



**Fair Transition Unit**

# **CLEAN AIR**

## **BRIEFING 2: LOCAL AUTHORITIES**

**Maya Singer Hobbs, Louise Marix Evans  
and Stephen Frost**

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IPPR  
4th floor,  
8 Storey's Gate  
London  
SW1P 3AY  
T: +44 (0)20 7470 6100  
E: [info@ippr.org](mailto:info@ippr.org) [www.ippr.org](http://www.ippr.org)  
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## ABOUT THE AUTHORS

Maya Singer Hobbs is a senior research fellow at IPPR.

Louise Marix Evans is co-director of Quantum Strategy & Technology

Stephen Frost is a principal research fellow at IPPR.

## ABOUT THIS PAPER

This briefing paper covers some of the barriers and opportunities local authorities face when trying to improve air quality. More details on local authority powers and duties, as well as a number of further interventions that local authorities can take, can be found in the main report. This work draws on interviews, focus groups and workshops with members of the public, local authority officers and councillors, desk-based research, and councillor polling.

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# SUMMARY AND KEY RECOMMENDATIONS

- **Local authorities should adopt air quality as a strategic priority, integrating it across council operations.** They should adopt targets in line with the World Health Organisation's (WHO) guidelines and develop credible pathways to achieve them. This includes considering air quality when developing transport and spatial plans.
- Local authorities already have many of the powers they need to act on clean air, and there are several interventions that can be implemented relatively quickly that will reduce air pollution in high-risk areas, such as schools or hospitals. This includes road reallocation measures like school streets.<sup>1</sup> These approaches are supported by councillors and the public, who want to see urgent action on air quality. Alone these measures will not be enough to reach WHO targets.
- To unlock the ambitious action needed to meet WHO targets, local authorities need support from national government in the form of more funding, political leadership, and clear messaging on the importance of addressing air pollution. The lack of funding is specifically an issue when needing to mitigate impacts on those living on the lowest incomes or with disabilities. .
- **Local authorities should carry out meaningful engagement with the public to help co-design neighbourhoods and interventions that prevent and mitigate poor air quality.** They should also ensure they are providing clear and accessible information on air quality to the public. Councils can encourage businesses to take action through supporting positive changes, for example enabling the use of electric vehicles through provision of charging points, 'try before you buy' schemes or loans for cargo bikes.

## BACKGROUND

The impact of air pollution on human health demands action. Air pollution disproportionately impacts people on lower incomes, from minoritized groups, living in deprived areas, the very young and old, and those with existing health conditions.

There are multiple benefits to taking action on clean air, including better health, reductions in carbon emissions and less congestion. These measures enable people to live more active lives and help make our towns and cities more pleasant through the creation of green spaces and safer, quieter, and people-friendly streets.

The overall legal responsibility for emissions lies with national government, but interventions are delivered by local authorities which have legal duties to assess and act

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<sup>1</sup> School streets are the temporary restriction of motorised traffic on a road outside a school at school drop-off and pick-up times.

on air quality objectives locally. Local authorities need to work with various national and regional authorities, businesses and individuals to improve air quality.

## FINDINGS

Across England, there are examples of councils taking bold action to improve air quality. However, all urban local authorities across the country are above the WHO limits for safe pollution levels, and there is more that can be done. Some emissions sit outside the control of local authorities (for example agricultural emissions), but local authorities have most of the powers they need to reduce pollution from a number of key sources, particularly road transport.

### The power to act

Local authorities have explicit duties to act on air quality and pollution under three sets of laws; **environmental permitting** (mostly covering industrial emissions), **smoke control** (for example smoke control areas) and **local air quality management** (LAQM). LAQM has not always resulted in an improvement in air quality, but under the Environment Act 2021 the accountability has been strengthened and will be more actively monitored and reviewed. Local authorities have the power to enforce smoke control areas and the sale of correct fuels, although these powers are often under-utilised.

Local authorities can also be made to act on air quality through a ministerial direction, via the Joint Air Quality Unit (JAQU). Local authorities that were in breach of NO<sub>2</sub> levels were instructed to reduce emissions in the shortest possible time, usually through the introduction of a clean air zone.<sup>2</sup> Reducing the number of polluting vehicles in the area has been the most effective measure in improving air quality in the shortest possible time, with cities that implemented CAZs reporting a drop in their NO<sub>2</sub> levels.

Local authorities have many of the powers to deliver changes to the public realm, including through transport and spatial planning. In the long term, a shift away from private car use will be necessary, which will require a combination of different road traffic interventions to be effective (PHE 2019). This will include: the provision of better public transport, safe routes for walking, cycling, and wheeling, financial support for those who need to drive to use greener vehicles, and incentivising cleaner<sup>3</sup> HGVs, light goods vehicles and buses (PHE 2019).

Local authorities have an important role to play through their 'soft' powers, through their enabling and communicating functions. This might include encouraging businesses to switch to greener options, for example through the council installing on-street EV charge points for business e-vans, supporting electric van or e-cargo bike consolidation and last-mile delivery schemes; and carrying out sustainable travel planning with larger employers.

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<sup>2</sup> There are currently eight CAZs in England, with others under development including in Oxford.

<sup>3</sup> Euro 6 or electric.

Other powers to act on clean air do not explicitly fall under ‘clean air’ legislation. Green infrastructure<sup>4</sup> offers proven opportunities to improve air quality through planting more trees, hedges, and green spaces. This can be enabled by planners, highways and parks and green spaces teams or those working on biodiversity and nature recovery and can offer ‘quick wins’ on air quality (PHE 2019). Street and roadside trees and verges can be delivered under powers provided in the Highways Act 1980.

## The importance of ambition

Despite local authorities having many powers to act on clean air, uptake of the interventions is patchy across the country. Local authorities that have taken effective action on air quality share some traits. This includes **strong leadership**, from someone senior who champions and takes ownership for the issue.<sup>5</sup> When air quality is identified as a priority in key strategies, **clean air can be integrated across the council**. This means that transport or planning teams must consider air quality early in policy and program development and can deliver integrated solutions, for example as part of a ‘net health gain’ approach (PHE 2019). Anecdotally, this has protected councils that have taken bold action from being over-ruled by the Planning Inspectorate, because the actions are well justified.

Although the ministerial direction to lower NO<sub>2</sub> has seen emissions reductions in some of the cities that introduced clean air zones (CAZ)<sup>6</sup>, the responses to the direction have varied. For some councils, the implementation of a CAZ was unpopular and split the council, while for others, the CAZ acted as a stimulus to promote further action on clean air and set ambitious targets. In other areas, like Oxford, a zero emission zone has been introduced without ministerial direction.

*“If we’re going to ask people to make changes to their behaviour, I’d rather have bold actions to point to, like school streets, more trees, or a better public realm, than timid changes that don’t really please anyone.”*

Councillor

**Of the councillors we polled, 81 per cent agreed that “Local authorities should be working to reduce air pollution in-line with the World Health Organisation’s guidelines for air quality”.** Local authority officers we spoke to understood that meeting these targets will be a challenge, but local authorities that had adopted ambitious targets argued that they helped them justify bold action, particularly when targets had been developed in meaningful consultation with the public. Additionally, the councillors polled supported all proposed interventions to improve air quality, demonstrating that there is an appetite for more ambitious action by council leaders. A combination of these measures will have the greatest impact on air quality, rather than isolated or dispersed actions (PHE 2019).

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<sup>4</sup> Green infrastructure refers to natural features (for example trees, rivers, or other green space and waterways) that work together to deliver multiple benefits, for example improved drainage.

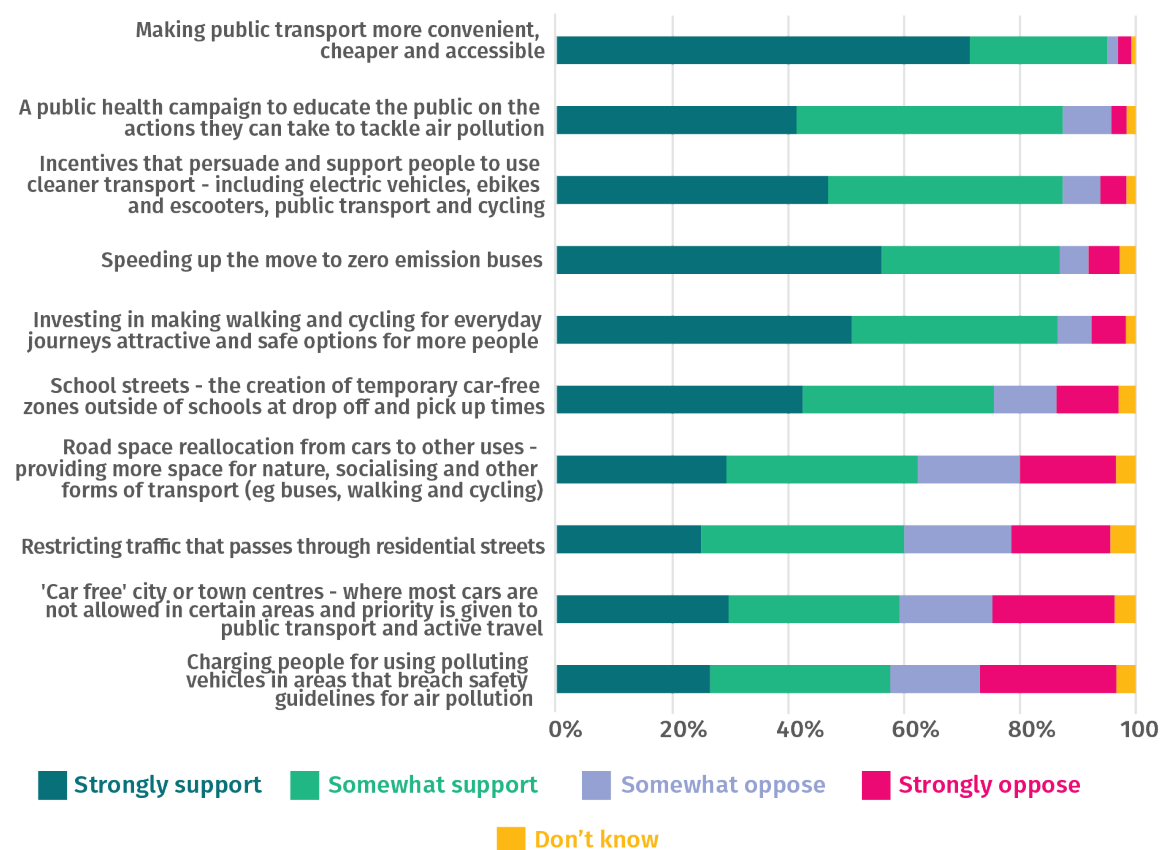
<sup>5</sup> This is not necessarily the leader of the council, but the support of the council leader is important.

<sup>6</sup> See reports from Birmingham (BCC 2022) and Bath (BaNES 2022). Others have not yet reported.

This gives a clear sense of what could be achieved by local authorities with national government backing. However, 70 per cent of the councillors we polled felt that the UK Government was not doing enough to support local authorities to reduce air pollution.

**FIGURE 1: URBAN COUNCILLORS POLLED SUPPORT ALL PROPOSED INTERVENTIONS TO IMPROVE AIR QUALITY**

*Response to the question: “To what extent do you support or oppose the following measures to improve air quality?”*



Source: Author’s analysis of polling commissioned for this project

## Barriers to action

Multiple organisations hold different powers and levers to improve air quality, leading to **inconsistent messaging** on the importance of delivering clean air from local, regional, and national government. The Environment Act 2021 gave county councils, National Highways and Combined Authorities stronger requirements to act as ‘air quality partners’ to local authorities developing Air Quality Action Plans,<sup>7</sup> but these partnerships vary in how effective they are.

Despite the impact of air pollution on health, public health professionals in local government have limited policy levers available to them. Most of the powers to act on air

<sup>7</sup> Air quality partners have a duty to act on air quality and provide proposals to district local authorities’ air quality action plans and to support in the delivery of these measures.

pollution sit within transport, planning and environmental protection and environmental health teams. The **siload decision-making** in local authorities hinders cross-council action, and this is compounded by unaligned incentives, with planners and transport officers having different priorities from those in the public health teams, and structural barriers such as government processes favouring business cases for roads over active travel (UK100 2023).

Councillors we spoke to expressed concern about opposition from other political parties or central government, as well as the public. However, councillors and officers also suggested that proposals are better received when **well-planned interventions with mitigations are put in place**. There is usually pushback immediately after a new initiative is introduced, but it can be short-lived and soon settles down. This view was supported by residents who felt that if you are going to take something away (for example by restricting traffic through a clean air zone) then something should be offered instead. Residents interviewed, and involved in IPPR's deliberative clean air panel, were broadly supportive of action on clean air.

### Funding, capacity, and capability

A significant barrier to local authority action is a **lack of funding** for action on clean air, coupled with limited long-term investment in public transport or active travel, and over-investment in roads. This is compounded by a lack of capacity and capability, and by struggles some local authorities have faced in recruitment of specialist air quality officers. Although there is information available, air quality is a complex topic and councillors and officers are stretched with limited opportunities to familiarise themselves with a whole new area of legislation, targets, standards, monitoring and interventions.

In some local authorities, the cost of regulating and enforcing environmental permitting or smoke control areas is higher than the money the local authority collects in fees or fines. Fees and fines are set by national government, so the local authorities find themselves unable to raise the revenue needed to cover their costs, an issue exacerbated by rising inflation. It is worth noting that generally automatic number plate recognition (ANPR) systems installed for school streets, for example, will typically cover their costs within a year, and any subsequent income covers the maintenance costs, but these are not a viable income stream for the council.

### INSIGHTS FROM THE PUBLIC – DEVELOPING PRINCIPLES FOR ACTION

We held interviews, focus groups and ran a workshop with members of the public living on low-income in urban areas on clean air to help us develop a set of principles for local action on air quality.

**Act with urgency.** The public told us that they expect government to act quickly to protect those most impacted by poor air quality.

**Big changes require fair implementation.** There was an understanding that our lifestyles will need to change to address the challenge of clean air, but people need support to make changes in their lives. Participants were clear that during a cost of living crisis it would not be fair to ask people to pay more for something without providing support.



There was also an understanding that changing behaviour is much easier for some than it is for others, and these differences should be considered when designing interventions. There was strong support for public transport to ensure that everyone could get around, and that the wealthiest shouldn't be able to avoid making changes because they can afford to pay their way out of them.

*“It would be fairer if you just closed the city centre to everyone sometimes – otherwise the rich can pay and everyone else can’t.”*

Young person focus group

**Taking responsibility.** People felt strongly that there is a need for everyone to take responsibility for improving air quality, but there was an understanding that some things are outside their control. It was important for everyone to be seen to be doing their bit, including businesses and farmers, who should be supported by government where necessary. The council should also be seen to be taking action.

**Access to information and being heard.** The public told us they wanted more information made available about air pollution, including the impacts of air pollution and what they could do about it. They also wanted to be able to take a bigger role in thinking about and designing interventions in their local area to address air pollution. The need for elected officials and the council to rebuild trust came across strongly – our participants did not feel heard by their councils. **87 per cent of councillors we polled felt it is important that the public are ‘effectively involved in the design of policies that aim to tackle air pollution.’**

*“Air pollution is invisible – because you can’t see it, it’s out of sight and out of mind. People don’t know how bad it is.”*

Deliberative workshop

## RECOMMENDATIONS

Interventions at the scale needed to deliver better health outcomes will require a strategic and long-term approach by local authorities. However, alongside more structural or process-oriented interventions, there are several options available to local authorities that can be implemented independently of larger programmes, rapidly and at lower cost. These also send a clear ‘clean air’ message. We argue that both changes will be necessary to reduce air pollution to safe levels.

### Strategic interventions and ambitious targets

Councils should set and communicate ambitious targets for improving air quality in their areas. Those councils that are leading the way generally have air quality fully integrated across council operations, helping to break down siloed thinking and ensuring effective implementation and monitoring. Air quality officers should be supported to work with teams across the council, including environmental health and protection, public health, parks and estates, planners, and transport.

**Recommendation: Local authorities should adopt WHO guidelines as air quality targets and develop credible plans for how to reach them.** Plans should clearly identify where action is beyond their existing powers and resources, and who will be required to act to address these. Targets should be drawn up through meaningful engagement with the public, businesses, and local partners to ensure the council has buy-in and a mandate for action.

**Recommendation: Local authorities should adopt health or air quality targets into their strategies.** If not already in post, an air quality champion (for example a senior director) should be named to ensure air quality is integrated across council operations, planning and delivery. Officers should work together to develop local transport and spatial plans that meet air quality standards.

When drawing up plans for how to reach these targets, councils should consider the long-term ambitions of communities and engage those who are most affected by air pollution, and who are likely to be most impacted by measures introduced. This is key to provide attractive options for people to travel by cleaner, healthier modes of transport.

**Recommendation: Local transport plans should have an explicit aim to reduce reliance on cars and prioritise walking, wheeling, cycling and public transport,** whilst ensuring these measures are convenient for local people. People should be effectively engaged in the design of the solutions provided.

## Short-term interventions

There are several lower cost transport interventions that local authorities could deliver under their existing transport powers. Alone, these interventions will not be enough to reduce air pollution to the WHO guidelines. However, implementing these policies in a targeted way can deliver measurable benefits, such as school streets providing a reduction in air pollution around schools, whilst also encouraging a shift to active travel, and will send a clear message that air quality is a priority. Local authorities have the powers to implement the following to deliver improvements on air quality:

### Road reallocation

- **Local authorities should adopt a “school streets as the baseline” approach to schools in their area.**<sup>8</sup> The aim should be that school streets are rolled out wherever possible, and that safe, pleasant routes to school are created to make it possible for more children to walk, cycle or scoot.
- There are potential improvements to bus operations that don't involve investing in a whole new bus fleet or routes, such as ensuring bus lanes are free flowing with no parking,<sup>9</sup> to encourage people to take the bus rather than drive.

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<sup>8</sup> School streets can be enforced physically, with temporary bollards and people standing in the street, or with ANPR cameras. Powers for school streets are granted under Section 1 of the Road Traffic Regulation Act 1984 (sections 6–9 in London) and Local Authorities' Traffic Orders (procedure) (England and Wales) Regulations 1996.

<sup>9</sup> This is not a default power for local authorities outside London, but they can apply to enforce moving traffic offences through an October 2022 amendment to the Traffic Management Act 2004.

- Councils should consider regular car free days (eg car free Sundays, or a car free day once a month). There should be reassurance for local businesses, the car free days could be combined with differing rules on pavement licencing<sup>10</sup>.
- Councils should have a target for urban greening, including tree cover targets, which should be part of a road reallocation, rather than on pavements where they can impede passage by wheelchair users or buggies.

### **Leading the way**

- Local authorities should show the community how the council is reducing its own emissions, for example through electrifying its fleets and supporting the electrification of local buses. This should also involve better enforcement of existing powers, for example smoke control areas or emissions from construction.

### **Communication and engagement with the public and businesses**

- Better, real-time, monitoring, and transparent communication of air pollution will help communicate the need for action and inform the public. This will support meaningful engagement and should include opportunities for co-design of interventions with residents or community groups. Councils should provide small grant support for community organisations to help build capacity in communities.
- When communicating policies, local authorities should identify the health benefits, but should also describe a people-focused vision of the future that highlights the changes they are making will deliver health benefits alongside thriving, green and safe neighbourhoods.
- Clear communication about actions the council are taking is key. Where CAZ have been implemented, the vehicles that will need to pay should be clearly communicated to prevent confusion.
- Councils can mobilise business to take action through supporting them to make different choices. For example, Leeds City Council give businesses the opportunity to lease out electric vans for free for two months to try them first (Leeds 2020).

### **ADVICE FOR COUNCILLORS**

For new councillors, or councillors who are new to working in air quality, there are several actions you can take to familiarise yourself with air quality, to support the council to improve air quality, and to hold it accountable. These include:

- familiarise yourself with the council's annual status reports
- identify which directors are responsible for air quality

<sup>10</sup> Pavement licencing was amended during Covid-19 under the Business & Planning Act 2020 and Highways Act 1980 and there is a plan to extend this in the Levelling Up and Regeneration Bill (DLUHC 2022).

- make sure you know who your air quality officer is (usually this role sits with the environmental health or environmental protection officer)
- raise air quality in scrutiny committees and ask about assessment of impact on local and national air quality targets.

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