

	<p style="text-align: center;"><b>Barnet Environment Committee</b></p> <p style="text-align: center;"><b>11 September 2019</b></p>
<p style="text-align: right;"><b>Title</b></p>	<p style="text-align: center;"><b>Barnet Annual Air Quality Report 2019/2020</b></p>
<p style="text-align: right;"><b>Report of</b></p>	<p>Chairman of the Environment Committee</p>
<p style="text-align: right;"><b>Wards</b></p>	<p>All</p>
<p style="text-align: right;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: right;"><b>Urgent</b></p>	<p>No</p>
<p style="text-align: right;"><b>Key</b></p>	<p>No</p>
<p style="text-align: right;"><b>Enclosures</b></p>	<p>Appendix 1: 2018 Annual Air Quality Status Report</p> <p>Appendix 2: Revised London Local Air Quality Management (LLAQM) action planning Matrix and Barnet position</p> <p>Appendix 3: Assessment of Barnet's action against the Cleaner Air Borough Criteria</p> <p>Appendix 4: Air Quality Action Plan 2017-2022 (September 2019 update) (Draft)</p>
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## Summary

This report sets out the current and future statutory and policy framework within which air quality is delivered. It also provides the Committee with an update on the current Barnet air quality levels, local impact, the action taken in 2018 and the key areas of action for 2019/2020 to improve the air quality in Barnet.

## Officers Recommendations

### 1. That members note the following:

- (1a) The progress made to address air quality in 2018/19 as set out in the 2018 Annual Status Report attached as Appendix 1.
- (1b) Revised London Local Air Quality Management (LLAQM) Air Quality Action Matrix and Barnet's position (Appendix 2)
- (1c) Assessment of Barnet's actions against the Cleaner Air Borough accreditation criteria (Appendix 3)
- (1d) 2019 annual review of Barnet's 2017-2022 Air Quality Action Plan (Appendix 4)

### 1. WHY THIS REPORT IS NEEDED

- 1.1 This Committee report follows on from the annual air quality report (covering activity for 2017/2018) presented to the Environment Committee on 21 January 2019 which set out the statutory and policy framework within which air quality is delivered.
- 1.2 This report provides details of:
  - The progress made to address air quality in 2018/19
  - An assessment of Barnet actions against the new London Local Air Quality Action Matrix (appendix 2)
  - The Air Quality criteria for the GLA's Cleaner Air Borough accreditation (appendix 3)
  - The 2018 air quality annual status report - ASR (Appendix 1) and the updated 2017-2022 Air Quality Action Plan (Appendix 4).

#### **2018 Annual Status Report**

- 1.3 The 2018 Annual Status Report (Appendix 1) provides a summary of the air quality monitoring data for Barnet in 2018 and trends in air pollution. The report also contains the progress made in 2018/2019 against Barnet's 2017-2022 Air Quality Action plan.

- 1.4 There are two automatic reference-standard monitoring stations that monitor nitrogen dioxide, NO<sub>2</sub>, and particulates, PM10 in the Borough, and fifteen sites that use low-cost monitoring devices called diffusion tubes to measure nitrogen dioxide. The sites are spread across the Borough in High Streets, next to the major roads, and at background sites.
- 1.5 The 2018 ASR highlights that air quality has improved across Barnet. However, despite significant reductions across the borough, some areas in Barnet are still not meeting the UK Air Quality Objectives. These areas include:
- High Street locations of North Finchley, Golders Green, Cricklewood Lane and Edgware. These High Streets are substantially used by drivers passing through the Borough, therefore, despite the actions delivered locally by Barnet, improvements in these areas are also dependent on the pan London approach to improve air quality.
  - The A41, A406, A1, M1 (impacting on local surrounding residential areas). These roads are managed by Transport for London and Highways England, not Barnet. The traffic on these roads includes a large portion of HGVs where the motorists using the roads will be from across London and indeed the UK as opposed to local Barnet traffic or local residents. National policies, for example the Low Emission Zone (LEZ), the European legislation to improve vehicle emissions are best placed to support further reduction in the air pollution emanating from these roads. Barnet council remain committed to work with Transport for London and Highways England to ensure the appropriate improvements are made in relation to these roads to further reduce the overall air pollution to the neighbouring residential areas.
- 1.6 Projects delivered in 2018/2019 to reduce air pollution in Barnet include:
- A commitment to install 110 new e-vehicle charging points across the borough. We have successfully installed 40 lamp column charging points for electric vehicles, another 40 will be installed this autumn (2019) and a further 30 stand-alone electric vehicle charging points will be installed in car parks across the borough by March 2020.
  - A commitment to plant 4,500 trees in Barnet to boost air quality, reduce the risk of flooding, provide protection from the sun and the replacement of ageing trees to improve parks. 225 trees have already been planted in areas where there is poor air quality. This is part of a five-year scheme believed to be the largest of its kind in London.
  - The completion of a project to audit construction sites to ensure heavy site machinery complies with emissions limits supporting the reduction in

air pollution emanating from constructions sites. (12% of air pollution in London comes from construction sites)

- Clean Air Day 2018 was marked by delivering 2 lessons at a new school in Millbrook Park. A professor from Middlesex University gave a fun presentation to Year 1 children. The children also made pollution catchers using paper plates with Vaseline to capture particulates in their school playground.

1.7 A full update on the actions taken to improve air quality in Barnet in 2018/2019 is listed in the ASR (Appendix 1). Key achievements include:

- The average percentage of children travelling to school by car has continued to reduce and is now 23% down from a baseline figure of 38% prior to the implementation of any travel plan.
- Barnet achieved the highest number of schools in London awarded STARS recognition (Sustainable Travel to and from their school that is Active, Responsible and Safe). 71 schools were awarded the top Gold rating.
- Winning the 2019 London Borough Tree Award – coming top out of 32 London Boroughs.

### **London Local Air Quality Management System (LLAQM)**

1.8 In March 2019, a public consultation was launched by the Mayor of London to revise the LLAQM in order to:

- Ensure boroughs take suitably ambitious actions, which are properly co-ordinated, and support the Mayoral objectives including those set out in the London Environment Strategy (LES);
- Ensure that London boroughs continue to work towards achievements of World Health Organisations safe limits for pollutants even when legal limits are met;
- Update information in the guidance documents to reflect the new research, policies, and priorities; and
- Update the Cleaner Air Borough Status (a recognitions scheme for boroughs that was introduced under the previous Mayor) so that it is transparent and fair, now promotes continual improvement, and clearly aligns with the new LLAQM priorities.

1.9 The consultation covered the following areas:

- An updated version of the Air Quality Matrix. Detailing the actions that boroughs are required to take locally, now including priority ratings (all actions included in the Matrix are either selected high priority measures or

medium priority measures). A draft was sent to boroughs for preliminary comments and no major concerns were raised.

- Local boroughs to notify the GLA on the LLAQM Matrix actions they are unable to deliver and seek the permission of the GLA to omit them from the local borough action plans. Previously the LLAQM Matrix actions were 'optional'.
- Conducting an annual review of the 5-year borough Air Quality Action plans, ensuring new actions were added and amending those where there was significant change.
- Highlighting that an up-to-date action plan will be a pre-requisite to meet the criteria for the Cleaner Air Borough Status silver or above.
- Policy Guidance now highlighting the borough role in helping to meet London's new health-based targets for PM2.5, signalling the Mayor's intent to request of Government that Regulations be amended so that this can be a more formal responsibility for boroughs, in line with their responsibilities for NO<sub>2</sub> (the toxic gas Nitrogen Dioxide) and PM10 (Particulate Matter smaller than 10 micrometres).
- An update on the Policy Guidance and the working of the powers of Direction – making it clearer that the Mayor will consider use of these powers if boroughs are under-performing or not in conformity with the Mayor's Strategies.
- Updating the Cleaner Air Borough criteria to align with the Matrix categories and provide a transparent scoring methodology.
- The removal of out-of-date and unnecessary technical information on screening sources from the GLA London Local Air Quality Management Technical Guidance, alongside a number of minor technical updates throughout the document.

1.10 Officers have conducted the annual review of the Barnet 2017/2022 Air Quality Action Plan (Appendix 4) and have considered the following:

- Local actions delivered in 2018/2019 that will continue into 2019/2020
- Requirements under the new Air Quality Action Matrix for the High and Medium rated measures (all measures listed are to be addressed and are no longer optional).
- The Barnet Action plan has been a live document since 2017/2018 and has already been reviewed and added to annually – therefore meeting the new requirement of live action plans updated annually.
- Considered the pre-requisites for the Cleaner Air Borough Status (should the local action plan cover the key matrix actions Barnet could potentially achieve a silver rating or above).

## The London Local Air Quality Action Matrix

- 1.11 The London Local Air Quality Action Matrix sets out 25 actions boroughs are expected to deliver locally as part of their LLAQM action planning obligations. As part of the London Environment Strategy (LES) a rigorous evidence-led assessment of the major pollution sources in London and how to address these in the most effective way possible while ensuring conformity with legal obligations was conducted. A critical area identified by the LES was the role of local boroughs. Consequently, the LES analysis underpins the development of the revised matrix and prioritises actions. The Air Quality Action Matrix is attached as appendix 2 of this report.
- 1.12 The matrix actions are divided into 7 categories:
- Monitoring and Other Core Statutory Duties
  - Emissions from developments and buildings
  - Public health and awareness raising
  - Delivery servicing and freight
  - Borough fleet actions
  - Localised solutions
  - Cleaner transport.
- 1.13 The LAQM includes a list of 25 actions boroughs are to deliver locally as part of their London Air Quality Management action planning obligations. All actions are to be delivered as far as possible. Of the 25 actions, 9 have been rated as a high priority. The list of actions is not an exhaustive list as boroughs can also include their own local priorities. Guidance has been provided to local boroughs for the actions listed showing case studies, an assessment of possible benefits and a provisional assessment of high level risks associated with the action.
- 1.14 All actions have been assessed against the perceived ease of delivery and the possible magnitude of air quality benefits, and these scores are then multiplied to give a priority rating (the highest being 1 and the lowest 15). In reality, the ease of delivery and possible benefits will clearly vary significantly from borough to borough and will depend on the characteristics of the individual projects; these ratings should therefore be viewed as an indicative guide only, and boroughs have been asked to consider local conditions when assessing the potential ease and benefits of actions.
- 1.15 The London Air Quality Matrix will remain a living document and will be refreshed every two years at which time actions can be removed or further actions can be added.
- 1.16 Table 1 below summarises the number of actions against each theme and the priority rating that has been given under the LLAQM Scheme. The themes with the highest priority rated actions are Emissions from developments and buildings, (7), Cleaner Transport (6) and Public Health and Awareness raising (4).

Table 1: Number of High, Medium, Low actions against each Air Quality Matrix theme

Theme	Total No. of actions	High	Medium
Monitoring and other core statutory duties	1	1	0
Emissions from developments and buildings	8	7	1
Public Health and Awareness Raising	5	4	1
Delivery, Servicing and Freight	2	0	2
Borough Fleet	1	1	0
Localised Solutions	2	1	1
Cleaner Transport	6	6	0
<b>Total</b>	<b>25</b>	<b>20</b>	<b>5</b>
<b>%</b>	<b>100%</b>	<b>80%</b>	<b>20%</b>

- 1.17 Table 2 provides an assessment of Barnet's position against the actions rated as high in the LAQM. 60% (12 out of 25) of the high rated actions in the LAQM are already in Barnet's local air quality action plan with 40% (8 out of 25) of the actions being new actions to consider.

**Table 2: Barnet assessment against the high rated actions in the Matrix**

Theme	Number of actions	High	Barnet Position	
			Existing	New
Monitoring and other core statutory duties	1	1	0	1
Emissions from developments and buildings	8	7	5	2
Public Health and Awareness Raising	5	4	3	1
Delivery, Servicing and Freight	2	0	0	0
Borough Fleet	1	1	1	0
Localised Solutions	2	1	0	1
Cleaner Transport	6	6	3	3
<b>Total</b>	<b>25</b>	<b>20</b>	<b>12</b>	<b>8</b>
<b>%</b>	<b>100</b>	<b>80%</b>	<b>60%</b>	<b>40%</b>

- 1.18 Table 3 summarises the medium rated actions in the Matrix. 40% (2 out of 5) of the medium rated actions are already in Barnet's Action Plan, however 60% (3 out of 5) are new.

**Table 3: Barnet position for the medium rated actions in the Matrix**

Theme	Number of actions	Medium	Barnet Position on medium actions	
			Existing	New
Monitoring and other core statutory duties	1	0	0	0
Emissions from developments and buildings	8	1	0	1
Public Health and Awareness Raising	5	1	0	1
Delivery, Servicing and Freight	2	2	1	1
Borough Fleet	1	0	0	0
Localised Solutions	2	1	1	0
Cleaner Transport	6	0	0	0
<b>Total</b>	<b>25</b>	<b>5</b>	<b>2</b>	<b>3</b>
%	<b>100%</b>	<b>20%</b>	<b>40%</b>	<b>60%</b>

1.19 The new actions, for further consideration to be included in the Barnet Air Quality Action Plan, (increasing our chances to secure a silver or above cleaner air borough status) are as follows:

	<b>Actions from the Matrix</b>	<b>Officers comments</b>
1.	Maintaining and where possible expanding monitoring networks, and fulfilling other statutory duties.	The Council already does this work but it is not currently a designated action within the Air Quality Action Plan.
2.	Ensuring adequate, appropriate, and well located green space and infrastructure is included in new developments and buildings.	This work is already done in Barnet through the Supplementary Planning Document for Green Infrastructure, but is not currently a designated action.
3.	Promoting and delivering energy efficiency and energy supply retrofitting projects in workplaces and homes through EFL retrofit programmes such as RE: FIT, RE:NEW and through Borough carbon-offset funds.	This work is being done within the Council, but is not currently a designated action
4.	Master Planning and redevelopment areas aligned with Air Quality Positive and Healthy	This will be embedded into the new London Plan and Barnet's new Local Plan – adoption

	Streets Approaches.	expected 2021
5.	Engagement with businesses.	There is planned work for engagement with businesses but not currently a designated action in the plan.
6.	Dissemination of pollution alerts to the public.	There are websites and apps that provide alerts when air pollution is high.
7.	Reducing emissions from deliveries to local businesses and residents.	The trend for on-line shopping has led to increased delivery vehicles on the roads. Low Emissions Vehicles including electric vehicles have yet to penetrate the delivery sector to a significant degree.
8.	Low Emissions Neighbourhoods.	These require substantial funding, and the few LENs already underway in London have received large grants from the GLA.
9.	Ensuring that transport and air quality policies are integrated.	This work is already being done in Barnet but is not yet a designated action.
10.	Discouraging unnecessary idling by taxis and other vehicles.	Potential resource implications
11.	Regular temporary car-Free days	

### Cleaner Air Borough Status

1.20 The Cleaner Air Borough accreditation is part of the Mayor of London's Local Air Quality Management (LAQM) framework. Boroughs who submit their annual reports on time and have evidenced that they are working towards the Cleaner Air Borough (CAB) criteria are recognised with CAB status. They are provided with a logo to use on their air quality materials for a year. CAB is re-assessed every year. The CAB criteria is grouped under 6 themes:

- political leadership
- taking action
- leading by example
- informing the public
- using the Planning system
- integrating air quality into the public health system

1.21 The CAB accreditation does not relate to pollution levels in the borough, as levels of pollution are largely as a result of the location and make-up of the borough (central London boroughs are more polluted than the outer London

boroughs, due to volume of traffic and buildings). The accreditation relates solely to the performance of the borough in terms of working to address local pollution.

- 1.22 London Borough of Barnet already has been awarded the CAB accreditation, however, there will be a formal submission of Barnet evidence in late 2019/20. Sections 1.16 to 1.20 set out how Barnet is currently performing against the action set out in the Mayors air quality matrix, marking the actions in red which we currently do not deliver on and may require further consideration to prevent the Barnet CAB status being removed.

### Air quality focus areas

- 1.23 An Air Quality Focus Area is a location that has been identified by the GLA as having high levels of pollution (not meeting the EU objectives) and high human exposure. Barnet has 14 focus areas in the borough which will require targeted action. Table four lists the areas. All the focus areas are close to busy roads, and the table highlights which are in Barnet's control.

Table Four: Barnet Air Quality Focus Areas

	<b>Focus Area</b>	<b>Whose Control?</b>
1	Apex Corner near Mill Hill M1/A41/A5109	TfL (Transport for London)
2	Fiveways Corner M1 Junction 2 and A1 Barnet Bypass	TfL
3	Hendon Central A41/Queens Road	TfL
4	A406 North Circular Brent Cross to Golders Green Road A502	TfL
5	A406 Henleys Corner	TfL
6	Finchley A598 Ballards Road between Henleys Corner and Woodhouse A1003	Barnet
7	North Finchley Junction with Woodhouse Rd/Ballards Lane/North Finchley High Road	Barnet
8	Barnet High Street	Barnet
9	Cricklewood Junction A407 Cricklewood Lane/A5 Broadway	Barnet
10	Childs Hill Junction A407 Cricklewood/A41 Hendon Way/A598 Finchley Rd	Barnet
11	Golders Greens Junction A504/A598	Barnet
12	Friern Barnet A1003 Woodhouse Road junction with Colney Hatch Lane	Barnet
13	Cricklewood A41 Hendon Way	TfL
14	Hendon M1 and A5	Highways England and TfL

- 1.24 It is important to note that Barnet does not have direct control of key through routes immediately around and in the borough, such as the A1, M1, A41, and

A406, and a significant proportion of car trips within and across Barnet originate elsewhere and are between origin and destination points outside of the Borough.

### **Update on Schools Audits**

- 1.25 Air Quality Audits have now been completed at Wessex Gardens Primary School and Tudor Primary School. Barnet Council contributed £10,000 to each school in order to support the schools in implementing the recommended actions identified in the audits.
- 1.26 The LIP (Local Implementation Plan) has allocated a total of £5K per year to carry out further audits at schools. It has also allocated a total of £10K per year to implement recommendations until 2021/2022.
- 1.27 In the January 2019 Environment Committee meeting, members agreed to fund up to £16k from the LIP funding to conduct an audit and subsequent actions for the Beis Medrash Elyon School, NW9.
- 1.28 The list of schools that are in areas of poor air quality that are in breach of the UK Air Quality Objectives has been updated since the January committee. Tudor Primary and Beis Yaakov are no longer in the list. It should be noted that the results are modelled data and not monitored and there will be some uncertainty in the modelling assumptions.
- 1.29 Table 5 shows the most affected schools in Barnet. The 2016 data is the most recent dataset, produced in July 2019 by TfL. There is a time delay due to the requirement for extensive modelling inputs such as temperature, traffic numbers and composition and monitoring data.

Table 5: List of schools predicted to be in areas that breach the UK Air Quality Objectives (taken from the London Atmospheric Emissions Inventory supplied by the GLA)

School	NO2 Average 2013 (µg/m3)	Exceeds 40µg/m3 Objective?	NO2 Average 2016 (µg/m3)	Exceeds Objective?
Wentworth Tutorial College	51.6	Yes	47.4	Yes
Unity Girls High School	51.1	Yes	46.3	Yes
Torah Vodaas	48.2	Yes	44.5	Yes
Mapledown School	46.5	Yes	44.4	Yes
Beis Soroh Schneirer	47.6	Yes	43.9	Yes
St Joseph's Catholic Primary School	45.9	Yes	43.7	Yes
Ambitious College	46.8	Yes	43.4	Yes
Barnet Hill Academy	45.1	Yes	42.4	Yes
Wessex Gardens Primary School	43.0	Yes	42.1	Yes
Beis Medrash Elyon	44.6	Yes	41.5	Yes
Whitefield School	41.1	Yes	40.9	Yes
Hasmonean Primary School	40.1	Yes	40.1	Yes

### **Mayor's Air Quality Fund 3**

- 1.30 Barnet submitted bids in January 2019 for the third round of the Mayor's Air Quality Fund. The outcome of these bids was as follows:

#### Finchley Town Centre

- 1.31 Barnet submitted a bid for funding a project at Finchley Town Centre to complement the proposed TfL station redevelopment and public realm improvements proposed as part of the Finchley Central Town Centre Strategy. Unfortunately, this bid was unsuccessful.

#### Joint bid with Brent Council

- 1.32 A joint bid with Brent Council to tackle the air quality hotspot of the North Circular/M1/A41 and A5 road network at and around Staples Corner was also unsuccessful.

#### Inspection of construction sites and Health Streets Everyday

- 1.33 Two joint bids were successful – a pan-London project to inspect construction sites to ensure that they are only using approved and lower-pollution machinery. (Construction machinery is currently the third largest contributor to air pollution in the capital).
- 1.34 The second successful bid is called Healthy Streets Everyday. This is a pan-London project including 16 London Boroughs with the aim to deliver

pedestrian-priority healthy streets, increase walking rates and reduce emissions and exposure to air pollution. This will include streetscape improvements and car-free events.

- 1.35 Table 5 provides a breakdown of the currently available funding for air quality. The Local Implementation Plan Annual Spending Submission 2020/21 provides further detail on LIP allocation.

Table 5: Finance

				19/20 £	20/21 £	21/22 £
<b>School Air Quality audits</b>	Air quality audits on remaining schools in high pollution areas	LIP Allocation	Schools in high pollution areas	5k	4k	4k
<b>Air Quality audit improvements</b>	Delivery of Air Quality audit improvements (possible impacts on infrastructure TBC). LIP funding would deliver transport elements of audit recommendations only.	LIP Allocation	Schools in high pollution areas	10k	40k	40k
<b>Car-free days &amp; events</b>	Support for car-free days & events	LIP Allocation	Various boroughwide	5k	5k	5k
		Mayor's Air Quality Fund		10K	10K	10K
<b>Tree planting</b>	Tree planting to address air quality and urban heat islands	LIP Allocation	Borough-wide	75k	75k	75k
<b>Sustainable business grants</b>	Sustainable business grants programme to liaise with and approach businesses along the A1000 corridor and give their business an energy and sustainability appraisal	LIP Allocation		35k	20k	20k
			A1000 corridor			

## 2. REASONS FOR RECOMMENDATIONS

- 2.1 The recommendations in this report are made to ensure members are kept updated and note the progress made and provide relevant comments, feedback or further direction.

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 Doing nothing is not an option as Barnet would breach statutory requirements on the management of air quality and not address the health impact of poor air quality.

### **4. POST DECISION IMPLEMENTATION**

- 4.1 Deliver funded project as per the grant funding criteria.
- 4.2 Further revise Barnet's Air Quality Action Plan to ensure it is in line with the activities set out in this report and meets the requirements to support Barnet securing the Cleaner Air Borough Status.
- 4.3 Ensure air quality is a significant component of the imminent long-term Transport Strategy for Barnet.

### **5. IMPLICATIONS OF DECISION**

#### **5.1 Corporate Priorities and Performance**

- 5.1.1 Delivering Quality Services is a key area of focus in the Corporate Plan 2019-2024. Within the Clean and Safe Places priority there is a commitment to achieve the highest possible standards of air quality. Barnet has a Corporate Performance indicator to monitor and review trends for air quality in Barnet annually.

- 5.1.2 The air quality action plan is aligned to the Health and Wellbeing Strategy and its stated priorities and themes.

Wellbeing in the Community: "Improving air quality is creating circumstances that enable people to have greater life opportunities. How we live is encouraging healthier lifestyles". The air quality action plan encourages sustainable transport such as walking and cycling that help the objective to focus on reducing obesity and preventing long term conditions through promoting physical activity

- 5.1.3 The air quality action plan links with the Long-Term Transport Strategy and Local Implementation Plan, Corporate Fleet emissions and sustainable procurement contracts.

#### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 Re (Regional Enterprise) is the Joint Venture to deliver Regulatory Services on behalf of Barnet under the Development and Regulatory Services contract.
- 5.2.2 The launch of the third round of the Mayor's Air Quality Fund (2019-2022) commenced in October 2018, with applications submitted by 11.01.2018. This is a funding pot of £6million distributed across London. Section 1.30 to 1.34

sets out the results of the bids submitted by Barnet. Table 6 sets out the funding secured and allocated to the air quality projects.

5.2.3 The Local Implementation Plan allocates a budget towards projects to achieve key outcomes including improved air quality as a result of modal shift. A borough spending submission of £170,000 for 2019/2020 has been made specifically for air quality projects.

5.2.4 Resources for existing activities are funded by the management fee for the DRS contract. Any additional work which the Council may wish to commission over and above these resources would incur additional costs to the council in accordance with the contract rates.

### **5.3 Social Value**

5.3.1 The existing and additional work on improving air quality has wide environmental and social benefits, particularly for residents and children living, working or going to school near too busy roads

### **5.4 Legal and Constitutional References**

5.4.1 S.82-84 Environment Act 1995 imposes obligations on a local authority to periodically review air quality in its area and requires the issue of an Air Quality Action Plan once an Air Quality Management Area has been designated.

5.4.2 The delegated powers for this legislation fall within the remit of the Strategic Director for Environment in line with the Scheme of delegation for Officers and are delivered through Re, Environmental Health Team.

5.4.3 In preparation for Brexit, regulations will come into force on exit day, to ensure that existing regulatory standards on air quality will be maintained. In the longer term, the Environment Bill 2019, which is due to be introduced to the Commons in the autumn, is expected to contain a new legally binding national commitment to meet World Health Organization guideline levels for particulates PM2.5 and additional new powers for local authorities to reduce emissions from burning wood and coal, and from machinery.

5.4.4 Article 7 of the Council's Constitution states that the Environment Committee has responsibility for all borough-wide or cross-constituency matters relating to street scene, including environmental health. The Environment Committee's terms of reference include receiving reports on relevant performance information and risk relating to the services under the remit of the Committee. Article 7 also states that if any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee.

### **5.5 Risk Management**

5.5.1 The risks of exceedances of air pollution in Barnet is managed by the following processes

- a yearly review and assessment of air quality,
- a five-year air quality action plan, reviewed annually
- an interdepartmental steering group to promote improved air quality minimises the risks below:

5.5.2 EU legislation specifies that Member states can be fined for poor air quality. The national government, through DEFRA and GLA, check the effectiveness of local authority reports. If exceedances occur that can be deemed to be the fault of poor management of Council controlled highways then local authorities may be held directly responsible for a proportion of the fine.

5.5.3 It is not known exactly how air quality legislation will change in the medium term upon Britain leaving the European Union; however, it is likely that Defra or the newly proposed Office for Environmental Protection will continue with a policy of being able to fine local authorities if action to improve air quality is not effective.

5.5.4 There is a moderate risk of reputational and operational impact if there is no progress acknowledged by the GLA/DEFRA on improving Barnet's air quality by delivering the measures described in the Barnet action plan.

5.5.5 The GLA operate a Cleaner Air Borough status accreditation which Barnet currently has. This accreditation can be removed if there is not deemed to be sufficient progress.

- **Equalities and Diversity**

5.6.1 From the Corporate Plan, work to improve air quality will reflect our Strategic Equalities Objective (SEO), which is:

“That citizens will be treated equally, with understanding and respect, and will have equal access to quality services which provide value to the tax payer.”

5.6.2 The air quality of Barnet affects all residents and workers and does not differentiate between persons of different culture, religion, wealth, sex or physical ability, therefore the improvement sought in the on-going work to improve air quality will affect every part of society.

5.6.3 However poor air quality does not affect everybody equally. Poor air quality is likely to have greater effect on the very young, the very old or people with certain other disabilities or conditions who may be more prone to suffering as a result of poor air quality.

5.6.4 Poor air quality may also adversely affect poorer residents as they are more likely to be living nearest to busy congested roads.

- **Corporate Parenting**

5.7.1 In line with the Children and Social Work Act 2017 the Council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no implications for Corporate Parenting in relation to this report.

- **Consultation and Engagement**

5.5.1 The Council's air quality action plan 2017-2022 went through the formal consultation process in 2017.

**5.9 Insight**

5.9.1 Not applicable to this report.

**6. BACKGROUND PAPERS**

The Council's draft air quality action plan can be found on Engage Barnet <https://engage.barnet.gov.uk/air-quality-action-plan>

The Council's draft local implementation plan can be found at <http://barnet.moderngov.co.uk/documents/b31252/Local%20Implementation%20Plan%20submission%20of%20draft%20to%20TfL%20and%20public%20consultation%2023rd-Oct-2018%2019.00.pdf?T=9>

Burnt Oak Town Centre Strategy:

<http://barnet.moderngov.co.uk/documents/s43516/Appendix%201%20-%20Burnt%20Oak%20own%20Centre%20Approach%20February%202017.pdf>

Finchley Central Town Centre Strategy:

<http://barnet.moderngov.co.uk/documents/s43517/Appendix%202%20-%20Finchley%20Central%20Town%20Centre%20Strategy.pdf>

Schools air quality audit reports: <https://www.london.gov.uk/press-releases/mayoral/mayor-launches-air-quality-audits-and-1m-fund>