

Cabinet

15th June 2016

The Durham City Air Quality Action Plan



Report of Corporate Management Team
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PURPOSE OF THE REPORT:

1. To update Cabinet on the outcome of the consultation on the proposed action measures for improving air quality as set out in the draft Air Quality Action Plan.
2. To seek approval for the adoption of the revised version of the Air Quality Action Plan (Appendix 2).

BACKGROUND:

3. The Council declared the city centre of Durham as an Air Quality Management Area (AQMA) in 2011 and this was subject to a previous report to Cabinet (Ref: NS/02/11). This was amended in 2014 to include sections of Claypath, New Elvet and the west end of the city to the roundabout at Stonebridge.
4. Following the declaration of the Air Quality Management Area the Council is legally required, under the Environment Act 1995, to prepare an Air Quality Action Plan (AQAP). The Council is also required to demonstrate that it is working towards complying with the national air quality standards within the declared Air Quality Management Area.
5. Progress in relation to the preparation of an Air Quality Plan for Durham City has been subject to regular reports presented to Overview and Scrutiny Committee.
6. The main part of the AQAP is the Air Quality Improvement Options Appraisal study that initially establishes a baseline for emissions of nitrogen dioxide in 2017 together with projected changes in the future and the appraisal of each of the options.
7. A report on the prepared draft Air Quality Action Plan for Durham City and arrangements for consultation was presented to the Director of Neighbourhood

Services on 25th August 2015 and under their delegated powers approval was given for the Council to progress with the public consultation exercise on the draft Air Quality Action Plan.

CONSULTATION EXERCISE

8. The duration of the consultation extended over a twelve week period and began on 21st September 2015 and concluded on 14th December 2015.
9. A key component in the development of an Action Plan is consultation with relevant statutory bodies, members of the public, local businesses and other stakeholders. Residents living in the immediate vicinity of the AQMA, organisations/associations that represent residents, Councillors with responsibility for areas with a boundary onto the Air Quality Management Area and relevant groups such as the Environmental Partnership Group and the Economic Partnership were also given the opportunity to express their views on the Air Quality Action Plan during the consultation exercise.
10. The form of the consultation involved letters being sent to residents, organisations/associations representing businesses and residents and the statutory consultees. In addition, promotion of the consultation was undertaken by engaging with local residents at six combined events with other Durham County Council consultations at venues across the city. A further event providing an opportunity to engage with Councillors took place on Wednesday 23rd September 2015 in the foyer area of the Council Chamber. The workshop event also provided a presentation to explain, in more detail, what each of the actions entails together with improvements in air quality.
11. The feedback from the consultation was primarily obtained from the completion of a survey that sought views on each of the twelve proposed action measures and to invite suggestions for additional measures. The survey was made available to complete either online or in paper form. To supplement the survey a workshop event was held at Durham Town Hall on 12th October 2015. Participants were invited to discuss and to give their views on each of the proposed action measures.
12. The Council also consulted with DEFRA, as a statutory consultee, on the draft Air Quality Action Plan on 28th September 2015. There is potential for feedback to be received from DEFRA in relation to both the outcome of the consultation exercise and the effectiveness of actions proposed within the plan.

CONSULTATION OUTCOME

13. A total of 156 responses were received via the survey – 88 paper surveys and 68 online responses. An additional six responses were received by letter and email. Feedback was also gathered through the air quality workshop. The full report on the consultation process and details of the feedback obtained will be made available in the member's library for information
14. The responses received from the completion of the consultation survey were analysed in accordance with a scoring matrix and categorised against the action

measures. A summary of the views expressed from the survey are detailed below:-

- **Action 1: Introduction of UTMC / Scoot system** Although a significant number of respondents expressed a positive view (44.8%) on the impact of a UTMC system and the introduction of signalised junctions. There were some negative views raised regarding the potential increase in volume of traffic using the route as traffic flow through the city is improved.
- **Action 2: Retrofitting of emissions systems on diesel engines** The vast majority of respondents (80%) provided a positive response to fitting systems to buses with diesel engines to reduce emissions from buses on routes within the air quality management area.
- **Action 3: Operation of hybrid buses** 82.7% provided a positive response to where possible ensuring buses that can be driven using electric power, as well as diesel fuel, are used on routes within the AQMA.
- **Action 4: Park and Ride buses** 109 respondents (82.6%) provided a positive response to action 4 to ensure the city's park and ride buses are compliant with Euro VI emission standards.
- **Action 5: Development of cycleways** Over two thirds of respondents (66.4%) provided a positive response to encouraging cycling in preference to the use of the car by developing cycle ways across Durham City that link into national and county cycle routes.
- **Action 6: Promotion of smarter travel choices** 65.9% of respondents provided a positive response to promoting alternative forms of transport with businesses in the city.
- **Action 7: Detailed dispersion modelling** The majority of respondents (81.3%) provided a positive response to ensuring that a full air quality impact assessment is carried out for any future developments.
- **Action 8: Air Quality and Planning Guidance** 102 respondents (84.3%) provided a positive response to establishing the Air Quality and Planning Guidance Note as a Supplementary Planning Document (SPD).
- **Action 9: Development of Low Emissions Strategy** Just under three quarters of respondents (74.2%) provided a positive response to developing and establishing a Low Emissions Strategy.
- **Action 10: Raising Air Quality Awareness** Over two thirds of respondents (69.8%) provided a positive response to carrying out a programme of awareness campaigns.
- **Action 11: Use of variable signage** 75 of respondents (66.3%) provided a positive response to using variable message signs and a direction signing system. This is now implemented.
- **Action 12: Provision of travel and driver information** 66.7% of respondents provided a positive response to providing travel and driver information using the traffic management control system and exploring the use of new technology to provide information on air quality.

15. It was highlighted during the consultation exercise that some respondents felt that the contributing factors to the increased levels of air quality pollutant (nitrogen dioxide) within the city were due to:-
- The volume of traffic using routes through Durham City particularly during commuting periods and the need to divert a proportion of this elsewhere;
 - The proportion of diesel vehicles within the current traffic profile using the route through Durham City; and
 - The inadequacy of alternative travel choices into and from the City which are currently available.
16. In addition a number of suggestions for alternative measures as well as improvements to some of the proposed actions were made by respondents during the consultation. These included:-
- To explore whether it is viable or not to extend existing park and ride routes and /or the provision of further park and ride sites, taking into consideration the emerging County Durham Plan and Sustainable Travel Strategy for Durham City.
 - The provision of improved cycling infrastructure through the city to provide continuity of routes across the city and which link with national cycle-ways;
 - To explore whether it is viable or not to progress the introduction of variable charges for residential parking permits with preferential rates for low polluting vehicles (with regard to local air quality effects).
 - To explore the restriction of specified categories of vehicles from sections of the declared AQMA route through the city i.e. a designated low emission zone or a Clean Air Area.

MATERIAL CONSIDERATIONS

17. The outcome of the consultation exercise has been considered and discussed at a meeting of the Air Quality Technical Working Group on 17th February 2016 and then at a meeting of the Air Quality Corporate Steering Group on 26th February 2016. The section on consultation included in the draft Air Quality Action Plan (Section 9) has been amended to incorporate the feedback to the consultation received.
18. As well as considering how to best address air quality, a separate but parallel exercise has been undertaken to produce a Sustainable Transport Strategy for Durham City. The draft strategy has had significant input from stakeholders and is to benefit from wider public engagement subject to cabinet approval.
19. Whilst many of the issues emerging from the Strategy have already been considered as part of the air quality action plan one significant infrastructure element is not currently included. The Sustainable Transport Strategy has

concluded that sustainable transport opportunities and air quality in the City Centre could be significantly enhanced if a large proportion of the existing traffic volumes could be removed by providing a new crossing of the River Wear via a Northern Relief Road.

20. It is therefore proposed that the following additional action is included to examine further the implications on air quality from the provision of relief road infrastructure for the City.

- Explore the options for additional highway infrastructure in line with the Durham Sustainable Transport Strategy, taking into account environmental, financial and planning considerations to enable the removal of through traffic from the City Centre and contribute to the overall reduction of traffic emissions.

ACTION MEASURES

21. Taking into account the outcome of the consultation exercise and the material considerations set out above the revised action measures within the Air Quality Action Plan are summarised as follows:-

ID	Action
1	The introduction of a UTMC or SCOOT system to coordinate traffic through a network of junctions within Durham City and reduce congestion.
2	The retrofitting of emissions abatement systems on diesel engines on buses using routes within the declared AQMA
3	Encourage the operation of hybrid buses using routes within the declared AQMA.
4	Ensuring the park and ride buses are compliant with the Euro VI emission standard.
5	The development of cycle-ways to encourage modal shift across Durham city that link into national and county cycle routes in accordance with the draft Durham City Sustainable Transport Strategy.
6	The promotion of Smarter Choices with businesses in the city to encourage large employers within the city to implement car sharing and pooling or the use of alternative forms of travel
7	To undertake detailed dispersion modelling of air quality emissions from any development growth and infrastructure that may potentially have an impact on air quality within and on the periphery of the declared AQMA. The outcome of this will enable opportunities to mitigate any detrimental impacts and potential benefits to be identified.
8	The establishment of the current Air Quality and Planning Guidance Note as a Supplementary Planning Document (SPD). This sets out the requirements on developers when proposing new development within the city and its environs set out in the emerging Local Plan.

ID	Action
9	The establishment of an Air Quality Strategy that will integrate the strategic policies covering air quality in the emerging Local Plan, the measures detailed within the LTP, the draft Durham City Sustainable Transport Strategy and the carbon reduction strategy in focusing and addressing air quality issues in Durham City.
10	To raise awareness of air quality by undertaking a campaign that will integrate with and will involve other campaigns elsewhere in the Council to improve air quality.
11	Variable message and car park direction signing system to direct traffic to available parking
12	Explore the provision of travel and driver information integrated with the UTMC and to explore the provision of information on air quality through the use of texts, email alerts and social networking.
13	To explore whether it is viable or not to progress the introduction of variable charges for residential parking permits with preferential rates for low polluting vehicles (with regard to local air quality effects).
14	To explore whether it is viable or not to extend existing park and ride routes and /or the provision of further park and ride sites, taking into consideration the emerging County Durham Plan and Sustainable Travel Strategy for Durham City.
15	Explore the options for additional highway infrastructure in line with the Durham Sustainable Transport Strategy, taking into account environmental, financial and planning considerations to enable the removal of through traffic from the City Centre and contribute to the overall reduction of traffic emissions.

PROGRESS AND NEXT STEPS

22. There will be financial implications (as identified in Appendix 1) associated with the implementation of the Air Quality Action Plan. The viability and delivery of specific action measures where costs have been identified may therefore be dependent on available funding. In addition, further consideration will also be given to any potential impact on the local economy and where necessary this may be subject to further reports to Cabinet.
23. Further monitoring of the implementation of the action measures will be undertaken and details of the monitoring arrangements are set out in Section 11 of the Air Quality Action Plan (as shown in Appendix 2) and will be incorporated within a separate Implementation Plan for monitoring purposes.
24. In addition the Council are required to report progress annually to DEFRA and the next annual status report will need to be submitted by DEFRA by 30 June 2016.
25. To date progress has been made on the implementation of a number of action measures as follows:-

- Action 1: SCOOT/UTMC System: The preparations involving the modification of the Gilesgate and Leazes Bowl roundabouts in the centre of Durham are currently being progressed and is due for completion by 2017.
 - Action 4: The upgrading of the buses operating on Park & Ride routes in Durham City to Euro 6 specification is now completed.
 - Action 8: The Air Quality & Planning Guidance Note: The note has been revised to bring it up to date with the latest guidance on Air Quality & Planning issued jointly by the Institute of Air Quality Management and Environmental Protection (UK) in May 2015.
 - Action 11: Variable Messaging and car park direction signage: The variable messaging system is now operational.
 - Action 10; Air Quality Campaign: Further to discussions with the Neighbourhood Services Communications Team a draft Plan has been produced for the undertaking of an air quality campaign. This is very much at an early stage and requires further development to link in and integrate with other relevant campaigns taking place elsewhere in the Council.
26. Whilst all actions identified within the AQAP will contribute towards improving air quality within Durham City until they are fully implemented the measurable impact on reducing actual levels of air quality pollutant (nitrogen dioxide) at residential properties across the declared AQMA will be unknown. The ongoing measurement of levels of air quality pollutant (nitrogen dioxide) at residential receptors using both continuous and non-continuous monitors strategically located across the City will be required. This will involve the regular review and, if required, the extension and revision of the existing network of continuous and non-continuous monitors located in the City.
27. The annual status report provided to DEFRA will include the results of the continuous and non-continuous monitoring and where the measured levels of air quality pollutant (nitrogen dioxide) have not been reduced sufficiently to achieve compliance with the air quality objective then the Council will be required to review and revise the Air Quality Action Plan by including additional action measures.

RECOMMENDATION

28. It is recommended that Cabinet
- i. Considers the outcome of the consultation exercise.
 - ii. Adopts the revised Air Quality Action Plan for Durham City and agrees to further updates as the plan is implemented.

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Appendix 1: Implications

Finance -

There are cost implications with the implementation of the air quality improvement measures incorporated within the Air Quality Action Plan. The source of the pollution is from vehicle emissions and therefore the majority of the actions are traffic improvement measures and the capital funds required for these is yet to be determined and would need to be met from the Local Transport Planning budget or other relevant external funding streams.

There are also cost implications with the ongoing requirement to carry out monitoring of air quality pollutant (nitrogen dioxide) and 'indicators' e.g. traffic volume flow rates following the implementation of the action measures. Further portable continuous monitors will be required to provide a daily profile of levels of nitrogen dioxide at locations where the implementation of the action measures is likely to have an impact. It is therefore proposed to replace the existing portable continuous monitors with an upgraded specification that includes the capability of measuring particulates. The cost to cover this is £10,628 and the funding for this can be sourced from the budget for the implementation of the Local Transport Plan.

Staffing -

Pollution Control Officers will be required to plan and then undertake monitoring within as well as in close proximity to the Air Quality Management Area.

The responsibility for the implementation of the actions will involve a number of key service areas across the Council in accordance with an agreed Implementation Plan. This will require the allocation of staff resources in these sections to ensure the actions are effectively delivered and monitored.

Meetings of the Air Quality Technical Working Group will continue and progress on the implementation of the proposed action measures will be reported to the Air Quality Corporate Steering Group on a regular basis.

Equality and Diversity / Public Sector Equality Duty -

An Equalities and Diversity Impact Assessment was initially prepared for the draft Air Quality Action Plan to the NSMT on 25th August 2015. This has been reviewed and updated to take into consideration the outcome of the consultation that concluded on 14th December 2015. Further reviews will be undertaken as necessary.

Accommodation – None

Crime and Disorder – None

Human Rights - None

Consultation -

The Council is legally required to consult, under Schedule 11 of the Environment Act 1995, on the draft Air Quality Action Plan prior to adoption. The requirements are to consult with statutory consultees comprising of neighbouring local authorities, DEFRA, the Highways Authority, the Environment Agency and organisations/associations that represent business interests in the city.

The main purpose of the consultation was to obtain feedback on the air quality improvement actions that have been included in the draft AQAP. Some of the actions have indirect benefits on air quality and are dependent on participation by the public such as encouraging other forms of travel to private car use. The consultation will also provide an opportunity to raise the profile of air quality across the city and therefore impact on the effectiveness of these actions.

Procurement -

As part of the ongoing monitoring and, if necessary, assessment of air quality in Durham City it may be necessary to purchase further monitoring equipment or air quality consultancy services to enable the Council to fulfil its consultation requirements. The purchase of further monitoring equipment or consultancy services, if required, will be undertaken in accordance with the applicable Council procurement policies and procedures.

Disability Issues - None

Risk and Legal Implications –

The Council is legally required to implement the air quality improvement actions in an Air Quality Action Plan to demonstrate that it is pursuing compliance with the air quality objectives.

To fail to carry out this duty may lead to judicial proceedings being taken against the Council and/or intervention by the Secretary of State.

The UK Government is also required to comply with EU legislation and failure to do so can lead to infraction fines being imposed. Under the Localism Act 2011 all or a proportion of the fine maybe passed on to Local Authorities where there is failure to carry out its statutory duties in relation to air quality.