

Guildford Borough Council

Report to: Overview and Scrutiny Committee

Date: 5 March 2024

Ward(s) affected: All

Report of Director: Strategic Director - Place

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Report Status: Open

Air Quality Strategy - Workplan Update

1. Executive Summary

This report provides the Committee with an update on air quality activity across the Borough during the last 12 months.

2. Recommendation to Committee

That the Committee notes the actions and progress on air quality matters contained in 2023 Air Quality Annual Status Report dated October 2023 and endorses the proposed review of the Air Quality Strategy 2017-2022 adopted by the Executive on 28 November 2017.

That the Committee notes in particular the collaborative actions and proposals relating to air quality mitigation on the A3 Guildford by National Highways, Guildford Borough Council (the Council) and Surrey County Council (SCC).

3. Reason(s) for Recommendation:

- 3.1. To ensure the Council meets its statutory duties in relation to air quality and the submission of Air Quality Annual Status Reports under the Environment Act 1995.
- 3.2. To ensure that the Air Quality Strategy 2017-22 is reviewed and reported to Executive within six months of this report.
- 3.3. To ensure that the Council receives updates at least every six months on the progress of the A3 air quality mitigation measures.

4. Exemption from publication

- 4.1. No.

5. Purpose of Report

- 5.1. The report aims to provide the Committee with an update on progress of air quality projects and other statutory air quality priorities in fulfilment of Part IV of the Environment Act 1995 Local Air Quality Management, as amended by the Environment Act 2021.

6. Strategic Priorities

- 6.1. Implementing air quality actions supports three key priorities of the Council:
 - Climate Change and Environment particularly: working with residents and businesses towards becoming a carbon neutral borough, protecting our environment, and making travel easier and more sustainable.
 - Housing and Community by keeping the community active and well.
 - Economy and Regeneration particularly; encouraging sustainable and clean economic growth.

7. Background

- 7.1. Local authorities are required to submit an Air Quality Annual Status Report (ASR) to the Department for Environment, Food and Rural Affairs (Defra) in fulfilment of Part IV of the Environment Act 1995 Local Air Quality Management, as amended by the Environment Act 2021. The 2023 ASR is shown in Appendix 1 of this report. The efforts of Anjana Papnai, Environmental Health Officer, in compiling the ASR, coordinating the monitoring and communications should be acknowledged by all parties.
- 7.2. The major officer resource commitment during 2023 has centred on the nitrogen dioxide exceedances on the section of A3 trunk road in the Stag Hill, Guildford. This is a National Highways responsibility to resolve, which has attracted £11m in grants from the Treasury.
- 7.3. The Air Quality Strategy 2017-2022 and action plan was due to be reviewed in 2023. Resources have been targeted on statutory air quality duties where there are breaches of nitrogen dioxide air quality objectives, therefore unfortunately non-statutory activities including the review have not been achievable.

Update on actions and air quality activity

There are several actions set out in Appendix 1 Table 2.2, for the purposes of this report the key areas are described below:

Air quality improvement initiatives: A3 section from A320 (Dennis roundabout) to A31 slip road, Guildford. (ASR Measure 31)

- 7.4. The Council has, along with National Highways and SCC, been engaged in a collaborative exercise to assist with the development of measures to improve air quality along the stretch of the A3 from the A320 junction to the A31 slip roads.
- 7.5. The exceedance of annual mean national air quality objective for nitrogen dioxide level in public places alongside a stretch of the A3 National Highways was highlighted in 2017 in the UK plan for tackling roadside nitrogen dioxide pollution. Accordingly National Highways were mandated to introduce measures to reduce the nitrogen dioxide

levels to below the objective. In order to assess the extent of the pollution, a detailed background study was commissioned in 2021 by the Council and National Highways. The report is available at: <https://www.guildford.gov.uk/article/26606/Working-to-improve-air-quality-on-the-A3-in-Guildford>

- 7.6. As this is clearly recognised as a responsibility of National Highways and not a Local Air Quality Management issue meant that solutions were required to be found outside of the statutory process. A joint working party including officers from all three concerns, plus the Department of Transport were aided by specialist consultants in air quality and commercial electric vehicles.
- 7.7. The conclusions of the working group resulted in the setting up of a scheme in September 2023 entitled Electric Towns and Cities Initiative Guildford with a total funding of £11m. The current plan is that the scheme will run for two years up to at least September 2025.
- 7.8. The Strategic Transport Group at SCC is responsible for the project management and administration of the scheme which can be referenced at <https://www.surreycc.gov.uk/council-and-democracy/your-privacy/our-privacy-notice/etci>
- 7.9. The major actions consisting of three main streams of work are set out below:

Electric vans

- The findings of the National Highways study were that the main polluting source on the area concerned was diesel vans.
- Subject to a qualifying criterion of at least 150 journeys on the relevant stretch of road per annum, the aim is the conversion of up to 1,000 diesel vans to electric.
- The subsidy in the form of a grant of either £5,000 for small or £10,000 for large vans operated by businesses or charities is being administered by the Greener Futures Team at Surrey County Council. The full details of the scheme can be found at <https://www.surreycc.gov.uk/community/climate->

[change/businesses/grant-programmes/a3-ev-grant/eligible-light-commercial-vehicle-list](https://www.easit.org.uk/change/businesses/grant-programmes/a3-ev-grant/eligible-light-commercial-vehicle-list)

Active Travel

- In August 2023 an active travel initiative in the A3 Guildford Area was procured by the Council on behalf of National Highways who have provided funding of £271,208 from the £11m. The successful company Velocity Transport Planning are working in conjunction with “easitGUILDFORD A3”.

<https://www.easit.org.uk/network/easitGUILDFORD%20A3-29>

- The scheme is project managed by the Council with the aims to:
 - To be focused on supporting businesses and organisations whose employees travel to work using the A3 as it passes through Guildford.
 - To provide practical support to help employers encourage and promote sustainable travel choices to their employees helping reduce the number of car journeys made along the A3 in Guildford and save money.
 - Sustainable travel options include but are not limited to discounts on bus and train, positive initiatives to promote walking, cycling and car sharing, along with some great financial incentives to encourage both employees and businesses to switch to an electric vehicle from a traditional diesel or petrol vehicle.

Charging infrastructure

- The schemes above will need to rely on suitable and sufficient facilities for electric vehicle charging. A specialist consultant contracted by National Highways has highlighted that facilities for vans need to be enhanced.

- Officers from both the Council and SCC have been looking at potential locations to provide ultra rapid charging facilities with space and connections for vans.

Governance

- The scheme is managed by SCC who run regular project team meetings with a representative from the Council, Greener Futures Team, National Highways, Department of Transport, and invited specialist consultants.
- The group reports to a Governance Board chaired by a senior Executive Head of Service or Director from one of the above authorities, elected Members, Senior Officers of both the Council, and SCC are members of the Board.

Air quality mitigation study- A3 section from A322 (Dennis roundabout) to A31 slip road, Guildford (Not covered in ASR as National Highways)

7.10. National Highways recognise that the measures described in 7.4 to 7.9 will not be sufficient on their own to resolve the exceedance of the nitrogen dioxide air quality objectives in the public areas adjacent to the highway and to that effect they have carried out a scoping exercise on potential options. This separate study by National Highways has informally been consulted with Members and officers of both the Council and SCC.

7.11. National Highways stated on the 7 February 2024 that: “The A3 Guildford Air Quality Improvement project is concluding its options assessment and governance process before moving on to the next stage. The project team expect to provide an update in the spring of 2024.”

Air Quality Management Areas (ASR Section2)

7.12. As shown in Appendix 1 ASR, Table B.1 nitrogen dioxide diffusion tubes are placed at approximately 55 locations in the Borough each year, it can vary depending on whether new areas are identified or there are reasons to concentrate on certain roads. Any location with results over the national air quality objective of 40 µg/m³ expressed as

an annual mean will need to be taken through an assessment process, which may require the declaration of an Air Quality Management Area.

7.13. As described in the ASR section 2, all three Air Quality Management Areas (AQMAs) have Air Quality Action Plans (AQAPs).

Guildford Town Centre (Measures 20 and 27)

7.14. The Guildford Town Centre AQMA was declared in October 2021 and the AQAP approved one year later by Defra. Monitoring results in figure A.1 indicate that exceedances are still being recorded.

7.15. A full list of the measures is shown in table 2.2 of the ASR.

7.16. The economic feasibility study of the potential Clean Air Zone or Low Emission Zone represents the most vital stage of this action plan. Whilst work has been somewhat delayed due to other commitments, the procurement process is nearing completion. By the date of the committee meeting a consultancy will have been commissioned to work with the existing air quality specialist contractors. It is anticipated that the study will be complete by May 2024

7.17. Measure 27 is an Electric Taxi project which is subject to a grant of £256,686 from Defra to seven Surrey local authorities. This is currently also in the Council's procurement process. Working in collaboration with colleagues at Spelthorne and Waverley Borough Councils officers anticipate that the project will launch no later than June 2024. Full details are on page 10 of the ASR Appendix 1.

7.18. It is anticipated that the electric bike scheme serving Guildford town centre will be launched before May 2024. Other proposed measures in the action plan are subject to further economic appraisal.

The Street Shalford

7.19. The Street Shalford AQMA was declared in July 2019. Monitoring results in figure A.3 indicate that the nitrogen dioxide levels are slightly below the annual objective, however it is considered prudent

to continue with the action plan due to the proximity to the town centre AQMA.

- 7.20. A review of the Shalford AQAP was carried out by Dr Clare Beattie of Air Quality Consultants Ltd. Producing a refreshed action plan has been challenging, as the focus of the exceedance is a group of cottages near to the A281. Measurements elsewhere in the village are considerably lower.
- 7.21. Meetings with officers and representatives of Shalford Community Council, GBC and SCC Members and the Member of Parliament have taken place three times in the last year.
- 7.22. Officers and air quality consultants concluded that Shalford would benefit from combining the actions with those in the town centre plan. After consulting Defra on the next steps, they indicated no objection to that approach.
- 7.23. The combined economic feasibility study is described in 7.17 above.

The Street, Compton

- 7.24. The Street Compton was declared as an AQMA in February 2018. Monitoring results in figure A.2 demonstrate that the nitrogen dioxide levels are slightly below the annual objective.
- 7.25. The one measure that was implemented is the ban of the right-hand turn into Down Lane, Compton in 2020. The aim was to prevent queuing outside the affected properties, whilst not actively enforced it remains a deterrent.
- 7.26. It does appear encouraging that recorded levels are below the air quality standard. The previous two recording years of 2020 and 2021 were influenced by the change in patterns of travel due to the coronavirus pandemic. The option to revoke the AQMA will have to be considered if the 2023 measurements are similarly below the standard.
- 7.27. In direct comparison with AQMA The Street, Shalford, the challenges for effective measures where residents are living beside a busy road

with no footpath as a buffer are considerable. Levels outside of the AQMA are considerably lower, which can be attributed to residential properties being further from the carriageway.

7.28. The proximity of the AQMA to the A3 may mean an indirect improvement if the converted diesel vans to electric and active travel initiatives are taken up by road users in this locality.

Particulates and Smoke Control Areas

7.29. Ultra fine particulate matter in the form of PM2.5 presents a challenge to public health that has been around since the original Clean Air Act in 1956. The legislation was enacted to deal with pollution from coal fires and the enforcement powers remain in place, under the Clean Air Act 1993 and the Environment Act 2021.

7.30. Guildford Borough has five Smoke Control Areas (SCA) which were declared in the 1960s and 1970s covering approximately 12 square kilometres of the urban area. An indicative map is shown as Figure 1 on page iv on the ASR Appendix 1

7.31. Details of the SCAs which only restrict burning in properties or building, not bonfires can be found on the web page <https://www.guildford.gov.uk/article/25093/What-are-smoke-control-areas>

7.32. Under the Environment Act 2021, Defra have also set 2 new legally binding long-term targets to reduce concentrations of fine particulate matter, PM2.5. The two new targets are an annual mean concentration of 10 micrograms per metres cubed ($\mu\text{g}/\text{m}^3$) or below and a reduction in average population exposure by 35% by 2040, compared to a 2018 baseline. These targets will help drive reductions in the worst PM2.5 hotspots across the country, whilst ensuring nationwide action to improve air quality for everyone.

7.33. Defra have recognised that enforcement is an issue and whilst it has not been highlighted as a priority in recent years by this authority. Officers acknowledge that it may have been an under estimation of the compliance within the designated areas and that further investigation and publicity is required.

7.34. Enforcement is a resource burden, and it is encouraging to note that a contribution from Defra of £23,420 in two instalments is due over 2023/24.

7.35. The cost and benefits of enforcement are often overestimated in comparison with promotion of good practice and public health education. Officers throughout Surrey have all worked with respective communications teams to promote several initiatives, including the Clear Air Night campaign in January 2024.

<https://www.cleanairhub.org.uk/clean-air-night>

7.36. With reference to bonfires, Members and officers' attention is unfortunately brought to their impact and resolution often represents an enforcement challenge. The Council has an effective system for reporting and enforcement, the most notable being the large action under the Environmental Protection Act 1990 in default against the regular burning of waste and other illegal activities at Stoney Castle, Pirbright.

7.37. Bonfires that cause a nuisance can be reported via the following link:

<https://www.guildford.gov.uk/bonfires>

8. Consultations

8.1. The Lead Councillor has approved the report and will continue to monitor progress, assist, and challenge officers throughout the year.

9. Key Risks

9.1. Insufficient financial and human resource to fully implement statutory duties, implementing actions in the three Air Quality Action Plans and the additional work on the A3 Guildford has been highlighted in previous reports.

9.2. The financial funding provided by National Highways has been described above and it must be acknowledged that this represents an exceptional sum to help improve air quality in the Borough. The inevitable fact is that officer time spent on A3 related matters has been substantial in the last year.

- 9.3. Whilst the indirect benefits of cleaner vehicles and travel modes in the A3 area will no doubt benefit the rest of the Borough, officers recognise that progress in rectifying the balance needs to be readdressed during 2024. Therefore, it is encouraging to note that funding of approximately £40,000 per annum on air quality studies has been budgeted as a growth bid for the next four years. Due to the complexity and requirements for specialist modelling, this will be outsourced to consultancies.
- 9.4. Finally, the challenges of coordinating the proposed Town Centre and Shalford measures with the relevant highway authority remain a risk. The findings of the economic feasibility study may lead to a conclusion that for example a Clean Air Zone or another highway related measure is required. This would then transfer the function to SCC as the Council does not have the delegated powers.

10. Financial Implications

- 10.1. The funding of air quality related projects in the Borough has been substantial due to the National Highways scheme. However, this does not have any provision to pay for officer time.
- 10.2. The acceptance of the growth bid of £40,000 per annum for air quality studies is welcomed.
- 10.3. The additional funding for Smoke Control Area enforcement of £11,710 per annum for 2023/24 and 2024/25 is also welcomed.
- 10.4. Bidding for extra funding from Defra is likely to be restricted until the Surrey Air Alliance taxi project of £256,686 across 7 Surrey authorities is active.

11. Legal Implications

- 11.1. The provisions of Part IV of the Environment Act 1995 established a national framework for air quality management, which requires all local authorities in England to conduct local air quality reviews. This includes submitting an Annual Status Report by the 30 June each year with updates of the actions in Air Quality Management Areas and monitoring data.

- 11.2. Actions associated with implementing measures in AQMAs where nitrogen dioxide is an exceedance may require highway authority intervention, the delegated power under the Transport Act 2000.
- 11.3. An Air Quality Strategy is not a legal requirement, it is seen as good practice to link to other priorities such as climate change mitigation.
- 11.4. The A3 air quality direction is the responsibility of National Highways, it has no direct legal implications for the Council. The procurement and management of the active travel scheme is contractual.

12. Human Resource Implications

- 12.1. Consideration must be given to ensure that adequate resources are allocated to deliver air quality duties and associated actions in line with statutory duties.
- 12.2. Any shortfall restricts attention to other areas of environmental protection duties and response to planning consultations.
- 12.3. Collaboration of air quality services and expertise with Waverley Borough Council is highly likely to be beneficial to both authorities. The challenges have many common themes and are based on the same road networks.

13. Equality and Diversity Implications

- 13.1. There are no equality and diversity implications arising from the report.

14. Climate Change/Sustainability Implications

- 14.1. The implementation of the actions included in this report will not only improve air quality but will also help to reduce carbon emissions which are an essential part of the Climate Change challenge.
- 14.2. The Council's Climate Change Officer is aware of the issues contained in the report.

15. Suggested issues for overview and scrutiny

- 15.1. Councillors may wish to comment on:

- On the Air Quality Annual Status Report at Appendix 1
- The A3 air quality project in terms of both the electric van subsidies and active travel scheme for businesses.
- Smoke Control Areas and bonfires.
- Anti-idling enforcement options.

16. Conclusion

- 16.1. Improving air quality for residents and workers in the Borough is a Council priority with reference to the statutory regimes and public health duties. The role of environmental health officers is to monitor pollution, enforce, and co-ordinate actions across the Council. We are grateful for the help of Communications and Local Transport Policy colleagues.
- 16.2. The funding as part of the A3 project is a unique situation that has severely stretched officer resources in 2023. It will continue to do so over the life of the project and beyond, however it has demonstrated that a collaborative effort has the potential to improve the environment.
- 16.3. The planned review of the Air Quality Strategy should be commissioned along with the economic feasibility study for the town centre and Shalford.

17. Background Papers

Overview and Scrutiny Committee 17 January 2023

<https://democracy.guildford.gov.uk/ieListDocuments.aspx?CId=262&MId=1488&Ver=4>

Overview and Scrutiny Committee – 15 January 2019

<https://www2.guildford.gov.uk/councilmeetings/ieListDocuments.aspx?CId=262&MId=772&Ver=4>

Overview and Scrutiny Committee – 10 July 2018

<http://www2.guildford.gov.uk/councilmeetings/ieListDocuments.aspx?CId=262&MId=769&Ver=4m>

Overview and Scrutiny Committee – 9 January 2018

<http://www2.guildford.gov.uk/councilmeetings/ieListDocuments.aspx?CId=262&MId=634&Ver=4>

Local Air Quality Management, Policy Guidance (PG 16) Defra

https://consult.defra.gov.uk/communications/laqm_changes/supporting_documents/LAQM%20Policy%20Guidance%202016.pdf

Local Air Quality Management, Technical Guidance (TG 16) Defra

<https://laqm.defra.gov.uk/documents/LAQM-TG16-April-16-v1.pdf>

18. Appendices

18.1. Appendix 1 2023 Air Quality Annual Status Report