

To: Cabinet
Date: 09 October 2019
Report of: Scrutiny Committee
Title of Report: Annual Air Quality Status Report 2018

| Summary and recommendations | |
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| Purpose of report: | To present Scrutiny Committee recommendations concerning the Annual Air Quality Status Report 2018 |
| Key decision: | No |
| Scrutiny Lead Member: | Councillor Andrew Gant, Chair of the Scrutiny Committee |
| Cabinet Member: | Councillor Tom Hayes, Zero Carbon Oxford |
| Corporate Priority: | A Clean and Green Oxford |
| Policy Framework: | None |
| Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report. | |

| Appendices |
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| None |

Introduction and overview

1. At its meeting on 03 September 2019, the Scrutiny Committee considered the Annual Air Quality Status Report 2018.
2. The Panel would like to thank Councillor Hayes, Cabinet Member for Zero Carbon Oxford, for attending the meeting to answer questions. The Committee would also like to thank Mai Jarvis, Environmental Quality Team Manager for supporting the meeting and Pedro Abreu, Air Quality Officer, for compiling the report.

Summary and recommendation

3. The Cabinet Member for Zero Carbon Oxford, Councillor Tom Hayes, introduced the report, highlighting a number of key issues. Councillor Hayes located the impetus for addressing the issue in the link between poor air quality and reduced quality and duration of life. It was reported that progress was being made in improving air quality, with a 37% fall in nitrogen dioxide between 2008 and 2018, and a fall over the last five years in the number of sites exceeding the mean annual legal limit from 17 to 4. However, Councillor Hayes also reported that the rate of progress was starting to slow and in some areas had plateaued. In order to continue the level of reduction the Council would need to rely on the innovation and proactivity it had shown previously in the purchasing of electric delivery vehicles, the installation of EV charging points across the city and the development of an 'Energy Superhub' and to maximise the return on the considerable expertise the Council had developed.
4. In response to the report presented the Committee's particular areas of scrutiny focused on two key areas: identifying pertinent information on air quality outside the scope of the report and practical explorations of priority solutions.

Identifying Other Pertinent Information

5. The Committee raised a number of questions in relation to the location of monitoring equipment. Whilst it was noted that the criteria for locating monitoring equipment was set externally by DEFRA the Committee raised concern that the monitoring locations did not account for the health impacts of poverty.
6. The Committee considers this to be an important consideration when seeking to improve outcomes, a view which is backed up by DEFRA's own publications which state, 'Bad air quality affects everyone and it has a disproportionate impact on the young and old, the sick and the poor'.¹ Previous government reports such as the 2010 Marmot Review correlate with the concerns of the Committee, that individuals in deprived areas experience more adverse health effects at the same level of exposure compared to those from less deprived areas.
7. The Committee welcomes the additional flexibility in recording air quality at sites beyond the DEFRA-mandated spots afforded by the OxAir project and encourages the responsible officers to press for including wards falling within the bottom 20% on the indices of multiple deprivation as a criterion for developing their monitoring plans.
8. Whilst the mean levels of nitrogen dioxide are recorded as part of the report, the Committee noted the different impacts those levels could have on different transport users: those travelling by car, by bike and by foot. The intention of monitoring the impacts of air quality on those different modes as part of the OxAir project was welcomed.

¹ <https://laqm.defra.gov.uk/assets/63091defraairqualityguide9web.pdf> p.4

9. The Committee also expressed interest in future planning of transport issues. The Committee welcomed the news that the major developments in Oxford such as Oxford North and the Barton Park development have been included in the County Council's projections for future transport demand.

Priority Solutions

10. During discussion it was established following questions that the dispersal rates over distance of nitrogen dioxide, the most widely measured air pollutant, meant that homes close to railway engine idling points have not been found to be subject to levels above the proscribed limit. Nevertheless, the Committee retained a residual concern on the basis that particulate levels were not being monitored. It was noted that both trains and boats are not subject to the Clean Air Act, allowing for higher levels of air pollutant emissions. In relation to the emissions from canal boats the Committee discussed the importance of running generators to powering basic appliances for those living on canal boats.

Recommendation 1: Further consideration be given to measures to control emissions arising from the exemption of trains and canal boats from the Clean Air Act, particularly with regard to boats at non-permanent moorings close to residential areas.

11. The Committee discussed options around extending the coverage of the City Centre Low Emission Zone to HGVs and coaches and whether such extensions would be desirable. The general consensus was broadly sympathetic towards extension but the Committee was also mindful of the practical issues and consequences of any such decision. It was noted that the County Council as the Highways Authority would be the final decision-maker on such matters.
12. The Committee recognised the efforts made to reduce idling on St Giles but sought to explore the possibility of reducing idling in other areas, and particularly around schools. The Council's efforts to tackle idling around schools were praised and the national recognition it had received was noted. However, the Committee considers the risk to children, who are particularly vulnerable to poor air quality, through idling near schools to remain unacceptably high and that stronger action is required. It is noted that the Council is not responsible for implementation of parking exclusion zones.

Recommendation 2: The County Council be encouraged to consider implementing parking exclusion zones close to schools in the City

13. A further issue explored by the Committee around tackling idling concerned the challenges of enforcement. The framing of current legislation was explained to make enforcement almost impossible because it would rely on an idling vehicle driver refusing to turn off their engine. Whilst it was reported that current legislation, including around enforcement, was presently being reviewed by Central Government in its forthcoming Environment Act, it was not automatically the case that enforcement powers would vest with District and City Councils in two-tier areas. The Committee considers the retention of anti-idling enforcement powers to be crucial in tackling poor air quality.

Recommendation 3: The Council seeks in every way to ensure that it is empowered in the forthcoming Environment Act to take enforcement action against idling vehicles.

Further Consideration

14. The importance of scrutinising air quality, particularly due to its impacts on the length and quality of life of residents, is recognised by consideration of the Annual Air Quality Status Report as a standing item on the Committee’s agenda. The Committee affirms its commitment to annual consideration.

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Cabinet response to recommendations of the Scrutiny Committee made on 03/09/2019 concerning the Annual Air Quality Status Report 2018

Provided by the Board Member for Zero Carbon Oxford, Councillor Tom Hayes

| Recommendation | Agree? | Comment |
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| 1) Further consideration be given to measures to control emissions arising from the exemption of trains and canal boats from the Clean Air Act, particularly with regard to boats at non-permanent moorings close to residential areas. | Yes | Cabinet Member for Zero Carbon Oxford will continue to lobby central government on the need for comprehensive Clean Air legislation. As has been highlighted rail and waterways are currently exempt from any local authority ability to take action. |
| 2) The County Council be encouraged to consider implementing parking exclusion zones close to schools in the city | Yes | This will be suggested to relevant colleagues and officers at County Council |
| 3) The Council seeks in every way to ensure that it is empowered in the forthcoming Environment Act to take enforcement action against idling vehicles. | Yes | <p>Central Government recognise that current legislation is not working. As such, in June 2019, a bill to increase penalties for stationary vehicle idling offences; to grant local authorities increased powers to issue such penalties was submitted to the House of Commons.</p> <p>In July 2019, Transport Secretary Chris Grayling made the commitment to launch a public consultation in 2019, looking at increasing local authorities' powers and guidance to local authorities on their anti-idling powers, enabling them to enforce the law more effectively.</p> |

Date of Cabinet Meeting: **09/10/2019**

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| | | <p>Oxford City Council is waiting for the outcomes of the public consultation and for a future anti-idling bill to become an Act of Parliament. In addition, the Cabinet Member for Zero Carbon Oxford has met with DEFRA civil servants in a meeting organised by UK100 to explicitly lobby on this issue.</p> |
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