



**The University of the West of England,
Bristol**

Presentation by

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Delivering Environmental Protection Through Local Authorities

Invited Closing Address
Environmental Protection UK
Annual Conference 2017

Aston University
November 9th 2017

**UWE
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Structure of Presentation

- This presentation considers the role of Local Authorities (LA) in providing environmental protection.
- It adopts a historical perspective focusing upon the role of LAs before considering changes in the capability and competency to deliver environmental protection in a decade or more of austerity.
- The role of local authorities in managing air pollution is used to exemplify past, contemporary and potential future LA roles.

What is Environmental Protection?

- A broad range of activities in Public / Environmental Health Services and Planning domains.
- Regulation set by Central Government and enforced at the local level.
- Local authority initiatives to support regulatory requirements above and beyond enforcement responsibility.
- Public education/ information activities
- Strategic Land Use Planning to set the long term land use processes and Development Control to ensure compliance with the plan.
- Strategic Transport Planning setting and responding to transport requirements

Environmental Protection & Planning

- “Planning and Environmental Protection sit at the very heart of council services, helping to shape the places where we live and work to develop safe and prosperous communities.”
- A guide for Environmental Health Professionals
- Endorsed by CIEH, RTPI, POS, 2012
- http://rtpi.org.uk/media/11204/environmental_protection_planning-a_guide_for_environmental_health_professionals_lgr-rtpi_endorsed_nov_2012.pdf

The Public Health Role of LAs

- “Local authorities should embed these new public health functions into all their activities, tailoring local solutions to local problems, and using all the levers at their disposal to improve health and reduce inequalities. They will create a 21st century local public health system, based on localism, democratic accountability and evidence.”
- Public Health in Local Government
- Department of Health, 2012

Regulation and Enforcement

- To conceive and execute environmental protection responsibilities Local Authorities require an effective regulatory framework and a well trained and efficient enforcement capability.
- Both must be present to deliver effective environmental protection.

Ability to Act

Local Authorities are

- Not free actors
- Tightly bound to Central Government demands and requirements
- Frequently reorganised in the name of efficiency
- Not immune to the great tides of economic and social change sweeping society in recent decades

Some LA Regulatory Protection Functions

- Noise Pollution
- Air Pollution
- Water
- Waste /Litter
- recycling
- Odour
- Contaminated Land
- Development Control
- Pest Control
- Communicable Disease Control
- Food safety
- Food safety / standards
- Nuisance
- Etc etc.

Looking Back in Time

- There was never a golden age!
- However local authorities once has more discretionary opportunities, freedom of action and resource allied to a willingness to seek improvements for the common good.
- Redeveloping urban slums, major municipal house building programmes and implementing the green belt alongside imaginative industrial development strategies to separate housing from noxious industries or major roads all had public health benefits and recognisable environmental benefits.

Sheffield Smoke from a drawing by A. Morrow, 1885



Local Authority Initiatives

- In 1800 the Manchester Commissioners of Police (the local authority of the day) created a committee to attend to and report on nuisance.
- In 1847 the Manchester Commissioners of Police appointed a special inspector for the suppression of smoke nuisance.
- In 1850 the inspector visited 500 premises and issued cautions or notices to 300 of them.
- In 1862 the city of Salford passed a local bye law to control the emissions of black smoke .

There are many more examples of LA taking the initiative to respond to environmental or public health problems.

The point is that LAs can be and were proactive in identifying and responding to problems.

Manchester and Salford Smog of 1931

- In January 1931 Manchester and Salford were engulfed in a severe smog that persisted for 9 days. In total 592 deaths from respiratory disease occurred during these 9 days.



Reaction to the Manchester and Salford Smog

- In reaction to the smog of 1931 the concept of the smokeless zone was first proposed.
- This was the first regulatory attempt to manage air pollution through the spatial control of land use and associated activities.
- The smokeless zone is the direct ancestor of the AQMA and the CAZ
- The smokeless zone was an effective spatial control mechanism.

Reaction to the Manchester and Salford Smog

- Manchester City Council acquired the necessary powers in 1946 to initiate a smokeless zone under the Manchester Corporation Act.
- By 1952 104 acres of the city centre were designated smoke controlled.
- The local authority had the foresight and initiative to drive forward environmental and public health protection.

Fresh Air from the Potteries



<http://www.staffspastrack.org.uk/exhibit/coal/historical%20overview/pottery.htm>

Times have changed

- Sheffield, Manchester or the Potteries don't look like that any more.
- The traditional wintertime smogs have been eliminated through planning and enforcement action
- Actions by Local Authorities within the regulatory framework have introduced environmental protection measures and allied to land use planning have led to development that no longer brings with it the visible pollution of old.

Managing Air Pollution

- Over the last 30 years local authorities have been both proactive in anticipating problems and reactive to complaints and concerns about air pollution.
- Through their powers and the deployment of resources Local Authorities have helped improve air quality across the UK space whilst advising the public on protective measures to take to minimise their exposure.
- Using the powers of the Environmental Protection Act, 1990 and the Environment Act, 1995 Local Authorities have discharged management responsibilities for selected industrial sources and conducted reviews and assessments and prepared action plans for local air quality management (LAQM).

LAQM

- Despite the good intentions of local authorities the number of AQMAs in the UK have continued to rise with some 71% of local authorities* having one or more spatially defined areas where national air quality objectives have not been met.
- Local Authorities have not had the responsibility to meet EC Directives although Defra's recent Air Quality proposals mandate selected local authorities to introduce a Clean Air Zone and large number of others may require one.

* Data from July 2017

Defra (2017)

Air Pollution in the UK 2016

<https://uk-air.defra.gov.uk/library/annualreport/index>

How did this come about?

- Local authorities were never given the powers to enforce Air Quality Objectives.
- Hence Action Plans were weak and ineffective rarely bringing forward targeted and achievable measures likely to be effective in addressing problems mostly caused by transport systems.
- Action on air quality is now urgent and the lessons of LAQM must be applied in the way Clean Air Zones are conceived, executed and access restrictions enforced.

The Age of Austerity

- Between 2009/10 and 2014/15 budgets in English Local authorities were cut by 20%.
- The National Audit Office estimates there has been a 37% reduction from 2010.
- In July the Local Government Association suggested councils will see central funding fall 77% between 2015 and 2020. In 2015/16, councils received £9.9bn in Revenue Support Grant (RSG). By 2019/20, they will get £2.2bn. The LGA estimates a £5.8bn funding gap. (Reported in The FT 3/7/17)
- The impact on the statutory duty to provide services and cuts will lead disproportionately to cuts falling on discretionary services.
- Defra has had largest budget cut of any UK government Department (The Guardian 11/11/15)

Enforcement Action

- Unsurprisingly enforcement action has dropped dramatically in local authorities as budget cuts lead to staff cuts and capacity and capability to act is reduced.
- Enforcement is the necessary adjunct to the regulatory powers at a local authority's disposal.
- Enforcement is a visible sign of intent and a means of changing cultures.

The Future

- What might the future hold for environmental protection services in local authorities?
- Continuing budget cuts, reduction in staff, reduction in competency and capability.
- Yet new responsibilities for environmental protection are emerging.
- Not least the Clean Air Zone requirements and the continuing need to manage air pollution to reduce the public health impacts arising from exposure to multiple pollutants.

New Roles New Functions

- In the continuing age of austerity Local Authorities are exploring new ways of working.
- In Bristol the Mayor is leading the development of a new civic partnership with actors and agencies in the city.
- Recognising that resources can no longer be guaranteed how can city partnerships help meet civic ambitions.
- A co-created One City Plan will emerge in 2018

Partnerships for Change

- New ways of working
- Other examples from Bristol include
 - Rockefeller Foundation 100 Resilient Cities
 - Bristol Green Capital Partnership

The Long Term Solution

- Meaningful integration of environmental and public health protection into policies and practices for
 - Spatial Planning
 - Economic Development Planning
 - Transport Infrastructure Planning
- The problem is that the beneficial impacts arising from these planning processes are long term whilst the problems of air pollution are immediate and near term.
- There is a disconnect between the resource inputs and the benefits.

A Continuing Role

- Local Authorities have been instrumental in developing and delivering proactive and reactionary services to protect the environment and public health.
- These actions have a long history and can be seen as pushing reluctant Governments to act
- The impact of austerity on capacity, capability and willingness to act can not be over estimated.
- Public services to protect the environmental and public health are stretched and enforcement and public awareness / education activities are diminishing.
- Yet, the need for local authority action remains as strong as ever.

Selected Further Reading
From My Research on
Local Authorities
Environmental Protection
Duties and Activities
Over The Last 20 Years

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