure. New developments in Swindon are designed with non-car travel in mind, and a network of interconnecting path and cycle ways is under constant development in Swindon.

We will work to improve the cycle and footpath network where opportunities exist and funding can be secured. One of Swindon's largest expansion areas is Wichelstowe; between the M4 motorway and the South of Old Town. An opportunity exists to better link Wichelstowe with Old Town for cyclists and walkers via the Old Town Railway Cycle Path. This existing way is in relatively poor repair, not well-surfaced and unlit at night.

We will work to identify funding to improve the Old Town Railway Cycle Path to provide an attractive active route into Old Town for current and future residents.

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- 3.21 Fostering a modal shift through engagement. Some work is already undertaken to foster a move to green, public, and/or active travel. Swindon Travel Choices promotes active journey planning and active travel across Swindon. The Travel Plan Officer actively engages schools, communities and workplaces to promote greener and active travel. If we are to succeed in shifting sufficient travel miles away from cars and other motorized transport, we must do much more.

We will redouble our work with companies especially in Swindon to promote greener staff and company transport.

We will work with local bus companies to improve the quality of their fleet. Increase frequency of travel, consider new routes and encourage more people to travel by bus.

- 3.22 The draft action plan which was consulted on with the public has been amended following that consultation. The Council is required under the Environment Act to put the plan to a number of statutory consultees including the Environment Agency, neighbouring Local Authorities and DEFRA before then finalising the plan. It is recommended that the Director of Public Health be authorised by Cabinet, to consult with DEFRA, the Environment Agency and neighbouring Local Authorities on the draft Action Plan for the Kingshill Air Quality Management Area and to report back to cabinet following such consultation for final approval of the plan.

4. Alternative Options

- 4.1 Producing an Air Quality Action Plan (AQAP) a statutory requirement following declaration of an Air Quality Management Area (AQMA) and as such, there is no “do-nothing” alternative to this.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 Much of the financial implication of this Action Plan will be covered by regular business as usual. Detailed cost analysis will be done for each of the action plans at the appropriate stage. Indicative costs have been included in the plan (Table 0.1)
- 5.2 This action plan would allow the Council to be able to apply for additional funding from DEFRA and other National sources to address the Air Quality issues.

Legal and Human Rights Implications

- 5.3 There is a legal duty under section 84 of the Environment Act 1995 for an action plan to be produced following a Council making a declaration of an air quality

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management area. Failure to produce an AQAP would leave the Council in breach of this legal duty. There is no known history of DEFRA resorting to any form of intervention where local authorities have failed in this duty, however it is known that DEFRA has 'named and shamed' those authorities who have not complied with their duties in terms of air quality management.

- 5.4 It is also likely that this may now become more pronounced as the UK is facing censure and charges from the European Union for failing to meet the stringent air quality objectives, particularly in terms of Nitrogen Dioxide. Public interest in air quality matters is inevitably also increasing in response to the higher profile given to it nationally in the media.
- 5.5 Other legal and human rights implications have been taken into account in preparing this report. It is considered that the recommendations are compatible with Convention Rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.6 This action would positively impact on the health of residents by improving the location of poor air quality that are linked to traffic pollution.

Diversity Impact Assessment

- 5.7 A Diversity Impact Assessment (DIA) has not been done as this report does not make any new recommendations that would affect service delivery or impact on any of the protected characteristics. However, any action plan that is developed would be supported by the appropriate DIA.

6. Consultees

- 6.1 The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) were consulted in respect of all reports.
- 6.2 The ward members of the affected area, parish councillors, local businesses and local residents have been consulted with.

7. Background Papers

- 7.1 Air Quality Annual Status Report 2016.

8. Appendices

- 8.1 Appendix A Draft Air Quality Action Plan (*The appendix is available online at the Council's website or on request from Committee and Member Services*).

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9. Key Decision/Decision in Cabinet Work Programme

- 9.1 This is a Key Decision and is included in the Cabinet Work Programme for March 2019.