

Meeting:	Executive
Meeting date:	18 July 2024
Report of:	James Gilchrist, Director of Transport, Environment and Planning
Portfolio of:	Cllr Jenny Kent - Executive Member for Environment and Climate Emergency

Adoption of York's Fourth Air Quality Action Plan (AQAP4)

Subject of Report

1. City of York Council's Fourth Air Quality Action Plan (AQAP4) outlines the action CYC will take to further improve air quality in York over the next 5 years to go beyond statutory health-based [National Air Quality Objectives](#) in all areas of the city and to work towards meeting stricter [World Health Organisation \(WHO\) Guidelines](#).
2. CYC has already made considerable progress in reducing air pollution in the city over the last 10+ years, via pioneering initiatives such as the UK's first voluntary Clean Air Zone (CAZ) and electrification of buses, low emission planning guidance, low emission taxi upgrades and providing widespread charging infrastructure for electric vehicles (EVs).
3. AQAP4 has been produced as part of our statutory duties required by the Local Air Quality Management (LAQM) framework. AQAP4 is fully aligned to the Council Plan and reflects ambitions contained within our 10-Year Strategies covering climate, health and wellbeing and the economy. AQAP4 firmly embeds the Council Plan's priority of sustainable, accessible transport for all and the council's commitment to healthy and affordable (energy-efficient) homes.
4. AQAP4 outlines 29 actions across 12 priority areas and reflects work being progressed (and planned) across the council and with partners to reduce emissions and improve air quality in York. Through AQAP4, CYC will ensure that pollution levels are reduced

as far as practically possible and that opportunities for low emission travel in the city are maximised for everyone. AQAP4 is closely aligned to both our wider sustainable transport vision and our carbon reduction aspirations, that seek to facilitate and encourage walking, cycling and low emission public transport use, which have co-benefits for health and wellbeing. AQAP4 also includes measures to tackle pollution from non-transport sources. Further detail for all AQAP4 priority areas is provided in this report.

5. A draft of AQAP4 was subject to a period of widespread public consultation between 22 November 2023 and 4 February 2024 alongside CYC's Local Transport Strategy (and CYC's new Enforcement Policy, which covers some air quality related issues). This report presents the final AQAP4 (Annex A), summarises the scope and results of the public consultation (Annex C). The Executive is asked to note the results of the public consultation, the updates made and to formally adopt AQAP4.

Benefits and Challenges

6. AQAP4 sets out CYC's commitment to improve air quality as part of the Local Air Quality Management regime, required under the Environment Act 1995 (as amended by the Environment Act 2021) and subsequent regulations. It will ensure that York continues to have a robust, current and relevant AQAP based on a strong local emission evidence base.
7. AQAP4 measures will reduce pollution and thereby improve health throughout the city and should deliver the national air quality objectives for nitrogen dioxide within the AQAP4 delivery period (2024 – 2028). AQAP4 will also reduce emissions of particulate matter (PM₁₀ and PM_{2.5}) to protect public health. Adoption of AQAP4 will demonstrate to DEFRA that York is continuing to strive to improve air quality in the city.
8. Not progressing AQAP4 or delaying adoption will reduce and slowdown delivery of air quality improvement measures resulting in higher pollution and carbon emissions and greater damage to people's health. It would also harm York's reputation with DEFRA as a high achieving authority in terms of air quality and reducing emissions. Delaying adoption of AQAP4 may result in lost opportunities for attracting low emission vehicles, technologies and associated jobs and will also weaken York's ability to attract future funding for air quality related initiatives.

9. Delaying AQAP4 may mean that CYC is not considered to be using 'best endeavours' to implement local measures to reduce particulate emission in line with revised PM_{2.5} targets introduced through the Environment Act 2021. Responsibility for meeting national PM_{2.5} targets lies with central government, but local authorities are expected to contribute to achieving the targets through local action to tackle sources under their influence. Measures to specifically target PM_{2.5} are outlined in AQAP4 to complement wider air quality improvement initiatives.

Policy Basis for Decision

10. AQAP4 has been produced as part of our statutory duties required by the Local Air Quality Management framework under the Environment Act 1995 (as amended). It outlines the action we will take to further improve air quality in York over the next 5 years to go beyond health-based [National Air Quality Objectives](#) in all areas and to work towards meeting stricter [World Health Organisation \(WHO\)](#) Guidelines.
11. AQAP4 is fully aligned to the [Council Plan](#) and reflects ambitions contained within our 10-Year Strategies covering climate, health and wellbeing and the economy.
12. AQAP4 supports the aims of the council's [Health and Wellbeing Strategy](#) by minimising and reducing public exposure to air pollution and by raising public awareness of the impacts of air pollution on health. AQAP4 will also continue to ensure that new developments provide a safe and healthy environment for occupants, support active travel initiatives, and help to address health inequalities in the city. AQAP4 firmly embeds the Council Plan's priority of sustainable, accessible transport for all and recognises the important continued role of modal shift in air quality improvement. AQAP4 strives to facilitate the uptake of low and zero emission modes of transport to allow York's residents, workforce and visitors to travel sustainably.
13. AQAP4 additionally embeds the council's commitment to healthy and affordable (energy-efficient) homes and has been developed to complement CYC's [Climate Change Strategy](#) and support the guiding principles of our [Economic Strategy](#), which aims to build inclusive, healthy and sustainable communities. AQAP4 provides a framework for air quality improvement activities and emission reduction policies. Many AQAP4 measures directly support CYC's carbon reduction programme and complement measures to reduce combustion activities generally across the city.

14. AQAP4 contains measures relating to the [Local Plan](#) that will build upon previous actions delivered as part of earlier AQAPs for the city. These include the continued development of Low Emission Planning Guidance, to formalise the approach for assessing and mitigating the emissions impacts of new development. AQAP4 also includes measures to tackle emissions associated with solid fuel burning across new development sites.

Financial Strategy Implications

15. Implementation of the measures in AQAP4 will require both capital and revenue funding. Absolute impacts on air quality will vary between AQAP4 measures, as will implementation costs. Whilst some actions are already underway, some are in the planning stages or may not yet have funding secured.
16. It is envisaged that lower cost measures will be deliverable using existing staff resource and existing budgets, including secured air quality and transport related grant funding. Some measures are subject to further feasibility studies and staff resource, that will need to be financed. It is anticipated that the majority of this funding will be obtainable from additional government grant opportunities and private investment.
17. Funding requests will follow the council's budgetary (capital & revenue) process. Approving AQAP4 as council policy does not commit further funding to support the delivery of AQAP4, but rather outlines a commitment to improve air quality and seek all opportunities to deliver the actions outlined in the document.

Recommendation and Reasons

18. Executive is asked to:
 - a) review the comments received in relation to the AQAP4 consultation (see Annex C)
 - b) accept the amendments to the draft AQAP4 and responses made by officers in response to consultation feedback (outlined in this report and in Annex C)
 - c) to formerly adopt the amended AQAP4 circulated with this report as CYC's Fourth Air Quality Action Plan (Annex A) and submit a final version of the document to DEFRA.
19. **Reason:** Adoption of AQAP4 will allow CYC to fulfil its statutory duties required by the Local Air Quality Management (LAQM) framework under the Environment Act 1995 (as amended). It will ensure that York continues to have a robust, current and relevant

Air Quality Action Plan to deliver emission reduction and health improvement benefits over the next 5-year period.

Background

20. Local authorities must regularly review and assess air quality in their areas to determine if health-based air quality objectives are likely to be achieved. Where an exceedance of an objective is considered likely, a local authority must declare an [Air Quality Management Area \(AQMA\)](#) and prepare an Air Quality Action Plan (AQAP) to set out measures to deliver air quality improvements.
21. Local authorities must prepare an Annual Status Report (ASR) every year, to report on progress in achieving reductions in pollution and on progress with delivering measures in a local AQAP. Previous ASRs produced by CYC are available on the [CYC website](#).
22. Through previous AQAPs, CYC has introduced electric buses across York's Park & Ride sites, a city centre Clean Air Zone (CAZ) for buses, low emission planning guidance to minimise and mitigate development related emissions, an anti-idling campaign, widespread EV charging infrastructure across the city and incentives for low emission vehicle use. AQAP4 builds on the successful initiatives and programmes delivered to date in pursuit of cleaner air for all.
23. AQAP4 updates and replaces the previous action plan (AQAP3) which ran from September 2015 and has been developed to reflect growing evidence about the health impacts of air pollution, updated work to consider local sources of air pollution and the current air quality in York compared to the health-based standards.

The case for clean air and improving health outcomes

24. Air pollution is associated with a number of adverse health impacts. It is a contributing factor in the onset of heart disease and cancer and particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. Air pollution in the UK is responsible for 29,000 to 43,000 premature deaths per year¹, with a total estimated cost to the NHS and social care of £157 million in 2017². It is estimated that long-term exposure to air pollution (specifically fine particulate, PM_{2.5}) was a contributory factor to the cause of death in 4.4% of

¹ Defra. Air quality appraisal: damage cost guidance, January 2023

² Public Health England. Estimation of costs to the NHS and social care due to the health impacts of air pollution: summary report, May 2018

deaths (approximately 90) in York in 2021³. This is approximately 1 in every 22 deaths.

25. Studies have demonstrated that long-term exposure to air pollution can reduce life expectancy, mainly due to conditions affecting the heart or blood vessels, respiratory conditions and lung cancer. In addition, short-term exposure (over hours or days) to increased levels of air pollution can also cause breathing difficulties, make asthma worse and increase hospital admissions due to heart and lung conditions⁴. The health effects of air pollution are varied and complex and can affect everyone, at all stages of life (although some people are more affected, perhaps because they are exposed to higher levels of air pollution in their day to day lives, live in polluted areas, or are more susceptible to air pollution related health issues).
26. Air pollution can also have economic impacts through sickness absence and reduced productivity. The coronavirus pandemic clearly demonstrated the critical link between human health and economic prosperity.
27. AQAP4 contains measures to reduce concentrations of nitrogen dioxide (NO₂) and particulate matter (PM_{2.5} and PM₁₀) to meet the health-based air quality objectives and work towards stricter World Health Organisation (WHO) Air Quality Guidelines to improve public health. Alongside other complementary strategies, AQAP4 will also deliver wider public health benefits, such as reducing obesity and improving mental health and wellbeing, via promotion of active travel options such as walking and cycling.

Current Air Quality in York

28. Through monitoring of air quality across the city, CYC has previously identified some areas of the city centre, around the busy inner ring road, where long term annual average nitrogen dioxide (NO₂) levels are above health based objective levels. These areas were incorporated into an [Air Quality Management Area \(AQMA\)](#).
29. The AQMA includes areas where members of the public are likely to be exposed to air pollution regularly over long periods of time, such as residential properties, nursing homes and schools. These are called 'relevant locations'. Following public consultation, residents and businesses said they wanted to see some busy

³ <https://fingertips.phe.org.uk/profile/public-health-outcomes-framework/data#page/3/gid/1000043/pat/6/par/E12000003/ati/302/are/E06000014/iid/93861/age/230/sex/4/cat/-1/ctp/-1/yrr/1/cid/4/tbm/1>

⁴ Health matters: air pollution. Public Health England.
<https://www.gov.uk/government/publications/health-matters-air-pollution/health-matters-air-pollution>

roads included within the AQMA boundary and air quality improved in these areas.

30. There has been a general downward trend in nitrogen dioxide (NO₂) concentrations monitored across the city since 2012. The reductions relate to improvements in traffic emissions generally, changes in background air quality and local initiatives introduced through previous Air Quality Action Plans, Local Transport Plans and CYC's wider sustainable travel programmes.
31. Despite improvements in the longer term of the last 10+ years, there remain a number of areas around the inner ring road (in the existing AQMA) where CYC has monitored exceedances of the health based annual mean NO₂ objective in recent years; these include Gillygate / Bootham / St Leonards Place, Holgate / Blossom Street and Rougier Street.
32. The monitoring data for 2023 has shown that:
 - across CYC's continuous monitoring sites, air quality improved on average by 6% (NO₂), 13% (PM₁₀) and 6% (PM_{2.5}) compared with 2022.
 - the maximum NO₂ concentrations monitored at relevant locations (i.e. locations representative of long-term public exposure) decreased across all areas of the AQMA compared with 2022.
 - Reductions in maximum NO₂ concentrations monitored in key areas that were in breach of health-based objectives in 2022 were as follows: Gillygate/Bootham/St Leonards (10% reduction), Blossom Street / Holgate (10% reduction) and Rougier Street (16% reduction).
 - the only area of the city to breach the annual mean NO₂ objective in 2023 was the area around Gillygate/Bootham/St Leonard's Place. Concentrations of NO₂ up to 43µg/m³ were monitored in this area (near Gillygate / Bootham junction), although monitoring on the facades of residential buildings on Gillygate itself showed that concentrations were equal to the objective at 40µg/m³.
33. In line with DEFRA guidance, the wider area of York's inner ring road must remain a designated AQMA until such time that sustained compliance with health based objective levels can be demonstrated⁵. Measures in AQAP4 aim to improve in air quality in

⁵ Where NO₂ monitoring is completed using diffusion tubes, to allow for the uncertainty associated with the monitoring method, DEFRA guidance advises that revocation of an AQMA should only be considered following

these areas and across the wider city, allowing the council to ultimately revoke the AQMA declared for NO₂, continue to drive reductions in man-made particulate pollution and work towards WHO Guidelines to improve public health.

Sources contributions and the role of transport

34. Our latest source apportionment work (presented in detail in the main AQAP4 document) shows that across York's area, the transport sector continues to be the largest contributor (57%) to NO_x emissions, compared to 17% of PM_{2.5} emissions. Road transport is responsible for most of these emissions, with a smaller contribution from sources such as non-road mobile machinery and rail. In comparison, heating homes makes up 17% of NO_x emissions and 37% of PM_{2.5} emissions. It is estimated that nearly a third (31%) of PM_{2.5} emissions from heating homes are due to wood burning.
35. As pollution from transport is the main source of NO_x in York, CYC must continue to deliver sustainable transport solutions and work towards reducing pollution from all types of vehicles.
36. Cars continue to produce over half of transport emissions. CYC's Transport Strategy sets a target of 20% reduction in vehicle miles travelled by 2030, which will need to be delivered by significant increases in walking, cycling and use of public transport across York. We must also maximise the uptake of zero tailpipe emission vehicles via incentives and provision of suitable charging infrastructure⁶. This should be supported by measures such as ongoing campaigns to reduce idling emissions and robust planning guidance to ensure private vehicle trips are minimised on new developments.
37. Heavy Goods Vehicles (HGVs) are a significant pollution source on the majority of major roads, where they contribute between 15 and 25% of the total road NO_x emissions (but on a few roads as much as 55%). Light goods vehicles (LGVs) are responsible for less than 10% of road traffic NO_x emissions on the majority of roads but are more significant in certain areas such as the outer ring road and on key main roads, representing up to 25% of total road traffic emissions.

three consecutive years of annual mean NO₂ concentrations being lower than 36µg/m³ (i.e. within 10% of the annual mean NO₂ objective).

⁶ Recent survey work has shown that petrol and diesel vehicles still represent most of the car fleet, with only around 6% of cars being either electric-hybrid or fully electric.

38. Pollution from buses has reduced significantly in recent years due to the introduction of a Clean Air Zone (CAZ) in the city centre and upgrades to vehicles serving high frequency routes including Park and Ride services. Whilst bus emissions now comprise less than 10% of road traffic emissions on the majority of streets, in some areas, they still contribute up to 25%. CYC is currently working with operators to maximise the number of services operating fully electric buses to eliminate tailpipe emissions from these essential service vehicles.
39. Work undertaken for AQAP4's evidence base showed that a further reduction in NO_x emissions of approximately 25% is needed to meet the health-based targets in all areas of the city. This is considered a worst case as it is based on the highest levels of pollution monitored over the last 5 years. This is in line with DEFRA guidance, which requires local authorities to consider local monitoring results over several years or more.
40. It should be noted that in future years, falling background pollutant concentrations and improvements in vehicle emissions generally across the fleet will drive reductions in emissions and corresponding improvements in air quality. Improvements in vehicle emissions may be sufficient to drive the required level of emission reduction within a 4-year time period (by 2027/28) without additional measures in place. However, CYC has a statutory duty to deliver air quality improvement as quickly as possible and must take all measures reasonably practical to deliver cleaner air and achieve further reductions in vehicle miles travelled in York. It is considered that local interventions outlined in AQAP4 (and associated transport policies) could theoretically deliver the level of emission reduction required to meet objective levels across York within a 2-year period (by 2025/26).
41. It should be noted that further bespoke traffic management may be necessary in some specific areas such as Gillygate, which present particular challenges for air quality improvement due to their canyoned nature (where theoretical impacts predicted by modelling are not always realised in practice).

Scope of AQAP4

42. AQAP4 sets out a range of measures to reduce air pollutants from different sectors, including transport. A key aim of AQAP4 is to achieve and go beyond the health-based air quality objectives for nitrogen dioxide as soon as possible. AQAP4 also includes measures to address fine particulate matter (PM_{2.5}), supporting current evidence that this is the pollutant most damaging to health.

Responsibility for meeting national targets for PM_{2.5} lies with central government, but local authorities are expected to contribute to achieving the targets through local action wherever possible.

43. In addition to reducing transport pollution, there are also opportunities to reduce PM_{2.5} from domestic burning of solid fuels. Whilst in part this will be addressed by new legislation around the types of fuels that can now be legally sold, there are opportunities for CYC to raise awareness of the impacts of burning solid fuels and ensure that suppliers/retailers are complying with legal requirements. Measures to address this issue will also help to reduce NO_x emissions, albeit to a lesser extent.
44. AQAP4 outlines 29 actions across 12 priority areas. As part of AQAP4's development, all proposed measures were evaluated in terms of air quality impact, feasibility, funding, cost, implementation timescales and alignment with wider CYC strategies. This cost benefit analysis is presented in the main AQAP4 document. A high-level summary of each priority area is provided below:
- **Reducing emissions from freight / delivery vehicles** - CYC will continue feasibility work to address first/last mile delivery of light goods in York and will work with partners to evaluate low emission delivery modes. Minimising the overall number of delivery vehicles and ensuring the remaining deliveries are made by zero emission modes has the potential to significantly improve air quality in York. We will also prioritise a pilot project to test a 'micro-consolidation centre' for the purpose of distributing light goods around the city centre and will consider the feasibility of extending the Clean Air Zone to include HGVs / freight vehicles.
 - **Reduce emissions from buses** - CYC will continue to work in partnership with bus operators to improve bus provision for all service users. Whilst considerable progress has been made to clean up York's buses in recent years, CYC must continue to address pollution from lower frequency services and maximise the number of services operating fully electric buses to further reduce exhaust emissions. CYC will work with partners to deliver further bus upgrades using secured DfT funding and extend the Clean Air Zone (for buses) to York Central.
 - **Reduce emissions from idling vehicles** - CYC will continue to raise awareness of the impact of idling vehicles upon public health through our '[Kick the Habit](#)' anti-idling awareness / behaviour change campaign, supported by anti-idling patrols.

This will include raising awareness with commercial vehicle operators, such as those involved in deliveries or construction.

- **Reducing emissions from taxis** - CYC will continue to work with the trade to replace diesel and petrol taxis with low and zero emission vehicles via the use of incentives and awareness raising. This will be supplemented with further revisions to Taxi Licensing policy to phase out older, more polluting taxis, following consultation with the taxi trade. We will prioritise further opportunities for minimising pollution from taxis in the city centre, including exploring the feasibility of including them within a Clean Air Zone.
- **Reduce emissions from CYC fleet** - CYC recognise that the way our own fleet vehicles are renewed is a vital part of the CYC air quality improvement / carbon reduction programmes and that the transition to a cleaner, greener fleet must be done without compromising the essential services CYC delivers. We also recognise that we must lead by example; the successful operation of ultra-low and zero emission vehicles as part of the CYC fleet will show leadership and will act as a catalyst for other fleet operators in the city to upgrade their vehicles and accelerate their renewal programmes.
- **Expand Electric Vehicle (EV) charging** - [CYC's EV Charging Strategy](#) set out how we plan to deliver York's EV charging network up to 2025. CYC will deliver additional fast and rapid charge points and actively monitor plug-in vehicle uptake in the city to ensure our charging network remains fit for purpose.
- **Minimise development related emissions** - CYC will continue to ensure that air quality impacts from new developments (including during construction) are appropriately assessed and mitigated, exposure to pollution is reduced via good design practices and that new private trips are minimised via provision of opportunities for sustainable transport. We will ensure that air quality considerations are used to inform the design of new developments and will strengthen local planning guidance to facilitate a transition away from fossil fuel heating sources, which can contribute to local air quality issues.
- **Provide local incentives for low emission vehicles and modes** - Whilst CYC's priority is to encourage modal shift and reduce private vehicle miles travelled, we will seek to ensure that any remaining trips are made by the lowest emission vehicles possible. CYC is committed to further incentivising the wider uptake of ultra-low emission and zero tailpipe emission

vehicles (and other zero emission micro-mobility modes) via development of incentives, such as parking discounts for low emission vehicles.

- **Improved public information and awareness** - Delivering clear messages to the public around the cause and consequence of poor air quality, especially impacts on health, are particularly important for driving behaviour change. Campaigns relating to issues such as energy efficiency, domestic smoke control, bonfires, fireworks and indoor air quality can all be valuable parts of a wider local air quality improvement strategy. CYC will continue to address these wider issues, alongside existing public information campaign work relating to public health and sustainable transport provision in the city.
- **Modal shift, active travel and network improvement** - Measures to reduce private vehicle trips and to encourage walking, cycling and use of public transport are considered fundamental to AQAP4. CYC's Local Transport Plan (LTP) continues to be a key part of the overall approach to air quality improvement across the city, with active travel at the apex of the city's travel hierarchy.
- **Regulation of industrial and domestic emissions** - In addition to reducing transport pollution, AQAP4 aims to reduce emissions from domestic and industrial combustion / heating, particularly fine particulate matter (PM_{2.5}) from burning solid fuels. We will ensure that smoke control area boundaries are reviewed and investigate complaints of non-compliance in line with updates to the Clean Air Act 1993. AQAP4 also recognises the synergies with CYC's carbon reduction programmes and measures to improve energy efficiency and support services.
- **Monitoring of air quality / access to air quality information** - Monitoring allows CYC to assess compliance with Air Quality Objectives, evaluate the effectiveness of air quality improvement measures and to provide reliable information to York's residents, visitors and workers to help them to reduce their exposure to pollution. We will ensure that the location and type of monitoring in the city is reviewed annually and remains relevant and targeted to key sources and pollutants. We will seek further opportunities to improve access to air quality information by residents, especially vulnerable groups.

Consultation Analysis

45. The draft AQAP4 was subject to a period of public consultation between 22 November 2023 and 4 February 2024. This consultation included:
- An online 'Survey Monkey' questionnaire and an 'accessible' electronic copy of the draft AQAP4 document were made available on the [CYC Consultations](#) webpage. A 'Consultation Summary' document was also produced and accompanied the online questionnaire.
 - Printed copies of full AQAP4 document and Consultation Summary were made available at West Offices and Hazel Court reception. Hard copies of the questionnaire were also made available at these locations.
 - The AQAP4 consultation was promoted at all Local Transport Strategy (in-person) drop-in events at the Friargate Meeting House throughout December 2023 and January 2024. The Environmental Protection team hosted a stand at three of these events to obtain 'in-person' feedback on AQAP4 and wider air quality issues.
 - The consultation was promoted to CYC staff through the 'CYC Staff Update' on 4 occasions and to the wider public via the 'OurCity' residents' newsletters issued by CYC's Marketing and Communications team throughout the consultation period.
 - The consultation was regularly promoted via CYC's social media channels (Facebook, X (formerly Twitter), LinkedIn etc) throughout the consultation period.
 - Additional notification of the consultation was sent directly to all statutory consultees and a number of other relevant stakeholders. This included Department for Environment Food and Rural Affairs (DEFRA), all neighbouring local authorities, York Civic Trust, UK Health Security Agency, the Environment Agency, National Highways, Yorkshire Ambulance Service, York Hospital, North Yorkshire Police, all local bus and taxi operators, the Confederation for Passenger Transport, Asthma and Lung UK, the University of York and York St John University. The consultation was also sent to bodies representing local business interests including Make it York, York BID, Federation of Small Business, York Chamber of Commerce and York & North Yorkshire Local Enterprise Partnership.

- The consultation was discussed with CYC's Access Officer and was circulated directly to members of the York Access Forum and wider disabled community.
 - The consultation was sent directly to all CYC councillors on 29 November 2023, with information about to how to respond.
 - In addition to the above, CYC's Environmental Protection team were available to answer questions on AQAP4 over the phone, in person by appointment, or by email during the consultation period.
46. The consultation draft of AQAP4 and outline of the proposed consultation approach and questionnaire was shared with CYC's [Economy, Place, Access and Transport Scrutiny Committee](#) on 24 October 2023 (as part of the paper discussing overarching principles for York's overarching Transport Strategy and Plan) . Whilst comments received from this committee related primarily to higher level transport objectives, feedback was used to inform the consultation activities around AQAP4, such as use of accessible language and opportunities for face-to-face feedback etc.
47. A total of 173 responses to the survey were received from 148 York residents (94%), 5 non-York residents (3%), and 5 people (3%) responding in a professional / business capacity (including 1 taxi driver/operator, 1 academic institution/university and 2 environmental charities/pressure groups). A separate written response to the consultation was received from York Civic Trust (YCT). A full overview of the survey responses, the comments received and CYC's response to all points made are provided in Annex C.
48. In summary, over three quarters (79%) of respondents agreed that the council should continue to reduce air pollution. Between 67% and 87% of respondents indicated support for all AQAP4 priority areas (% dependent upon area), with 60% agreeing that the measures in AQAP4 would help to reduce emissions and improve air quality. The top 5 areas (either supported or strongly supported) were reducing emissions from buses (87.3%), monitoring air quality / access to air quality information (84.9%), reducing emissions from freight/delivery vehicles (83.3%), reducing emissions from taxis (83.2%), and reducing emissions from council vehicles (81.7%).
49. The main changes to the draft AQAP4 following consultation are as follows. Further commentary on updates is also provided in table A.1. in Appendix A of the main AQAP4 document.

- Executive Summary – new paragraph added to clarify that the statutory basis of the document is to outline measures to reduce NO₂, but CYC has wider ambition to address other pollutants such as Particulate Matter.
- Section 5.1 - Timescales for the plan and for all measures have been updated (table 5.13 in main document), including baseline information. Where relevant, measures in table 5.13 have also been updated to include the estimated emission impacts in the appropriate column of the table. Examples include measures 1a, 1b, 2a, 6, 8 and 10a. Measure 11c in table 5.13 now includes a reference to the Retrofit One-Stop Shop (ROSS) project that will facilitate retrofitting homes with low carbon measures, improve the householder experience and contribute to better energy efficiency standards across the city.
- Section 5.2.3 - added additional text to define 'idling', to highlight that CYC will take a proportionate approach to tackling idling emissions and to stress co-benefits such as reducing noise and carbon emissions.
- Section 5.2.7 - added a reference to use of green infrastructure (planting of trees and shrubs) for mitigating emissions to prioritise protection to more vulnerable populations.
- Section 5.2.8 (and text in Executive Summary) – text updated to reflect that active travel remains at the apex of the city's travel hierarchy and that CYC's priority is modal shift / reducing private car ownership / vehicle miles travelled. Stressed that CYC will seek to incentivise ultra-low and zero tailpipe emission vehicles only where vehicle use is considered a necessity.
- Section 5.2.9 – added in additional text to say that CYC will seek opportunities to collaborate with others to better understand the associations between lifestyle and exposure to air pollution (i.e. personal exposure monitoring).
- Section 5.2.10 – updated text to highlight that the outer ring road capacity upgrades may offer future opportunities for air quality improvements in the city centre.
- Appendix B (table B.1) - further explanation of those measures suggested as part of the consultation feedback

that will not be progressed by CYC throughout the AQAP4 period, for example congestion charging is not an option currently being considered by CYC and has been ruled out over the term of the current administration. See [item 22 of Council - Thursday, 20 July 2023.](#)

- Appendix C – clarified that an updated ‘Public EV Charging Strategy’ is due by 2025 and that this will include further consideration of on-street charging, which currently presents a challenge for terraced streets in York.
- Section 3.3 - Further detail around source contributions, especially nitrogen dioxide (NO₂) from vehicles. Additional NO₂ source apportionment (in line with national guidance LAQM-TG22) has been undertaken for all key areas of the AQMA. This is now presented at the end of section 3.3.1.
- Further information about the World Health Organisation (WHO) Guidelines to add further clarity around York’s position in terms of recent monitoring data.
- Section 3.4 (Main document) - An estimate of the population exposure across each area of the AQMA has been added to table 3.5 at DEFRA’s request.
- Section 3.5 (Main document) - updated to reflect further sensitivity testing undertaken with the Emission Factor Toolkit. Specific dates for compliance with AQ Objectives with and without AQAP4 measures have been estimated.
- Section 3.7 (Main document) - Targets for ‘Air quality indicator 3’ have been projected to 2028

Options Analysis and Evidential Basis

50. **Option 1 (recommended)** – to accept the findings of the AQAP4 consultation (detailed in Annex C) and the resulting amendments to the draft AQAP4. To formally adopt the amended AQAP4 circulated with this report as York’s Fourth Air Quality Action Plan (subject to any amendments at the meeting) and send a final version to DEFRA.

Option 1 will ensure that York continues to have a robust, current and relevant Air Quality Action Plan based on a strong local emission evidence base. AQAP4 measures will

deliver emission reduction and health improvement benefits throughout the city and should deliver the national air quality objectives for nitrogen dioxide with the AQAP4 delivery period. AQAP4 will also deliver reductions in emissions of particulate matter (PM₁₀ and PM_{2.5}) for the protection of public health. Adoption of AQAP4 will demonstrate to DEFRA that York is continuing to strive to improve air quality in the city, in line with requirements laid out in the Environment Act and fulfil Local Air Quality Management requirements. AQAP4 is fully aligned to the Council Plan and reflects ambitions contained within our 10-Year Strategies covering climate, health and wellbeing and the economy.

51. **Option 2** – to reject the findings of the AQAP4 consultation and updates to the draft AQAP4. To defer formal adoption of the amended AQAP4 circulated with this report until further consultation / further amendment as requested at this meeting have been completed.
- **Option 2** will delay the timescale for formal adoption of a revised AQAP for York, which will reduce and slowdown of delivery of air quality improvement measures resulting in higher emissions and greater health impacts. This would damage York’s reputation with DEFRA as a high achieving authority in relation to air quality and reducing emissions. A formal warning letter was received from DEFRA in November 2023, highlighting that the existing AQAP was more than 5 years old and should be updated as soon as practically possible. Delaying adoption of AQAP4 may result in lost opportunities for attracting low emission vehicles, technologies and associated jobs and will also weaker York’s ability to attract future funding for air quality related initiatives.

Organisational Impact and Implications

52. The various implications of this report are summarised below

Financial

53. Implementation of the measures in AQAP4 will require both capital and revenue funding. Absolute impacts on air quality will vary between AQAP4 measures, as will implementation costs. Whilst some actions are already underway, some are in the planning stages or may not yet have funding secured. An estimate of implementation costs is provided in Section 5 of AQAP4.

54. It is envisaged that lower cost measures will be deliverable using existing staff resource and from within existing budgets, mainly the LTP capital programme and secured air quality and transport related grant funding. Some measures are subject to further feasibility studies and staff resource, that will need to be financed. It is anticipated that the majority of this funding will be obtainable from additional government grant opportunities and private investment.
55. Any request for funding will follow the council's budgetary (capital & revenue) process. Approving AQAP4 as council policy does not commit further funding to support the delivery of AQAP4, but rather outlines a commitment to improve air quality and seek all opportunities to deliver the actions outlined in the document.

Human Resources (HR)

56. There are no HR implications contained in this report. Any increase in council resource that may/may not be needed as a result of any further feasibility work will be resourced in accordance with council policy and procedure.

Legal

57. AQAP4 is a statutory document required under the Environment Act 1995 (as amended by the Environment Act 2021) and subsequent regulations. CYC has 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 AQMA 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 air quality action plan (AQAP) for the area. DEFRA have issued statutory guidance to which the Council must have regard in exercising these functions. This includes annual reporting on progress with delivery of measures in AQAPs and refreshing of AQAPs when necessary.
58. AQAP4 is an update of the previous AQAP3 to address the continued breaches of the annual mean NO₂ objective in the city and to demonstrate a commitment to reducing particulate matter in line with national targets. The implementation of AQAP4 will involve the use of legal powers such as traffic regulation, planning powers and those outlined in the various Clean Air Acts. Use of such powers will need to be considered on a case-by-case basis.
59. Having consulted the public and other statutory consultees on the contents of AQAP4, in making its decision, the Executive is under an obligation to pay due regard to the comments received.

Procurement

60. There are no direct procurement implications arising from adoption of AQAP4, but delivery of measures contained within AQAP4 will require future procurement of services, feasibility studies, contractors etc. Such procurement will be subject to CYC's internal procurement guidelines and Public Contract Regulations 2015 and will include liaison with CYC Procurement and Legal teams as necessary.

Health and Wellbeing

61. Measures to reduce emissions and improve air quality support CYC's health and wellbeing priorities which aim to tackle health inequalities and promote healthy lifestyles. AQAP4 has been developed in consultation with the Public Health team and supports the aims of the council's Health and Wellbeing Strategy by minimising and reducing public exposure to air pollution and raising public awareness about the impacts of air pollution on health.

Environment and Climate action

62. Air pollution damages buildings as well as human health. Improving air quality will help to protect the city's many historic buildings and create a cleaner environment for visitors to York, an ultra-low emission city.
63. York's built and natural environment underpins people's quality of life and attracts millions of visitors to the city each year. Protecting and enhancing these environments for existing and future generations is a key priority for the council and our residents. The council has a key role in creating an environment where people make sustainable choices about the way they live and work.
64. AQAP4 embeds the council's commitment to healthy and affordable (energy-efficient) homes and has been developed to complement CYC's Climate Change Strategy. Ongoing delivery of AQAP4 must strive to maximise synergies with this strategy; it must also prevent conflicts. Consideration has been given to these issues in preparation of AQAP4 to ensure measures remain appropriate for addressing local air quality and climate change alike.

Affordability

65. All measures within AQAP4 have been considered in terms of affordability to the public and each measure balanced against a potential adverse economic impact. E.g. measures such as

congestion charges and Ultra Low Emission Zones (ULEZs) have been ruled out as they prevent the less well off from entering the city centre while the more prosperous can afford to pay the charges and continue to do so.

66. AQAP4 supports an environmentally friendly, efficient and affordable public transport system for all, together with safe walking and cycling.
67. Consideration will be given to all those unable to afford to transition to zero and low emission modes of transport and heating with grants and incentives being made available where possible.

Equalities and Human Rights

68. The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). Vulnerable people, including older people, children, pregnant women and those with respiratory and other illnesses, are more likely to be adversely affected by poor air quality.
69. A high-level EIA accompanies this report at Annex D. The current overarching EIA relates primarily to what is currently known about measures proposed in AQAP4. However, it should be noted that throughout AQAP4's delivery phase further EIAs will be carried out on a case by case basis in respect of specific projects/measures outlined in the document to identify any further equalities implications.
70. No potential for unlawful discrimination has currently been identified and any potential adverse impacts will be appropriately mitigated. Opportunities to advance equality and foster good relations will be sought throughout AQAP4's delivery and reported through individual project EIAs ahead of delivery.

Data Protection and Privacy

71. As there is no personal data, special categories of personal data, or criminal offence data being processed to inform this report, there is no requirement to complete a Data Protection Impact Assessment (DPIA). Individual AQAP4 projects subject to Data

Protection Impact Assessments (DPIAs) will be progressed and reported in future member reports as necessary.

72. A Privacy Notice for the online AQAP4 consultation activities was agreed by CYC's Information Governance team and is available for review at <https://data.yorkopendata.org/dataset/consultation-privacy-notices/resource/a9f9de44-98a8-41fe-92a5-87a161f29cc3>

Communications

73. Delivering clear messages to the public around the cause and consequence of poor air quality, particularly around impacts on health, are particularly important for driving behaviour change. Campaign work is a valuable part of the wider AQAP4 air quality improvement strategy.
74. CYC Marketing and Communications are fully engaged on AQAP4 and have been instrumental in the AQAP4 consultation. Further input from CYC's Communications team will be required to support future engagement work and specific AQAP4 projects.

Economy

75. Good air quality reduces absence from work and education due to air pollution related illnesses. A healthy York population is critical to achieving the economic aspirations of the city.

Risks and Mitigations

76. Deferring formal adoption of AQAP4 will delay the timescale for formal adoption of a revised AQAP for York, which will reduce and slowdown of delivery of air quality improvement measures resulting in higher emissions and greater health impacts. The principal risks are therefore non-compliance with statutory air quality objectives and resultant long-term health impacts.
77. Delaying adoption of AQAP4 may result in lost opportunities for attracting low emission vehicles, technologies and associated jobs and will also weaker York's ability to attract future funding for air quality related initiatives. As such, there are also some reputational risks associated with delaying adoption and/or delivery of AQAP4.

Wards Impacted

78. AQAP4 outlines measures that will improve air quality across the whole of York and therefore impacts all CYC wards.

Contact details

For further information please contact the authors of this Decision Report.

Author

Name:	Mike Southcombe
Job Title:	Environmental Protection Manager
Service Area:	Public Protection
Telephone:	Ext. 1514
Report approved:	Yes
Date:	22/05/2024

Background papers

All relevant background papers must be listed.

A 'background paper' is any document which, in the Chief Officer's opinion, discloses any facts on which the report is based, and which has been relied upon to a material extent in preparing the report. See page 5:3:2 of The Constitution.

Annexes

- Annex A: Final AQAP4 (as proposed)
- Annex B: AQAP4 Consultation survey questions
- Annex C: AQAP4 Consultation - Summary of responses
- Annex D: Equalities Impact Assessment (EIA)