

	
Cabinet	3 April 2012
Report of the Cabinet Member for City Strategy and Air Quality	

Low Emission Strategy Consultation

Summary

1. This report presents the draft Low Emission Strategy (LES) consultation document. The Cabinet is asked to note the content of the document and approve it for public consultation.

Background

2. On 8 June 2010 the Executive approved the development of an overarching LES for the city. A LES is a package of measures aimed at improving vehicle efficiency (through eco-driving and improved maintenance) and accelerating the uptake of low emission fuels and technologies. A LES can assist in reducing emissions of local air pollutants and greenhouse gases. LESs are additional tools for tackling emissions and can complement existing sustainable development and sustainable transport initiatives.
3. In 2002 York declared its first Air Quality Management Area (AQMA) due to predicted exceedances of government targets for nitrogen dioxide (NO₂) around the inner ring road. NO₂ is mainly a traffic pollutant and has been linked to respiratory illnesses such as asthma, bronchitis and emphysema. There is a disproportionately high impact on elderly people, young children and the infirm, some of society's most vulnerable groups. In York it is estimated that somewhere between 94 and around 163 people die prematurely every year due to the impacts of air pollution¹. Nationally poor air quality gives rise to more premature deaths than alcohol and obesity combined.

¹ Committee on medical effects of air pollution (COMEAP, 2009) estimate 29,000 premature deaths each year in UK. Environmental Audit committee estimate up to 50,000 premature deaths (Environmental Audit Committee Report, March 2010). UK population in 2010 - 62,262,000, York population in 2010 – 202,400 (Office of National Statistics 2011)

4. Between 2002 and 2005 annual average nitrogen dioxide concentrations across the city centre AQMA appeared to be decreasing, but this trend was reversed in 2006 and year on year increases have been recorded since. Main Street, Fulford, continues to breach the annual average objective for nitrogen dioxide and a new AQMA was declared in Fulford in April 2010. An Air Quality Action Plan (AQAP) for this area is currently being prepared, with a view to incorporating this work into a revised, overarching AQAP for the whole city in 2012. The public have been consulted and a third AQMA is will be declared for the Salisbury Terrace area in April 2012.
5. The annual average nitrogen dioxide objective is being met at most locations outside of the existing AQMAs. However, elevated concentrations of nitrogen dioxide have been recorded on Queen Street and it is likely that these properties will be brought within the boundary of the AQMA following a review in May 2012.
6. The current AQMAs are designated on grounds of predicted exceedances of the annual average nitrogen dioxide objective. However, the short term hourly objective for nitrogen dioxide may also be being breached on Rougier Street, George Hudson Street and Bridge Street. If additional monitoring confirms that the short term objective is also likely to be breached, this will need to be declared.
7. This continued decline in local air quality and the implications of this for public health are the main drivers for the development of a LES in York.
8. On 15 March 2011 the executive considered a draft framework for the LES. The vision, objectives and a list of proposed LES measures were approved at this meeting and permission was given to proceed to the development of a draft consultation LES based on the approved framework. The draft consultation LES has now been completed. The executive summary is included as Annex A of this document and a summary of all the proposed LES measures and proposed timescales can be found at Annex B. An electronic copy of the full draft LES has been circulated with this report.
9. The draft consultation LES consists of six main parts:
 - (i) An executive summary (included at Annex A)
 - (ii) The drivers for emission reduction
 - *an overview of the policy, legislation and research driving the need to reduce emissions*
 - (iii) Local air quality and carbon emissions in York

- *a review of local air quality and carbon emissions in York forming an evidence base for emission improvement*
- (iv) A LES for York
- *The main body of the report. It introduces the vision, objectives and main measures to be introduced in York by the LES. A summary of the LES measures is included at Annex B*
- (v) Baseline data requirements
- Consideration of the baseline data required to monitor the success of the LES
- (vi) Annex A – Low Emission Vehicles and Fuels
- An overview of the low emission vehicle and fuel technologies currently available
10. The LES is a holistic document providing an overview of all the actions CYC is currently taking and intending to take to reduce emissions of local air pollutants and carbon dioxide (CO₂) in the city. A number of these measures, particularly those relating to energy use in existing homes and buildings, are already being successfully delivered through the Climate Change Framework and Action Plan (CCFAP) and the Public Sector Housing Strategy (PSHS). Delivery of these measures will continue to take place in the existing format and will not be replaced or replicated by the new measures emerging from the LES. Their contribution to emission reduction must however be recognised as forming part of the overall emission reduction strategy for the city.
11. The new emission reduction measures emerging from the LES are focused primarily on reducing emissions from transport by improving vehicle efficiency (through eco-driving and improved maintenance) and accelerating the uptake of low emission vehicles and fuels. This will be achieved predominantly by providing residents, businesses, developers, transport providers and visitors with the infrastructure and incentives necessary to allow them to use and invest in low emission vehicles and fuels. However some regulatory controls may also be necessary in the future. The LES measures will be delivered across a variety of council functions including fleet management, procurement, sustainable travel, sustainable development and marketing.
12. The draft consultation LES is a high level strategy document giving an indication of the measures to be taken to further reduce emissions in the city. Once formally adopted, the new measures arising from the LES will be incorporated into a revised Air Quality Action Plan (AQAP3) for the city. To date York has prepared two AQAPs. AQAP1 was produced in 2004 following the declaration of the city centre AQMA. AQAP2 was

produced in 2006 to incorporate the additional air quality improvement measures in LTP2. Both AQAP1 and AQAP2 are predominantly modal shift based plans aimed at improving air quality by shifting car trips to walking, cycling and public transport.

13. Recent air quality monitoring has shown that modal shift measures on their own are not delivering the level of air quality improvement needed to protect the health of the most vulnerable persons. Updating the current AQAP to incorporate LES measures is therefore essential to address the continuing deterioration in air quality and to tackle traffic emissions. Many of these emissions are from buses, taxis, Heavy Goods Vehicles (HGVs) and Light Goods Vehicles (LGVs) that provide essential public transport and other services to the city. The LES will aim to reduce emissions from these essential vehicles and aim to ensure that in the future only the lowest emission vehicles are able to enter areas of air quality concern.
14. Once incorporated into AQAP3 the broad measures outlined in the draft consultation LES will become S.M.A.R.T. (specific, measurable, achievable, relevant and time-related) targets subject to ongoing monitoring and annual reporting procedures. The level of emission reduction likely to be gained from these measures will also be assessed. AQAP3 will contain specific air quality improvement measures for the Fulford and Salisbury Road AQMAs. Research is currently ongoing to determine what specific measures might be most appropriate in these areas.

Changes to LES since draft framework

15. As the consultation draft LES has evolved there have been some changes to the original content proposed in the draft framework (March 2011 report to the Executive). Paragraphs 16 to 19 detail the main changes to the report layout and content in relation to the draft framework.

Changes to LES objectives

16. The wording of the previously approved objectives has been slightly amended. This has mainly been undertaken to allow all LES measures relating specifically to the CYC estate and transport fleet to be grouped together and to allow measures aimed specifically at improving air quality in the existing city centre AQMA to be easily identified. The exact changes to the wording of the objectives are shown in Annex C.

Changes to LES measures

17. Since the draft framework in 2011, more progress than expected has been made in some areas allowing the timetable for delivery of some LES measures to be accelerated e.g. the Low Emission Zone (LEZ) feasibility study, originally scheduled for the end of 2013 in the LTP3 capital programme should be completed by the end of 2012, due to additional Defra funding.
18. As a result of the ongoing fleet and transport review significant progress has also been made in relation to reducing emissions from CYC travel activities: mileage rates have been reduced and trials are being undertaken for a 'green travel decision tree', a Nissan Leaf electric vehicle and a car club. Timescales for reducing emissions from CYC travel activities have therefore also been accelerated since the draft LES framework. A revised summary of the LES measures is given at Annex B

Changes to LES document layout

19. The proposed chapter in the draft framework relating to low emission vehicle and fuel technologies has been incorporated into the draft consultation LES as an annex rather than a chapter in the main document, as it was considered to be supporting information and not part of the main strategy.

Consultation

20. The draft LES has been developed in conjunction with officers throughout the council and particularly those from city strategy, CANs and procurement. A first draft of the LES consultation document was sent out to all members of the LES steering group and all service directors during December 2011. Detailed comments were received from EPU, the Sustainable Travel Service, the Integrated Strategy Unit and the sustainable development team. The comments and suggestions received have been incorporated as far as possible into the final draft consultation LES presented here.
21. Permission is now being sought for public consultation. It is proposed that the draft consultation LES will be made available to the public on the CYC consultation webpage for a minimum of four weeks along, together with a questionnaire to gather views about the LES. Paper copies of the document will also be made available at key council receptions and the main library. The opportunity to comment on the document will be publicised in the local press and in relevant CYC publications.

22. The draft LES is also of national significance as it is one of the first documents of its type in the UK. The development of the draft LES has been strongly supported by the Low Emission Strategies Partnership (LESP) and its progress is being monitored by numerous local authorities around the country interested in adopting a similar approach. Officers from Newcastle City Council and Tyneside Council have recently visited York to learn from our experiences, and air quality staff from York have travelled to the West Midlands to discuss progress with a group of authorities that are working on an area wide LES. Regular updates are also provided to other councils in the Yorkshire region through the Yorkshire and Humberside Pollution Advisory Council (YAHPAC). Bradford City Council has recently launched the start of its own LES development process.
23. Due to the national interest in the LES it is also proposed to make the draft consultation LES available to the wider air quality community for comment. This will be achieved by posting it on the Leeds City Region regional group initiative website www.lcrrgi.org.uk and the LESP website (www.lowemissionstrategies.org/). Notification of the consultation will also be sent to Air Quality Bulletin (the main journal used by local authority air quality officers) and the Institute of Air Quality Management (IAQM) (the main professional body for air quality professionals).
24. The public consultation period for the draft LES is scheduled to take place during May 2012; it is proposed to take the results, together with a final LES document for formal adoption to the Cabinet in September 2012.
25. Members of the public will be given a further opportunity to comment on specific LES measures during the development of AQAP3. At this stage more information will be available regarding the timescales, funding and likely impact of individual LES measures. The development of AQAP 3 and the proposed opportunities for further public engagement will be the subject of a future report.

Options

26. (a) To approve the content of the draft consultation LES as summarised in Annex A (executive summary), Annex B (summary of LES measures) of this report, and provided in detail within the full version of the draft LES circulated electronically with this report. To allow officers to proceed directly to the public consultation as detailed in paragraphs 20 to 25 of this report. (Approval of the draft consultation LES and the consultation process will be subject to any amendments or additional actions requested at this meeting).

(b) To request revisions to the draft consultation LES as summarised in Annex A (executive summary), Annex B (summary of LES measures) of this report, and provided in detail within the full version of the draft LES circulated electronically with this report. To request officers to bring the revised LES to the Cabinet, prior to public consultation.

Analysis

27. Option (a) will enable the public consultation on the draft LES to progress immediately and ensure a final draft LES can be brought to the Cabinet for approval in September 2012. Early adoption of an overarching LES will ensure York retains its reputation as a pioneer in the adoption of an overarching low emission strategy and stays in a good position to attract low emission vehicles, technologies and associated jobs ahead of other local authorities. It will also allow the development of a low emission based Air Quality Action Plan (AQAP3) to improve air quality and protect public health.

Option (b) will slow down the process of developing a LES for York. Delays in committing to a final LES may harm York's reputation and result in York missing out on government funding and opportunities to attract low emission vehicles, technologies and associated jobs. It will also delay the development of a low emission based AQAP3 to improve air quality and protect the health of York's residents and visitors.

Council Plan

28. The development of the low emission strategy contributes to the council priorities in the following ways:

- Create jobs and grow the economy – improving transport links to the rest of the UK via the installation of electric charging points and alternative fuels infrastructure, encouraging investment in low emission technology and creating jobs in green industries
- Get York moving - improving public perception of local bus services and improving emissions through more driver training (eco-stars scheme), working towards providing priority access to the cleanest buses (LEZ study), reducing reliance on the car by providing cleaner and more reliable buses, reducing emissions from taxis through tighter emission controls, reducing emissions from HGVs (eco-stars)
- Build strong communities – talking with and listening to people about air quality, public health and the environment

- Protect vulnerable people – ensuring the health of people, especially the most vulnerable, by reducing air pollution
- Protect the environment – cutting our carbon emissions and improving air quality

Implications

29. The various implications of this report are summarised below:

(a) Financial

Implementation of the measures in the LES will require both capital and revenue funding. Within the LES measures are identified as being low cost, medium cost or high cost. It is envisaged that all the low cost measures (<£40k) will be deliverable from within existing budgets, mainly the LTP3 capital programme and air quality grant funding. Medium cost measures (£40K to £100k) will require additional funding above and beyond current resources. It is anticipated that the majority of this funding will be obtainable from additional government grant opportunities and private investment. The high cost measures > £100k are those which currently remain aspirations. They are indicative of what could be achieved with significant additional investment in the delivery of LES measures but are unlikely to proceed under current funding arrangements.

(b) Human Resources (HR)

A low emission officer has been employed by EPU to support delivery of the LES measures. Delivery of many of the LES measures will require a cross-directorate approach. Departmental responsibility for the delivery of specific LES measures is clearly identified within the draft consultation LES.

(c) Equalities

Vulnerable people with respiratory and other illnesses are more likely to be affected by poor air quality. The LES measures seek to mitigate this.

(d) Legal

The draft low emissions strategy is a non-statutory document. CYC does though have a statutory duty to periodically review the air quality within its area both at the present time and as regards future air quality. There is a duty to designate an air quality management area where air

quality objectives are not being achieved or are not likely to be achieved. Once an area has been designated there is a duty to carry out an assessment and prepare an action plan for the area. DEFRA have issued statutory guidance to which the Council must have regard in exercising these functions.

The implementation of measures proposed in the Strategy will involve the use of other legal powers such as traffic regulation and planning powers, and their use will need to be considered on a case by case basis.

(e) Crime and Disorder

There are no crime and disorder implications

(f) Information Technology (IT)

There are no IT implications

(g) Property

Energy efficiency measures within council owned properties are currently delivered under the CCFAP and the PSHS. There will be no change to this arrangement as part of the LES implementation. There will be a requirement to accommodate electric vehicle recharging infrastructure in some council owned car parks, offices, housing and leisure facilities. There will also be a need to consider in more detail the suitability of biomass technology for use in council owned buildings, particularly schools.

(h) Other

There may be highways implications associated with implementing a LEZ within the city centre. This will be explored, consulted upon and fully reported to members, should the results of the feasibility study suggest that such a scheme is cost-effective for the city.

There will be a requirement to produce revised supplementary planning guidance to ensure LES measures are incorporated into new developments.

Risk Management

30. In compliance with the Council's risk management strategy, failing to meet the health based air quality targets, considering the likelihood and

impact, the current net risk rating is 21or High. The development and implementation of a LES and revised AQAP, together with the continued delivery of the CCFAP and PSHS should reduce the risk to Medium

Recommendations

31. The Cabinet is advised to:

- (i) Agree option (a) to approve the content of the draft consultation LES as summarised in Annex A (executive summary), Annex B (summary of LES measures) of this report, and provided in detail within the full version of the draft LES circulated electronically with this report.
- (ii) Allow officers to proceed directly to the public consultation as detailed in paragraphs 20 to 25 of this report. (Approval of the draft consultation LES and the consultation process will be subject to any amendments or additional actions requested at this meeting).

Reason: This option will allow public consultation on draft consultation LES to be completed by the end of May 2012 allowing a final version of the LES to be brought to the Cabinet for approval in September 2012. This will allow the drawing up of a revised low emission based AQAP3 to commence as soon as possible maximising the chances of York attracting low emission vehicles, technologies and jobs to the city and achieving targets for both local air quality and CO₂.

Contact Details

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	Report Approved	√	Date	22 nd March 12
Specialist Implications Officer(s)				
None				
Wards Affected: <i>List wards or tick box to indicate all</i>			All	X
For further information please contact the author of the report				

Background Papers:

Air Quality Update – Meeting of Cabinet Member for City Strategy and Air Quality (5 January 2012)

Draft Framework for York Low Emission Strategy - Executive (15 March 2011)

Climate Change Framework and Climate Change Action Plan for York – Consultation results and proposed changes – Executive (19th October 2010)

Air Quality Update – Executive Member for Neighbourhoods (16 Nov 2010)

City of York's Local Transport Plan 3 – Draft 'Framework' LTP3 – Decision Session Executive Member City Strategy (5 Oct 2010)

A Low Emission Strategy for York - Executive Member for Communities and Neighbourhoods (8 June 2010)

Low Emission Strategies – Using the Planning System to reduce transport emissions – DEFRA Good Practice Guidance (January 2010)

National Air Quality Strategy

Air Quality Strategy for England, Scotland, Wales and Northern Ireland – DEFRA (July 2007)

Annexes

Annex A - Draft consultation LES Executive Summary

Annex B – Summary of draft consultation LES measures

Annex C – Changes to wording of LES objectives

The full version of the draft LES is attached to this report online.