

Low Emission Strategies Partnership: Response to a Review of Local Air Quality Management



Low Emission
Strategies
Building on Good Practice

(6 September 2010)

1 Introduction

Review of Local Air Quality Management: A report to Defra and the devolved administrations

- 1.1 In March 2010, Defra circulated the above report which reviews the existing Local Air Quality Management (LAQM) regime and provides recommendations. The report is available online from the Defra website¹. The Low Emission Strategies (LES) Partnership has reviewed this paper and has drafted the following response, in order to contribute to this debate.

The Low Emission Strategies Partnership

- 1.2 The LES Partnership (www.lowemissionstrategies.org) was established in 2007 to disseminate good practice in reducing transport emissions of toxic air pollutants and greenhouse gases. The Partnership specifically seeks to accelerate the deployment and penetration of low emission transport fuels and technologies. This is achieved by supporting local authorities to adopt and implement low emission policies, strategies and measures.
- 1.3 Phase I of the programme established 18 'peer group' projects across 15 local authorities, providing expert advice and sharing best practice. The Partnership also produced a guidance document '*Low Emission Strategies: Using the planning system to reduce transport emissions*'. An updated draft of this document has been published on the Defra website as joint Defra and LES Partnership Good Practice Guidance². Grant funding has been secured from CLG and Defra for Phase II, which runs from November 2009 to March 2011, building on progress made during the first phase.
- 1.4 The Partnership Board includes representatives from London Borough of Greenwich, London Borough of Hillingdon, Sefton Metropolitan Borough Council, Sheffield City Council, Wigan Metropolitan Borough Council, Mid-Devon District Council and Leeds City Council.

Low Emission Strategies

- 1.5 As defined by the Partnership, a planning-based *Low Emission Strategy* provides a package of measures to help mitigate the transport impacts of development. The primary aim is to reduce transport emissions by accelerating the uptake of low emission fuels and technologies in and around a development site. In this way, Low Emission Strategies can exploit opportunities presented to catalyse innovation and enable market transformation. Low emission strategies may address both the construction and operational phases of a development. They can also complement other design and mitigation options, such as travel planning and the provision of public transport infrastructure.
- 1.6 Strategies may be secured through a combination of planning conditions and legal obligations (section 106 agreements), and potentially in future through the Community Infrastructure Levy. They may incorporate policy measures and/or require financial contributions to the delivery of low emission transport projects and plans. For example, typical operational phase measures include emission based parking policies, investment in low emission infrastructure, fleet emission improvement, low emission procurement and supply chain initiatives and contributions to local transport projects and strategic monitoring.

¹ Faulkner, M. and Russell, P. (March 2010) Review of Local Air Quality Management: A report to Defra and the devolved administrations. Available to download at:
<http://www.defra.gov.uk/environment/quality/air/airquality/local/documents/laqm-report.pdf>

² LES Partnership / Defra (January 2010) Low Emission Strategies: Using the planning system to reduce transport emissions. Good Practice Guidance. Available to download at:
<http://www.defra.gov.uk/environment/quality/air/airquality/local/guidance/documents/low-emissions-strategies-2010.pdf>

- 1.7 In reducing transport emissions, low emission strategies improve local air quality and reduce greenhouse gas emissions associated with climate change. They also contribute to local government performance targets, provide local economic benefits, help to streamline planning decisions and contribute to wider sustainable development goals.

2 Overview

- 2.1 The report for Defra provides an insightful critique of the current LAQM system. It identifies a number of limitations and makes useful suggestions for improving delivery, including strengthening drivers for local action, identifying key local measures, improving links to climate change and ensuring that the Community Infrastructure Levy (CIL) does not threaten planning based LES.
- 2.2 However, taken as a whole, the report's conclusions are limited in scope. Even were they to be implemented in full, it is not clear that this would lead to anything other than incremental improvement in local working.
- 2.3 The authors appear to be ambivalent as to the future role for LAQM. They fail to elucidate the vital role which local action can and should play, in the face of serious and ongoing health and environmental impacts from air pollution.
- 2.4 The authors focussed exclusively on compliance with Air Quality Objectives (AQO) and Limit Values as the only metric of relevance to the study. They failed to pick up on the growing relevance, momentum and potential behind emission based thinking, action and metrics at the local level. This omission, to some extent explains the limitations outlined in 2.2 and 2.3 above, since emission based approaches provide *the* key to unlocking the policy conundrums with which the authors have grappled, yet failed to come fully to terms with. They provide a practical mechanism by which LAQM can deliver significant contributions to health and environmental protection, thereby maintaining its importance and relevance within the wider context of UK air quality management.

3 Detailed Comments

- 3.1 We agree with the authors' conclusions regarding the weaknesses of the statutory duty placed on local authorities 'to work towards AQO compliance'. We are therefore concerned that they fail to propose a clear alternative or remedy.
- 3.2 Having considered the limitations of the AQO based target, the authors move straight to exploring potential for central government prescription of action and measures to be undertaken by local authorities. While this may become an important and necessary course of action, it is fraught with difficulties, many of which are identified within the report. The most striking of these is the inevitable tension created within the wider devolution/freedoms and flexibilities agenda. Practicability and effectiveness is also a concern, as with any heavily 'command and control' orientated approach.
- 3.3 Surprisingly, the report gives almost no consideration to the growing momentum locally behind adoption of emission based thinking, targets and action. It omits to mention the emission based air quality (and climate change) National Indicators, it hardly mentions the implementation of the new exposure reduction regime, and makes only passing reference to the work of the Low Emission Strategies Partnership. This is a concerning oversight. Emissions based thinking and metrics provides an intermediate step between reliance on AQO metrics and prescribed central diktat. The work of the LES partnership, for example, demonstrates how emission based working: (i) allows authorities the flexibility to reflect local circumstances and opportunities; (ii) helps to break down communication barriers; and (iii) opens the door to greater transparency and accountability (and consequently more focussed and effective action).
- 3.4 The report identifies two distinct roles for LAQM. One it considers as 'modest' the other as 'pro-active.' The analysis is not altogether helpful, since it appears to associate key LAQM delivery opportunities (e.g. AQ consideration through planning and making links with climate change) solely with the modest role, while presenting the 'pro-active' role as being about bringing forwards high impact dedicated 'stand alone air quality' measures. This analysis is over simplistic:

- On the one hand, the biggest opportunities for local action are likely to come from concerted cross disciplinary working, with air quality practitioners adopting a facilitating/brokering role across authorities and with local stakeholders. If conducted effectively, the impact of these activities is anything but modest, and to be effective requires a high degree of pro-activity.
- On the other hand for the pro-active role to function as described (and on the desired timescale) requires that significant stand alone measures exist which are practical, cost effective, politically acceptable, widely/universally applicable and ready to be rolled out by a newly re-invigorated LAQM regime. It also presumably requires significant funding to be made available. Whilst we certainly support the development and implementation of high profile /high impact initiatives, our concern is that this approach reflects all or nothing thinking and fails to recognise the huge potential contribution of more flexibly designed action, which is integrated across an authority's area and functions.

- 3.5 We agree with the authors that communication difficulties create a major barrier for effective action. This is true whether engaging with the public, with senior officers/politicians or colleagues in spatial/transport planning. We also agree that stronger more engaging messages on the impacts would be useful, as would better communication to Local Authorities on what measures work. However, these recommendations fail to identify the root cause of the communications difficulty for LAQM. This is the intrinsic impenetrability of the concentration focussed LAQM framework itself. To counteract this, we need to consider how to engage with the target groups on their terms and in their language, rather than demanding they learn the technical language of LAQM. This is likely to require a more fundamental rethink than that proposed within the report: which arguably amounts to we should simply speak 'slowly and more loudly'.
- 3.6 Similarly, we welcome the support for improving links to climate change, though this is something which has been discussed for a long time. The recommendations are not very specific, and it is difficult to see how they will make any significant difference to the current situation. Again we need to identify the root cause of poor linkage between the two agenda. Once more, giving greater emphasis to emission reduction in LAQM would provide major dividends. Ultimately, we need to consider a more radical restructuring and realignment of the LAQM framework, to reflect that local level emissions management is largely (and quite rightly) primarily a climate change driven activity.
- 3.7 The report identifies planning as a key opportunity for local air quality management; however it focuses almost exclusively on whether air quality concerns should be allowed or encouraged to block developments. The LES Partnership promotes a more practical and less adversarial approach, giving greater emphasis to mitigation and offset. This is mentioned only in passing by the report, yet is one of the most important opportunities for coherent action across the country.
- 3.8 The report argues that central government cannot do anything more to support local authority action through the planning system. Our experience shows that support, guidance and advice from central government is vital in encouraging and enabling local authorities to take effective action on the ground. This is evidenced by the enthusiastic response to recent publication of the Defra/LESP practice guidance (Using the planning system to reduce transport emissions).

4 Recommendations

- 4.1 Local Authorities have a major role to play in driving down emissions and improving air quality in their local area. The biggest opportunities for local action are likely to come from integrated cross disciplinary working, with air quality practitioners adopting a facilitating/brokering role across authorities and with local stakeholders. Conducted effectively, the impact of these activities is anything but modest, and to be effective requires a high degree of pro-activity.
- 4.2 Some authorities are already adopting this pro-active approach. However, much more could be done. One reason for this is that the statutory duty placed on local authorities by the LAQM framework is toothless and ineffective. This driver needs strengthening by: (a) aligning the outcome metric more directly to what local authorities can influence, and (b) by requiring 'achievement of'

rather than 'progress towards' the agreed metric. It is likely that one or more emission based metrics can fulfil this role. This approach would enable logical links to existing AQ/CC national indicators, and also the new exposure reduction regime.

- 4.3 While it is important to consider the possibility and benefits of centrally directed action and measures, it is also important to recognise the tension which this creates with the wider devolution/freedoms and flexibilities agenda. Practicability and effectiveness are also a concern, as with any heavily 'command and control' orientated approach.
- 4.4 Rather than simply dictating specific measures to specific authorities, central government would be better advised to champion a range of effective low emission policies, measures and approaches, and use emission based metrics to focus activity, set targets and monitor progress.
- 4.5 LAQM faces significant communication barriers with a range of target groups including the public, senior officers/politicians and spatial/transport planners. We need to recognise the intrinsic complexity of the present LAQM framework and consider how to engage with these target groups on their terms and in their language, rather than demanding they learn the technical language of LAQM. The LES Partnership has demonstrated that argumentation based more on emission reduction rather than concentrations is more intuitive, more engaging and above all delivers results.
- 4.6 Nowhere are the benefits of emission based thinking stronger than in relation to linking up with climate change. It is time to consider a more fundamental realignment of LAQM to reflect the now dominant emission based climate change agenda.
- 4.7 Planning based Low Emission Strategies provide one of the most important opportunities for concerted local action. They provide pragmatic solutions and help to avoid protracted adversarial planning battles. Good progress in being made on the ground, however more could be done by central government to support and encourage wider and more effective adoption nationwide.
- 4.8 Overall, emission based thinking and low emission initiatives (be they planning based, transport plan based, procurement strategies or area wide plans) have great potential to drive local action on air quality (and climate change). Options for explicitly recognising this shift through amendment or extension of the LAQM regime should be identified and actively explored.

5 A note on Concentrations

- 5.1 The LAQM framework unnecessarily binds concentrations and action together into a complex unwieldy process. In doing so, it is the single greatest barrier to effective local action on air quality. In order to maintain the importance and relevance of LAQM within the wider context of UK air quality management, we need to create a more flexible action focussed framework.
- 5.2 Nonetheless, pollutant concentrations, limit values and spatial resolution of emissions remain important and we must not lose sight of them. They remain of great importance, helping to:
 - protect public health and ensure environmental equity;
 - demonstrate compliance with European Law (and avoidance of infraction); and
 - provide a direct link to health and environmental impacts (e.g. increasing importance of Health Impact Assessment).
- 5.3 Furthermore, monitoring and modelling:
 - provide long term assessment of trends/progress;
 - provide potential to refine action on area wide emission reduction to target locations where the greatest health and environmental benefits can be achieved; and
 - can direct 'emergency measures' to tackle specific localised hot spots.