

London Councils' Transport & Environment Committee

London Local Air Quality Management Consultation – Overview of Proposals

Item no: 09

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Introduction

- 1.1 As outlined by Matthew Pencharz, the Mayor's Senior Environment and Energy Adviser at the March TEC, the Greater London Authority is planning to consult on proposals to establish a new statutory system for Local Air Quality Management (LAQM) in London, known as London Local Air Quality Management (LLAQM), to be operated by London's boroughs. This will replace the existing national LAQM currently managed by Defra.
- 1.2 The new LLAQM system is designed to:
 - Reflect the unique air pollution situation and challenges faced by London
 - Ensure a more co-ordinated and consistent approach to improving air quality across the capital, including ensuring better use of local authority planning and public health powers
 - Help ensure that local authority air quality responsibilities are clear, statutory and targeted
 - Help ensure that boroughs are complying with their European law and national statutory duties concerning air quality management
 - Create efficiencies by providing tools and templates for boroughs and by removing unnecessary bureaucracy.
- 1.3 A key priority is improving and enhancing the existing LAQM process while reducing the overall regulatory burden and cost to the London boroughs. This can be achieved by stopping unnecessary reporting where boroughs are fulfilling their statutory obligations or have met legal limits for pollutants (e.g. Benzene, 1,3 Butadiene and Lead, Carbon Monoxide) for a number of years and by providing stronger guidance and templates, which will reduce the amount of staff time needed to draw up proposals for action.
- 1.4 These 'saved' resources could then be refocused where they can have the greatest impact; delivering improvements on the ground to reduce emissions, concentrations and exposure to particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂) as well as to more generally raise awareness about air pollution.
- 1.5 We estimate that for those boroughs that are currently fulfilling their statutory duties there would be a small net reduction in officer time needed (equivalent to up to £148,000 over three years across the London boroughs) to deliver the new LAQM arrangements in London, which can be redirected to deliver more effective action to improve air quality. Boroughs will also be able to access additional financial resources through the Mayor's Air Quality Fund (MAQF) and Local Implementation Plan (LIPs) funding.
- 1.6 Separately to this LLAQM framework, the GLA will also look to deliver other efficiencies and savings where possible, such as through enhanced coordination of London's automatic monitoring network.

Proposed changes to London system

- 2.1 The proposed statutory changes are:
 - a. **Removal of reporting requirements for four pollutants where limit values have been consistently met**
- 2.2 In line with Defra's national proposals, 1,3 Butadiene, Benzene, Carbon Monoxide and Lead will be removed, for local authority reporting purposes, from the Air Quality (England) Regulations 2000 (as amended). Further details on this can be found in the [Defra consultation documents](#).

b. Role for local authorities in working towards reductions in PM_{2.5}

- 2.3 In line with Defra's national proposals, local authorities will be given a role to work towards reducing emissions of PM_{2.5} within statutory guidance. In doing so they will not be required, though they may choose, to carry out local monitoring and modelling, and will be invited to consider inclusion of PM_{2.5} in their AQMAs. Further details on this can be found in the [Defra consultation documents](#).

c. Streamlining of reports

- 2.4 In line with Defra's national proposals (but with some London-specific differences), the Local Air Quality Management reporting process will be streamlined. Under the current system progress reports are required annually and more detailed Updated Screening Assessments (USAs) are required every three years. Under the new system USAs will be abolished.
- 2.5 The proposed new annual report will, for the first time, include a plain English public-facing executive summary which boroughs should make available on their websites. The Mayor also intends to publish these summaries on the GLA website.
- 2.6 The draft templates for these new reports will be available with the consultation documents.

d. Air Quality Management Areas

- 2.7 The statutory process to create or revoke Air Quality Management Areas (AQMAs) will not change. In accordance with current practice, any declarations of an AQMA should be sent to the GLA for consideration. However, there are some changes to the way in which local authorities will be required to review and assess their existing AQMAs.
- 2.8 As USAs are being removed, the historic mechanism for ensuring that AQMAs are still valid will no longer be in place. In order to address this, but still ensure that burdens on boroughs are kept to a minimum, boroughs will be required to undertake a desktop assessment of AQMAs every four years. The majority of the information required for this will be provided by the GLA via the London Atmospheric Emissions Inventory (LAEI) air quality modeling, and Defra via their air pollution maps, so the burden on local authorities will be minimal. Boroughs will also need to use local automatic and diffusion tube monitoring data to assess their AQMAs, in addition to any other resources they may have available, such as air quality modeling undertaken for other purposes.

e. Requirement to consider and report on air quality focus areas

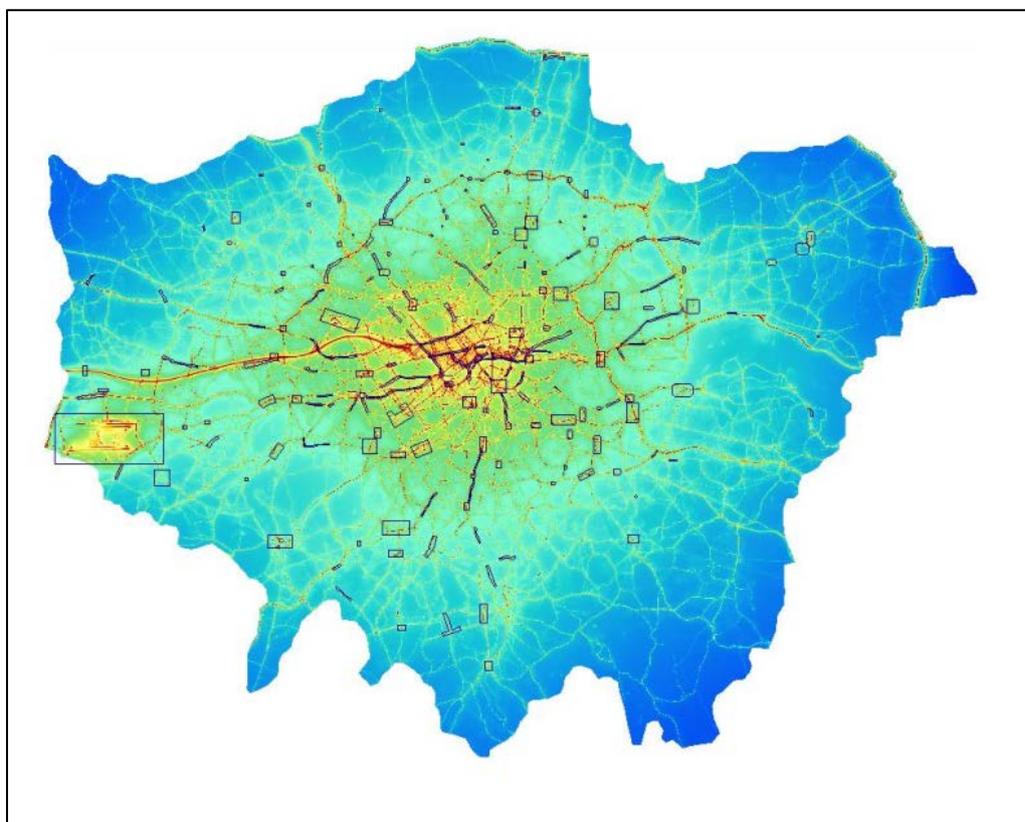
- 2.9 As AQMAs are so large, often covering the whole of London boroughs, they do not necessarily help to target action in the most problematic areas, see map in Figure 1. Boroughs will therefore be required to consider the GLA Air Quality Focus Areas when developing and annually reviewing their Air Quality Action Plans, and should concentrate action and project delivery in these areas as far as is practicable.
- 2.10 In addition to using the GLA Focus Areas, see map in Figure 2, boroughs may also identify their own local priority areas as "Local Focus Areas", based on levels of pollution and human exposure.
- 2.11 Local Focus Areas may include, for example, a polluted area which hosts a number of sensitive receptors such as schools and hospitals that the borough wishes to focus on.

2.12 Boroughs should advise the GLA of any plans to designate a Local Focus Area, and the GLA can potentially assist with ongoing modelling and assessment of areas through the LAEI. Focus Areas are designed to be local tools to help boroughs deliver action, but not to create additional bureaucracy. Boroughs will therefore not be subject to any restrictions or requirements regarding designation of these areas.

Figure 1 Map of Air Quality Management Areas (AQMA's represented in orange)



Figure 2. Map of GLA Air Quality Focus Areas



f. Action Planning

2.13 Boroughs with a declared AQMA are required to have an Air Quality Action Plan (AQAPs). Under LLAQM boroughs will be expected to update their AQAPs every four years as a minimum. AQAPs are subject to public and stakeholder consultation and are subject to consideration by the Mayor before they can be adopted.

2.14 There are a number of proposed improvements to the way that boroughs undertake air quality action planning within the proposed LLAQM Framework. The two major improvements proposed are:

- The GLA will provide a template for Air Quality Action Plans. This should significantly reduce the administrative burden on boroughs, especially when combined with the additional modelling, maps and other data that will be provided through the LAEI.

The draft Air Quality Action Plan Template will be available with the consultation documents. Boroughs will be expected to use this template as a basis for all future Air Quality Action Plans, however, this template can be used flexibly. Boroughs will be free to add additional sections, and are encouraged to include images and any additional local context.

- The GLA will provide an Air Quality Action Matrix (a draft of this will be included with the consultation documents), which assesses and prioritises a range of actions that boroughs can take to improve local air quality. Boroughs will be expected to use this Matrix when developing new Air Quality Action Plans but will not be obliged to deliver any specific actions at this time. However, they will be required to submit to the GLA a table which details all the actions from the Action Matrix which have not been selected for inclusion in their AQAP, along with a brief summary of how each action was considered and why it was discounted. This table will be required from boroughs in order for the GLA to consider the final AQAP. Before submitting

the table to the GLA it should be placed on the borough's website for consultation and submitted responses from the public and stakeholders copied to the GLA.

- 2.15 In addition to providing the template Action Plan, and the Action Matrix, which will be regularly reviewed, the Mayor has listened to feedback from boroughs about what would be most helpful in terms of co-ordinating regional action. The GLA will therefore commit to compiling a compendium of new/innovative/successful actions that have been taken by London's boroughs, and will circulate this to all 33 to help share, recognise and support best practice across London.

g. Planning

- 2.16 Construction is responsible for 15% of PM and 12% of NO_x in London. In 2014 the Mayor published his Sustainable Design and Construction and his Control of Dust and Emissions from Construction Supplementary Planning Guidance documents, which are enforceable at the borough-level.
- 2.17 In September 2015 the Mayor will launch the Non Road Mobile Machinery (NRMM) Low Emission Zone, which will set emissions limits for construction machinery in Central London and Canary Wharf from September 2015, and then across London from 2020. The GLA will provide materials and training to support the enforcement of this.
- 2.18 As part of their duties under LLAQM boroughs will be required to enforce the requirements of the NRMM Low Emission Zone, as well as enforcing the policies within the two supplementary planning guidance documents for major developments. Boroughs will be asked to report annually on their delivery of these.

h. Accountability and Responsibility

- 2.19 We have received feedback from many stakeholders that there is often a lack of engagement and joint working between the various local authority departments that can impact on air quality. For effective action it is crucial that there is engagement and understanding between relevant departments. It is particularly important for Directors of Public Health (DsPHs) and Heads of Transport to take responsibility and ownership (alongside the dedicated air quality team) for air quality in the borough. In order to help facilitate this we propose the following:
- DsPHs be required to formally sign off Annual Status Reports, and Air Quality Action Plans
 - Heads of Transport be required to formally sign off Air Quality Action Plans.

i. Monitoring

- 2.20 Maintenance of the current automatic and diffusion tube monitoring network is vital in order to be able to continue to assess air pollution levels, the impact of current and future initiatives to reduce pollution, and wider trends in concentrations.
- 2.21 The strategic monitoring network is crucial in terms of our understanding of pollution; assessing the impact of interventions to reduce emissions; and raising awareness. It is therefore extremely important that local authorities ensure the maintenance of existing monitoring networks. It is also important to ensure that where possible the network will be fit to expand to accommodate future needs; such as a pan-London PM_{2.5} monitoring network.
- 2.22 To safeguard existing monitoring, boroughs will be required to formally consult with the Greater London Authority in writing about any proposals to remove, move or add

automatic NO₂ or PM monitoring stations, giving at least 4 months' notice of any proposed changes. Where possible, new monitors should be sited in line with requirements set out in the EU Ambient Air Quality Directive and associated regulations.

- 2.23 Separately from the LLAQM review we are exploring whether there are any opportunities to deliver improvements in monitoring for boroughs through increased central co-ordination of procurement or boroughs using a standard contract. Economies of scale could also mean that the same (or an improved) network could be delivered at a lower annual cost to boroughs. An impact assessment exploring various options will be published separately later in the year, and further consultation will be undertaken with all stakeholders before any plans are finalised.

j. Cleaner Air Borough Status

- 2.24 Within their new annual air quality reports, boroughs will be required to briefly report on their progress against the six Cleaner Air Borough (CAB) Criteria.
- 2.25 The GLA will undertake an annual review of the CAB status of each borough, which will be able to retain their CAB status if they:
- Have demonstrated significant action against all six of the CAB criteria.
 - Are in fulfilment of all of their statutory duties and have provided any other information reasonably requested by the GLA (such as the details of industrial processes for the LAEI).
- 2.26 It is suggested that the GLA will annually submit a report on local authority action on air quality to London Councils' Transport and Environment Committee. This will be an opportunity to highlight any areas of concern and under-performance, particularly with regards to statutory reporting, as well as being an opportunity to highlight best practice across London.

Timeline

- 3.1 To implement the new LLAQM Framework we aim to follow the process outlined in the timeline below.

Action	Date
Launch of 8 week consultation	June 2015 (TBC)
Close of consultation	August 2015 (TBC)
Publication of summary of consultation responses and final proposal	September/October 2015
Circulation of draft LLAQM Technical and Policy Guidance to boroughs for informal comments	September/October 2015
Publication of final Technical and Policy Guidance and formal launch of LLAQM	December 2015
First ASRs under LLAQM to be submitted by Boroughs	April 2016

Next steps

- 4.1 The consultation will launch in mid-June and we hope that all boroughs will respond to show your support for any elements that you feel will be particularly useful, and to make any suggestions for additions or improvements. We want this to be as collaborative a process as possible so that we jointly develop a robust and useful LAQM system for London.