

# Community Safety, Environment and Residents Services Policy and Accountability Committee

## **Agenda**

Monday 18 September 2017
7.00 pm
Courtyard Room - Hammersmith Town Hall

#### **MEMBERSHIP**

Administration	Opposition
Councillor Larry Culhane (Chair) Councillor Iain Cassidy Councillor Sharon Holder	Councillor Charlie Dewhirst Councillor Steve Hamilton

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Date Issued: 08 September 2017

# Community Safety, Environment and Residents Services Policy and Accountability Committee Agenda

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RIPA AND CCTV UPDATE

**NEIGHBOURHOOD WARDENS SERVICE** 

**WORK PROGRAMME AND DATES OF FUTURE MEETINGS** 

1.	APOLOGIES FOR ABSENCE	
2.	DECLARATIONS OF INTEREST	
	If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.	
	At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.	
	Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.	
	Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.	
3.	MINUTES	1 - 6
	To approve the minutes of the meeting held on 28 June 2017.	
4.	COUNCIL'S DRAFT AIR QUALITY ACTION PLAN CONSULTATION	7 - 67

London Borough of Hammersmith & Fulham

# Community Safety, Environment and Residents Services Policy and Accountability Committee



Wednesday 28 June 2017

#### **PRESENT**

**Committee members:** Councillors Larry Culhane (Chair), Iain Cassidy, Sharon Holder, Charlie Dewhirst and Steve Hamilton

Other Councillors: Wesley Harcourt and Guy Vincent

Officers: Ullash Karia – Head of Leisure and Parks, Ian Ross – Parks Manager, Graham Burrell – Projects and Developments Manager, Transport and Highways, Slobodan Vuckovic – Project Engineer, Transport and Highways, Gavin McIntosh – Environmental Quality Officer (Air Quality) and Nick Austin – Director for Environmental Health.

#### 1. MINUTES

#### **RESOLVED**

That the minutes of the meeting held on 24 April 2017 be approved as a correct record and signed by the Chair.

#### 2. <u>APOLOGIES FOR ABSENCE</u>

There were no apologies for absence.

#### 3. <u>DECLARATIONS OF INTEREST</u>

There were no declarations of interest.

#### 4. **ELECTION OF VICE-CHAIR**

Councillor Steve Hamilton was elected as Vice-Chair of the Community Safety, Environment and Residents Services Policy and Accountability Committee for the 2017-18 Municipal Year.

#### 5. PARKS COMMISSION REPORT

Councillor Guy Vincent, Chair of the Parks Commission, explained that the administration had been concerned about the long lease granted to PlayFootball at Hammersmith Park. They wanted to find a way to ensure that community access to parks was secured permanently, and so had set up the Parks Commission to look at ways of doing this.

The Parks Commission had considered a range of options, including creating a trust for all of the parks in the borough, setting up individual trusts for each park, and legally dedicating the parks to public use through Fields in Trust. The Commission had decided that dedicating parks through Fields in Trust was the best option as it would allow the Council to continue to own and support the parks but would protect them from inappropriate use.

Councillor Hamilton highlighted that PlayFootball's lease at Hammersmith Park was not the only example of park land being used for sport, noting that Fulham Pools had been granted a Lease at Normand Park, whilst parks continued to be used for a range of events which made the Council money. Councillor Vincent said that he did not know how long the lease at Fulham Pools was; he explained that the Council was starting to consult friends groups and local residents regarding events in parks. He also said that specific deeds of dedication could be adapted to suit what residents felt was appropriate in each park.

Councillor Hamilton said that he was concerned that a veto would be handed to an organisation which, however well meaning, was not accountable to local residents. Councillor Vincent said that control would be maintained by the Council except where the terms of the deed would be broken; then Fields in Trust would have to agree any proposal. He said that Fields in Trust would consider proposals and would not unreasonably refuse permission for any proposal; he felt that the only time that a refusal was likely was if the Council was acting against residents interests, for example, by selling off a park without any benefits for leisure in the borough.

Councillor Dewhirst asked whether access for schools would be affected. Councillor Vincent said that it would not be, the Council would continue to run the parks as they did now.

Councillor Hamilton asked what would happen to those parks where other protections were in place, such as being designated as Metropolitan Open Land. Councillor Vincent explained that Lawyers would be looking at what agreements were necessary for each park. He explained that a similar arrangement to Fields in Trust already operated in Bishop's Park as the Church of England retained some control over the use of the park.

Councillor Dewhirst asked whether the Council could end the Deeds of Dedication. Councillor Vincent said that any deed could be ended with the agreement of the parties. Councillor Dewhirst asked whether a review of the arrangements could be undertaken after a few years of operation. Councillor Vincent agreed that this would be a useful exercise.

Councillor Dewhirst asked whether the arrangement would cost the Council money. Councillor Vincent said that the only cost would be the time spent by officers in drafting the agreements. Fields in Trust did not charge for their work or their legal expenses.

#### **RESOLVED:**

- 1) That the Parks Commission recommendation that the Council protect the borough's parks and open spaces via a Deed of Dedication with Fields in Trust be endorsed.
- 2) That the Cabinet Member for Environment, Transport and Residents Services and the relevant director be recommended to work with the Parks Commission and individual park groups to progress their specific deed of dedication with Fields in Trust.
- 3) The positive input from all those involved in the Parks Commission in reaching a common consensus be acknowledged.

#### 6. <u>20MPH SPEED LIMIT - SPEED SURVEYS RESULTS</u>

Graham Burrell introduced the report saying that the Council had extended its 20mph zones to all residential roads and town centres, whilst deciding to leave some of the borough's principal roads with 30mph limits. So far, only signs and road markings had been used to reduce the speeds on these roads to the new limit, however, as the Cabinet report agreeing the extension of the 20mph zones had anticipated, further measures were likely to be necessary in some areas. The speed surveys in the report had been carried out to see what impact the signage and markings had had on speed and to identify where further measures were necessary.

Councillor Culhane asked how speeds were measured during the survey. Slobodan Vuckovic explained that 100 roads, randomly selected, had been measured for a week before the new 20mph limit had been introduced; these same roads had been surveyed again a few months after the introduction of the limit. The surveys were carried out using automatic traffic counters which, he explained, were the rubber tubes which residents might have seen placed across the road.

A resident felt that more enforcement of the 20mph limit was necessary, including police enforcement. He complained that despite the speed limit cars regularly drove much too quickly down Kelvedon Road. Graham Burrell explained that the police would now enforce 20mph speed limits but that schemes did need to be largely self-enforcing as there were a great many roads with a 20mph limit and relatively few police officers. Physical measures to slow drivers would help to ensure that the speed limits were always obeyed. Jeremy Leach, Campaign Co-ordinator for Twenty's Plenty for Us,

explained that Community Roadwatch was a scheme whereby residents, with the support of Transport for London and the Metropolitan Police, could measure vehicle speeds providing not only a deterrent, but also allowing offenders to be written to. Councillor Harcourt said that there were already a few Community Roadwatch schemes in the borough and that he hoped more would develop. He said that the Council had installed a number of sinusoidal speed humps which provided a smoother ride whilst being very effective at preventing speeding as Councillor Harcourt had found recently when driving close to the speed limit over the hump. The Council also intended to use Vehicle Activated Signs to encourage residents not to speed.

Councillor Dewhirst said that he didn't feel that the 0.31mph reduction in the average 85<sup>th</sup> percentile speed justified the introduction of the 20mph zones; he felt that a more targeted approach, tackling individual streets where speeding was a particular problem, would have been a better use of resources. Graham Burrell explained that the 20mph extension had been implemented as a result of an extensive consultation which showed that residents wanted the lower speed limit. He explained that it had never been anticipated that simply installing signs would reduce speeds on all roads and that one of the purposes of the traffic survey was to identify which streets needed further measures to reduce speed. A resident said that she felt it was too early to tell if the change in speed limits would reduce speed as had been hoped as drivers' habits took time to change.

A resident asked whether there had been any reduction in the number of accidents in the borough. Graham Burrell explained that there was a time lag in the Police verifying and releasing casualty data. No casualty data for the period since the 20mph extension had been launched was available. He also explained that in order to ensure that there is sufficient data to carry out a statistically meaningful analysis of casualties it was usual to compare data for the 36 months before and 36 months after implementation of a scheme and so the impact would not be known until late 2019 at the earliest.

Councillor Hamilton felt that the main impact of the scheme had been to make motorists lawbreakers. He felt that the Council's focus ought to be on areas where accidents had taken place and that speed limits ought only to be reduced where speeding had been shown to be a reason for an accident. Councillor Harcourt said that the Council reviewed accident sites with the police to identify if any improvements could be made to the area to reduce the likelihood of further accidents taking place.

A resident said that more measures were needed to calm traffic; it was noted that the ideal situation would be for cars to move more slowly but not get stuck in traffic so often.

The Chair asked whether speed limits were being harmonised with neighbouring boroughs. Slobodan Vuckovic explained that most neighbouring boroughs had 20mph limits on significant parts of their road networks and that work to reduce speed limits on connecting roads, such as Stamford Brook Road, was being done by other Councils.

The Chair asked whether buses would be restricted to 20mph when in 20mph zones. Jeremy Leach explained that from 2019 all new London buses would be fitted with Intelligent Speed Assistance which would limit them to the speed limit of the road they were travelling along.

#### 7. AIR QUALITY REPORT

Gavin McIntosh introduced the report explaining that Hammersmith and Fulham had a major problem with air pollution. Many parts of the borough, especially town centres and areas around main roads, had Particulate (PM10) and Nitrogen Dioxide (NOx) pollution levels above the legal limits. There were 302 early deaths each year in the borough which were attributable to poor air quality. The main cause of NOx pollution was road transport, with gas boilers being the secondary source. The main source of PM10 pollution was also road transport, with resuspension being the secondary source.

The Council was required to produce an Air Quality Action Plan and this was in the process of being updated. The new version would not only be updated to fit a new London Wide template but would also incorporate the recommendations of the Council's Air Quality Commission. The plan would be put out for a public consultation on 18 July for around 3 months.

Gavin McIntosh explained that more monitoring was now taking place across the borough. An additional 20 diffusion tubes had been installed which took the total to 35; many of the new tubes were located in sensitive areas such as schools. The Council had also benefitted from money from the Mayor's Air Quality Fund; to be eligible for funding the borough had to retain its clean air borough status which meant that certain standards had to be met. Projects funded through the Mayor's Air Quality Fund included:

- Scrubs Lane Dust Suppressant Trial
- Clean Air Better Business Program
- Low emission logistics
- Idling engine awareness
- London Low emission construction Partnership
- Greening of Talgarth Road

Rosemary Petit, Chair of the Air Quality Commission, noted that the Scrubs Lane Dust Suppressant Trial was using Calcium Magnesium Acetate (CMA) and explained that the Air Quality Commission had not recommended the use of this substance. She asked what the Council's reason for trialling it was. Gavin McIntosh said that the Council was trialling the use of CMA near to heavy industrial sites where significant amounts of dust were created. Councillor Harcourt said that the results of the trial would be interesting as, whilst he agreed with the Air Quality Commission that CMA should not be used widely, if it could deal with the dust problems created by building sites it might relieve a lot of the pollution in some parts of the borough.

A resident said that they felt the closure of some side roads was causing journeys to be longer and therefore adding to pollution. Another resident said that the deterrent effect of longer journey times would be useful as it would encourage residents to consider alternative modes of transport.

Rosemary Petit asked whether there were plans to increase the number of Air Quality Monitoring Stations, as the borough currently only had one; she suggested that joint work with Imperial College might be possible. Nick Austin confirmed that the Council was trying to get more monitoring stations and said that officers would speak to relevant staff at Imperial College about the possibility of collaboration in this area.

Residents expressed concerns about the location of schools and new developments in areas with very high levels of pollution. Councillors noted that unfortunately there were not many alternative sites in the area where pollution was lower.

Rosemary Petit asked why the Council had chosen not to introduce a diesel surcharge on parking permits. Councillor Harcourt said that discounts were offered to residents who owned electric vehicles or those which met the latest emissions standards, however, the impact on the poorest residents, who might be unable to replace their car, had been considered and a surcharge rejected. The Council was also promoting the use of electric vehicles in other ways such as the launch of the BlueCity electric car club.

Councillor Cassidy noted that the Mayor of London was running an enhanced monitoring project for selected schools; he asked how schools were selected and what the benefits of the scheme would be. Gavin McIntosh explained that schools would be chosen based on pollution levels. Each school would be audited to identify how pollution could be reduced and what schools could do to make their sites greener.

#### 8. WORK PROGRAMME AND DATES OF FUTURE MEETINGS

The date of the next meeting was noted to be 18 September 2017. The PAC's work programme was noted.

	Meeting started: Meeting ended:	
Chair		

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# London Borough of Hammersmith & Fulham

# COMMUNITY SAFETY, ENVIRONMENT AND RESIDENTS SERVICES POLICY & ACCOUNTABILITY COMMITTEE



18 September 2017

**Council's Draft Air Quality Action Plan Consultation** 

**Report of the Director for Environmental Services** 

**Open Report** 

Classification For Policy & Accountability Committee Review & Comment

**Key Decision: No** 

Consultation: Ongoing

Wards Affected: All

Accountable Director: Nicholas Austin, Director for Environmental Health

Report Author: Elizabeth Fonseca, Environmental Quality Manager

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#### 1. EXECUTIVE SUMMARY

1.1. This report expands upon the consultation questions posed on the Council's draft updated air quality action plan to aid in the discussion of its content as part of a public consultation session. This report also outlines the health based reasons for the plan, the statutory requirements that must be met and an overview of the plan itself.

#### 2. RECOMMENDATIONS

- 2.1. That the Committee notes the content of the draft Air Quality Action Plan 2018-2023.
- 2.2. That the Committee recommends any actions or other changes the Council should include in our revised Action Plan.

#### 3. REASONS FOR DECISION

#### Background

- 3.1. Poor air quality has a significant negative impact on human health and a recent report by King's College London (Understanding the Health Impacts of Air Pollution in London, KCL, July 2015) has estimated that approximately 203 early deaths in the borough are attributable to NO2 and fine particulate matter (PM2.5). This accounts for nearly 25% of all early deaths in the borough.
- 3.2. Public Health England has identified the fraction of all-cause adult mortality attributable to PM2.5 as one of its key indicators within the Public Health Outcomes Framework (PHOF 3.01) which is currently 6.1% based on 2015 values (down from 7.9% based on 2010 PM2.5 modelled data in the borough).
- 3.3. A recent UK Supreme Court judgement could lead to possible national fines for breaches of the nitrogen dioxide limits which have been occurring since 2010. The former Mayor of London estimated that the fines could potentially be £300 million per annum in London alone; these fines could be passed onto Local Authorities and both Defra and the GLA have written to the Council stating this and reminding us of our duties to address poor air quality in our area.
- 3.4. The Hammersmith & Fulham resident led Air Quality Commission has made recommendations to the council to improve air quality which will need to be reflected in an updated Action Plan.
- 3.5. The Administration's manifesto aims and objectives are for the council to drive forward improvements in air quality within the borough.

#### London Local Air Quality Management Framework

- 3.6. The main sources of pollution including car and boiler emissions are a widespread issue requiring action on a national scale. Until the use of fossil fuels is significantly reduced or eliminated; the improvements that can be made at a local scale are limited. However, there are aspects of pollution that can be controlled by local and regional authorities.
- 3.7. In this borough, the largest source of pollution comes from traffic passing through the borough as opposed to traffic originating or even terminating here. Therefore, in addition to needing national action on fossil fuels, improvements are needed across London to tackle air pollution locally.
- 3.8. In order for a coordinated approach to making improvements across London, the Mayor of London established a new framework for London local authorities to manage poor air quality in 2016 known as the London Local Air Quality Management Framework (LLAQM).

- 3.9. The LLAQM includes an Air Quality Plan template which all Local Authorities must work towards as required by the Secretary of State's guidance when discharging their duties under the Air Quality Regulations and Part IV of the Environment Act 1995.
- 3.10. The Hammersmith & Fulham Air Quality Action Plan has not been updated since 2002. In order to ensure Hammersmith & Fulham Council is tackling poor air quality, in line with the LLAQM and recommendations made in late 2016 by Hammersmith & Fulham Resident Led Air Quality Commission, we are updating our Action Plan.

#### Consultation

- 3.11. It is a statutory requirement of the LLAQM that the plan is put out to consultation to the following:
  - the Secretary of State
  - the Environment Agency
  - Transport for London and the Mayor of London (who will provide a joint response)
  - all neighbouring local authorities
  - other public authorities as appropriate
  - bodies representing local business interests and other organisations as appropriate
- 3.12. The consultation has been sent to the statutory consultees identified above and will include the Mayor of London, TfL, Public Health England, the Environment Agency, the Hammersmith & Fulham Air Quality Commission, the Hammersmith BID, Hammersmith and Fulham Friends of the Earth.
- 3.13. The consultation is taking place from 27th July through 31st October.
- 3.14. Hardcopies have been made available at all council libraries.

#### 4. PROPOSAL AND ISSUES

#### Draft Revised Air Quality Action Plan

- 4.1. An draft revised Air Quality Action Plan (See Appendix A) has been produced in line with the LLAQM template. The consultation document will clearly identify the plan as being in draft. The key sections are commented upon in the following paragraphs.
- 4.2. <u>Summary of current air quality in Hammersmith & Fulham:</u> This section includes the background on the Council being determined as an Air Quality Management Area (AQMA), as well as describing specific pollutants of concern in the borough. It also provides:
  - maps showing the AQMA area and monitoring location sites
  - maps showing air pollution focus areas in the borough where there is a combination of high pollution levels and human exposure.

- graphs based on the latest (2013) London Air Emissions Inventory data on the sources of pollution in the borough.
- 4.3. <u>Hammersmith & Fulham's Air Quality Priorities:</u> This section identifies that the plan's purpose is to protect the health and wellbeing of the people who live, work and visit the borough from the effects of air pollution and states that the council's ambition is to be the greenest local authority. It then lists the following as the council's priorities for tackling air pollution:
  - Tackling the sources of pollution that the council can control including our own properties and fleet as well as our planning and transport policies, highways works and maintenance.
  - Raising resident's and businesses' awareness of what they can do
    to minimise the pollution they produce as well as their exposure to
    existing pollution.
  - Lobby the government to make the national changes needed to improve air quality
  - Work with the GLA and TfL to make the improvements needed to reduce pollution
- 4.4. <u>AQAP progress:</u> This section includes the updated plan. This plan includes the columns prescribed by the LLAQM template including
  - A brief description is given for each action along with the identification of the council department with the responsibility to implement the action
  - the cost where it is not already part of the council budget
  - the expected benefit to emissions (based on GLA guidance)
  - when the action will be implemented; this column also identifies whether the action is an on-going commitment.
  - how the action's implementation will be monitored including key performance indicators where relevant
  - any further information which may be helpful or relevant
- 4.5. Additional columns have been included to those in the template to identify where the air pollutants (NO<sub>2</sub>, PM) and greenhouse (CC) gases relevant to the individual actions are identified. A key is provided to guide the reader through the plan.
- 4.6. The actions are separated into the following categories (as per the template):
  - Emissions from developments and buildings
  - Public health and awareness raising
  - Delivery servicing and freight
  - Borough fleet actions
  - Localised solutions
  - Cleaner transport.
- 4.7. The actions included in this list are a combination of actions prescribed in the LLAQM template as well as actions recommended by the H&F Air Quality Commission and those otherwise identified by officers.

4.8. <u>Reasons for Not Pursuing Action Plan Measures</u>: The LLAQM framework requires councils to identify which actions from the template are not being taken forward by the council as well as the reasons for that decision.

#### Consultation Questions and Discussion

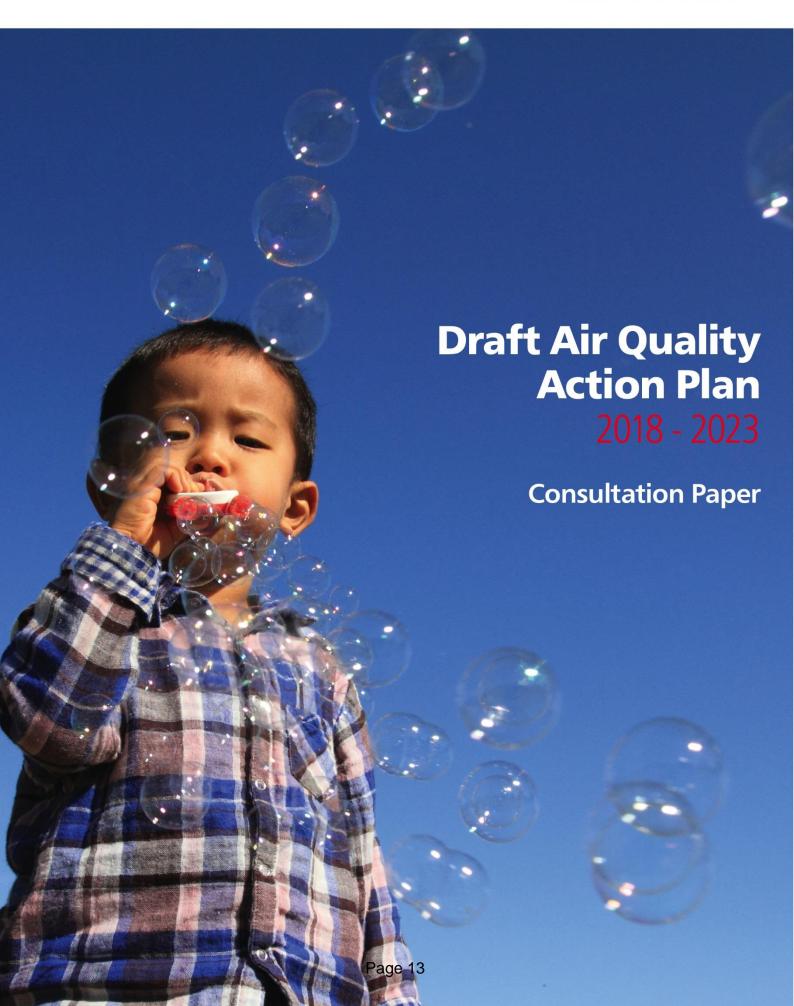
- 4.9. Do you agree with the council's priorities in as listed above in paragraph 4.3?
  - Tackle source of emissions the council controls
    - o Is it right that we tackle the sources of pollution as a priority?
    - Are there other sources the council have control of that have not been addressed by these priorities and the actions?
  - Raising public awareness
    - Is it right that the council should prioritise raising the public's awareness on how they can reduce the pollution they create and how to protect themselves from pollution?
    - Are there other aspects of awareness raising that should be included here?
  - Lobbying the Government
    - Do you agree that the council should lobby the government to make the necessary legislation to tackle the aspects of air pollution outside of the council's control?
    - o Do you agree that this should be a priority?
  - Working with the GLA and TfL
    - Do you agree that the council should work with the GLA and TfL to implement London-wide improvements to reduce air pollution and exposure?
    - Do you agree that this should be a priority?
- 4.10. Do you agree with the actions in Table 1 of the draft plan
  - Do we have enough areas of actions- e.g. cleaner transport, emissions from developments and buildings (See paragraph 4.6 above)?
  - Are there enough actions ineach area?
  - What other actions could we include?
  - Are there too many actions- should we be focusing on a smaller number of areas?
  - Are there any other technologies we could utilise to improve air quality?
  - Do the actions adequately target all the groups that are most sensitive to poor air quality such as children, the elderly and those with health conditions affected by poor air quality.

- In the areas the council cannot take direct action (i.e emissions from traffic moving through the borough) what should we be asking the GLA and central government to do in addition to increasing and localising legislation as well as tightening the standards we are working towards.
- Do you think it is helpful that where there is a positive impact on climate change pollutants, it is detailed in the plan?
- The action plan has attempted to include actions that will also have other positive environmental benefits such as reducing flooding and improving biodiversity.
  - o do you think this is helpful?
  - could any of the actions we have included be changed to incorporate a wider range of environmental areas?
- Any other comments?

#### **LIST OF APPENDICES:**

Appendix A: Hammersmith & Fulham Draft Air Quality Action Plan 2018-2023 Consultation Document





### **Foreword**

London has the highest levels of air pollution in the UK. Poor air quality is bad for all of us all, but the very old, young and unwell suffer the most

That's why we've drafted this five-year action plan. We are determined to have Hammersmith & Fulham at the forefront in improving air quality to protect our residents and make us the greenest borough in the country.

We'd like your input.

We all have a role to play. Using our cars less, walking and cycling more and not running engines when stationary can make a big difference. And, at the council, we're fast developing a reputation as a borough which takes poor air pollution seriously. That's recognised by our Clean Air Borough accreditation, but there's much more we can do.

Our plans to achieve the healthy, clean borough are set out in this air quality action plan, including:

- launching our electric vehicle hiring scheme with a year's free membership for local people,
- encouraging people to use electric vehicles by extending our network of charging bays,
- fining drivers who leave their engines running unnecessarily
- becoming the leading cycle-friendly borough in London with cycle quietways, cycle storage and cycle superhighways,
- encouraging more walking by tackling congestion, traffic speeds and by providing more greenery,
- reducing fossil-fuel boilers by replacing them with ultra-low nitrogen oxide boilers and ensuring energy plants are regulated through the planning process.

With your continued support, we'll make this borough a cleaner, safer and healthier place to live, work and visit.

I look forward to your feedback on our draft plan.

Councillor Stephen Cowan Leader of Hammersmith & Fulham Council July 2017

#### **HAVE YOUR SAY**

This draft Air Quality Action Plan lists the things we are planning to do and will continue doing in the borough to improve air quality to improve our residents' health and wellbeing. We are now asking for your help and input to let us know if you think there is more we can do as a Council.

Copies of the document will be available in all of our libraries.

#### How can I comment?

Your comments are welcome on all parts of the draft.

You can comment online (see link below) but if you would rather post or email your comments to us we have provided questions at the end of this document to help structure your response. If you are responding using a hardcopy, please feel free to use additional paper if needed.

Online www.lbhf.gov.uk/aqapconsultation

Or you can email or post your comments to us

#### AQAP@lbhf.gov.uk

Environmental Quality
Hammersmith & Fulham Council
5<sup>th</sup> Floor Town Hall Extension
King Street
Hammersmith
W6 9JU

#### When can I comment?

This consultation will run from 27 July 2017 and all comments are due by 31 October 2017.

The paper will also be circulated to statutory consultees and partner organisations including the Secretary of State, Mayor of London, TfL, Public Health England, the Hammersmith & Fulham Air Quality Commission, the Hammersmith BID, Hammersmith and Fulham Friends of the Earth

#### SUMMARY

This Air Quality Action Plan (AQAP) has been produced as part of our duty to London Local Air Quality Management. It outlines the actions we will take to improve air quality in Hammersmith & Fulham between 2018-2023.

This action plan replaces the previous action plan which ran from 2003-2017. Highlights of successful projects delivered through the past action plan include:

- The council established a resident-led Air Quality Commission. The commission engaged with external experts and local residents in examining the causes and dangers of local air pollution and has proposed potential solutions to help reduce. The final report was received by Cabinet on 7 November 2016 and its recommendations are being currently being reviewed for implementation by the council.
- The council are working with a residents group to form a Hammersmith Town Centre Supplementary Planning Document (SPD) – which looks to minimise town centre traffic with the potential pedestrianisation of the Hammersmith gyratory.
- The council is one of the twelve London boroughs that organised and participated in six vehicle idling days from October 2016-March 2017 as part of the funded London wide Major of London project. Four out of five motorists agreed to turn off their idling engines during a campaign of action days to tackle air pollution in Hammersmith & Fulham.
- Officers from the Transport and Technical Services Department of the council have regularly attended sessions with participating Primary Schools as part of the Urbanwise School Travel Project. Urbanwise. London is a voluntary organisation which was established in 1983 and was previously known as Hammersmith & Fulham Urban Studies Centre.
- Using LIP to match fund MAQF projects including integrating greening measures to improve local air quality and sustainable drainage along a busy road in Hammersmith Town Centre.
- Working closely with the Hammersmith Business Improvement District (BID) in MAQF funded Clean Air Better Business (CABB) and Low Emission Logistic (LEL) projects. The council have been working with Hammersmith BID and having discussions with Westfield and Olympia encouraging and advising how they may consolidate and reduce their freight deliveries
- A MAQF dust suppression project has been undertaken at around waste transfer stations and residential roads in the north of the borough.
- The new Cycling Strategy was launched in September 2015 with an overall aim of getting 8% of all trips made by our residents, made by bike. The Strategy also

highlighted the development of new dedicated and segregated cycle lanes through Hammersmith Gyratory, a new cycle Superhighway (9) from Kensington Olympia to Chiswick, a cycle Quietway from east Acton to Kensington along the edge of Wormwood scrubs. New cycle lanes have been installed along Uxbridge Road and Goldhawk road.

- The council will have installed a minimum of 100 on street electric charging points by the end of 2017 with plans to more than double this.
- All approved major planning applications must meet the Mayor's requirements relating to AQ neutral and combustion based Energy Plant.
- The air quality policy within our Draft Local Plan has been amended to include all developments that have the potential to impact or be impacted by local air quality (previously restricted to major developments).
- Secured S106 funding for officers to deal with Air Quality planning submissions and monitoring at major sites in the borough including the Earls Court Opportunity Area and Thames Tideway Tunnel sites.
- Minimising the impact of fugitive emissions by requiring all major developments to produce and implement Air Quality Dust Management Plans.
- Requiring all major developments to ensure that all non road mobile machinery (NRMM) operating on demolition and construction sites complies with London's Low Emission Zone requirements
- Increasing the number of monitoring locations in our NO<sub>2</sub> Diffusion Tube air quality network from 15 to 35 location across the borough focusing on monitoring near schools.
- The Council's waste contractor fleet HGVs meet the Low Emission Zone requirements and they are actively procuring vehicles that meet higher emissions standards including electric and hybrid vehicles.

Air pollution is associated with a number of adverse health impacts, it is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are also often the less affluent areas<sup>1</sup><sup>2</sup>.

Poor air quality has a significant negative impact on human health and a recent report by King's College London (Understanding the Health Impacts of Air Pollution in London, KCL, July 2015) has estimated that, based on 2010 data, approximately 203 early deaths are attributable to nitrogen dioxide (NO<sub>2</sub>) and fine particulate matter

 $_{\mbox{\scriptsize 1}}$  Environmental equity, air quality, socioeconomic status and respiratory health, 2010.

<sup>&</sup>lt;sup>2</sup> Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006.

(PM<sub>2.5</sub>) in Hammersmith & Fulham annually. This is approximately 25% of early deaths in the borough.

Public Health England has identified the fraction of all-cause adult mortality attributable to PM<sub>2.5</sub> as one of its key indicators within the Public Health Outcomes Framework (PHOF 3.01) which is 6.1% based on 2015 values (down from 7.9% in 2010).

The annual health costs to society of the impacts of air pollution in the UK is estimated to be roughly £15 billion. Hammersmith & Fulham Council is committed to reducing the exposure of people in Hammersmith & Fulham to poor air quality in order to improve health.

We have developed actions that can be considered under six broad topics:

- Emissions from developments and buildings: emissions from buildings account for about 15% of the NO<sub>X</sub> emissions across London so are important in affecting NO<sub>2</sub> concentrations;
- Public health and awareness raising: increasing awareness can drive behavioural change to lower emissions as well as to reduce exposure to air pollution;
- Delivery servicing and freight: vehicles delivering goods and services are usually light and heavy duty diesel-fuelled vehicles with high primary NO<sub>2</sub> emissions:
- Borough fleet actions: our fleet includes light and heavy duty diesel-fuelled vehicles such as mini buses and refuse collection vehicles with high primary NO<sub>2</sub> emissions. Tackling our own fleet means we will be leading by example;
- Localised solutions: these seek to improve the environment of neighbourhoods through a combination of measures; and
- Cleaner transport: road transport is the main source of air pollution in London. We need to incentivise a change to walking, cycling and ultra-low emission vehicles (such as electric) as far as possible.

Our priorities are to tackle the sources of emissions that the council has control over, raising public awareness of air pollution, and lobbying the government to make the necessary wide spread changes needed to improve air quality.

You will see in this report that we have worked hard to engage with stakeholders and communities which can make a difference to air quality in the borough. We would like to thank all those who have worked with us in the past and we look forward to working with you again as well with new partners as we deliver this new action plan over the coming years.

In this AQAP we outline how we plan to effectively use local levers to tackle air quality issues within our control.

However, we recognise that there are many air quality policy areas that are outside of our influence (such as Euro standards, national vehicle taxation policy, taxis and buses), and so we will continue to work with and lobby regional and central government on policies and issues beyond Hammersmith & Fulham council influence.

#### **RESPONSIBILITIES AND COMMITMENT**

This Draft AQAP was prepared by the Environmental Quality Team of Hammersmith & Fulham Council with the support and agreement of the following officers and departments:

- Public Health
- Transport Planning
- Highways Maintenance and Projects
- Planning
- Housing
- Building and Property Management
- Fleet Management
- Environmental Health
- Procurement

This AQAP will be subject to an annual review, appraisal of progress and reporting to the relevant Council Committee. Progress each year will be reported in the Annual Status Reports produced by Hammersmith & Fulham, as part of our statutory London Local Air Quality Management duties.

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#### **Abbreviations**

AQAP Air Quality Action Plan

AQMA Air Quality Management Area

AQO Air Quality Objective

BEB Buildings Emission Benchmark

CAB Cleaner Air Borough
CAZ Central Activity Zone

CHP Combined Heat & Power

EST Energy Saving Trust

EV Electric Vehicle

GLA Greater London Authority
GULCS Go Ultra Low City Scheme

LAEI London Atmospheric Emissions Inventory

LAQM Local Air Quality Management

LLAQM London Local Air Quality Management

NICE The National Institute for Health and Excellence

NRMM Non-Road Mobile Machinery

OLEV Office for Low Emission Vehicles

PM<sub>10</sub> Particulate matter less than 10 micron in diameter PM<sub>2.5</sub> Particulate matter less than 2.5 micron in diameter

SPD Supplementary Planning Document
SPG Supplementary Planning Guidance

STARS Sustainable Travel: Active, Responsible, Safe

TEB Transport Emissions Benchmark

TfL Transport for London

#### **Introduction**

This report outlines the actions that Hammersmith & Fulham Council will deliver between 2018 - 2023 to reduce concentrations of pollution, and exposure to pollution; thereby positively impacting on the health and quality of life of residents and visitors to the borough.

It has been developed in recognition of the legal requirement on the local authority to work towards air quality objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part and to meet the requirements of the London Local Air Quality Management statutory process<sub>3</sub>.

#### 1 Summary of current air quality in Hammersmith & Fulham

The UK Air Quality Strategy (AQS), released in July 2007, provides the overarching strategic framework for air quality management in the UK and contains national air quality standards and objectives established by the Government to protect human health. The AQS objectives take into account EU Directives that set limit values which member states are legally required to achieve by their target dates.

Hammersmith and Fulham Council is meeting all of the national AQS objectives other than for the gas Nitrogen Dioxide (NO<sub>2</sub>). Hammersmith and Fulham Council is meeting the current objectives for Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>) but as this pollutant is damaging to health at any level, this remains a pollutant of concern.

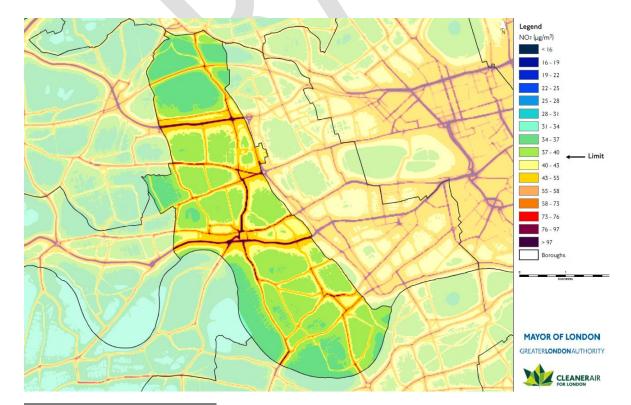


Figure 1 Modelled map of annual mean NO<sub>2</sub> concentrations (from the LAEI 2013)

<sup>&</sup>lt;sup>3</sup> LLAQM Policy and Technical Guidance. https://www.london.gov.uk/what-we-do/environment/pollution-and-air-quality/working-boroughs

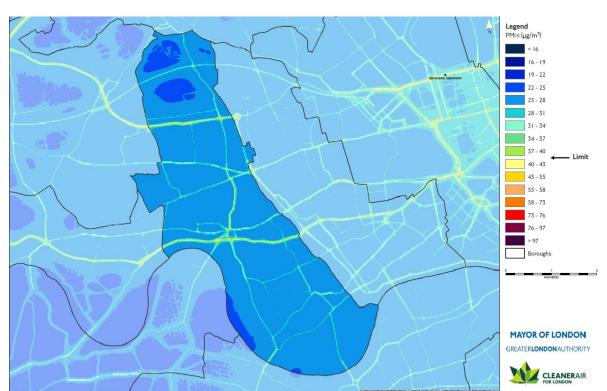
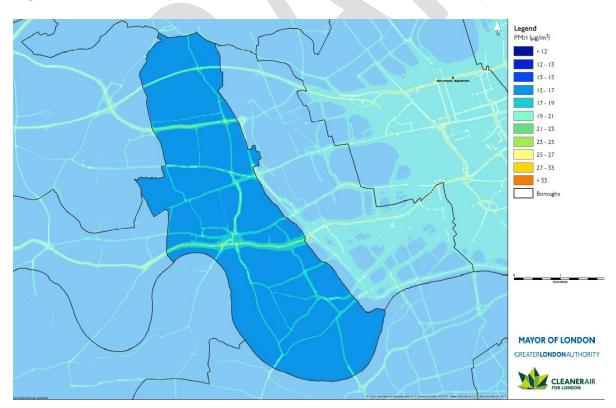


Figure 2 Modelled map of annual mean PM<sub>10</sub> (from the LAEI 2013)





#### 1.1 AQMAs and Focus areas

A whole borough Air Quality Management Area (AQMA) has been declared for Hammermsmith & Fulham.

The AQMA has been declared for the following pollutants: Nitrogen Dioxide (NO<sub>2</sub>) and particles (PM<sub>10</sub>). In respect to Nitrogen Dioxide because we are failing to meet the EU annual average limit for this pollutant at some of our monitoring stations and modelling indicates it is being breached at a number of other locations, and Particulate Matter (PM<sub>10</sub>) because although we are meeting EU Limits we are exceeding World Health Organisation air quality guideline for this pollutant), and we have a formal responsibility to work towards reductions of PM<sub>2.5</sub>, which is a fraction of PM<sub>10</sub> and concentrations of PM<sub>2.5</sub>

An air quality Focus Area is a location that has been identified by the GLA as having high levels of pollution and human exposure. There are 6 focus areas in the borough: A4 West Cromwell Road, A213 Fulham Palace Road from Hammersmith Flyover to junction of Lillie Road, Fulham Town Centre and Harwood Road area, Hammersmith Town Centre, Holland Park Uxbridge Road/Shepherd's Bush Road/Bush Green/Holland Road, Putney Bridge, and junction with Fulham Road/New Kings Road/Fulham Palace Road.

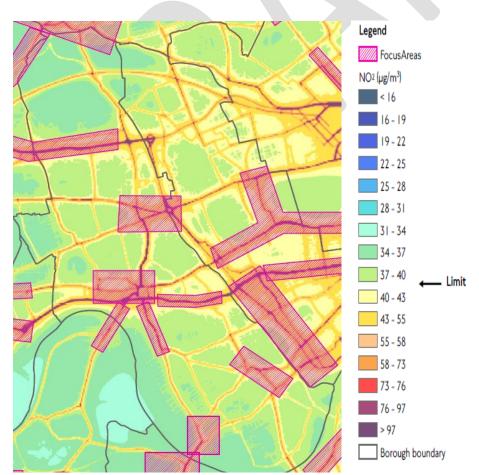


Figure 4 Air Quality Focus Areas in Hammersmith & Fulham

#### 1.2 Sources of Pollution in Hammersmith & Fulham

Pollution in Hammersmith & Fulham comes from a variety of sources. This includes sources outside of the borough, and in the case of Particulate Matter (PM<sub>10</sub>, PM<sub>2.5</sub>), a significant proportion of this comes from outside of London and even the UK.

Of the pollution that originates in the borough the main sources of Nitrogen Oxides  $(NO_x)$ , including Nitrogen Dioxide  $(NO_2)$ , are road transport including diesel vehicles and combustion based energy plant such as Combined Heat and Power (CHP) and gas boilers. The main sources of particulate matter are on and off-road transport such as diesel vehicles and Non-Road Mobile Machinery (NRMM).

Data is available from the London Atmospheric Emissions Inventory which provides data gathered in 2008, 2010 and 2013 and modelled for 2020, 2025 and 2030 based on current predictions and technology.

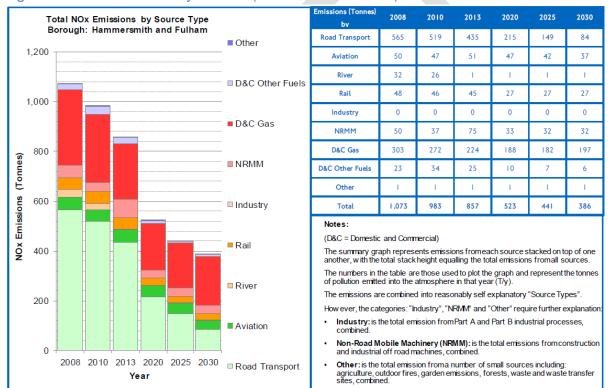


Figure 5 NO<sub>x</sub> Emissions by source (from the LAEI 2013)

Figure 5 shows that for sources of  $NO_x$  within Hammersmith & Fulham currently (as represented by the most recent data from 2013): the largest contributor is road transport, followed by burning of domestic and commercial gas as the second largest source. However, Figure 5 shows that by 2020 emissions from road transport will reduce as vehicle emissions improve and it is projected that domestic and commercial gas sources will become the largest contributor of  $NO_x$  in the borough, with road transport falling to second largest source.

Figure 6 below details that 20.7% of  $NO_x$  emissions emanate from diesel cars, this contrasts with 10.4% from petrol cars, despite the fact there are fewer diesel cars than petrol cars in London.

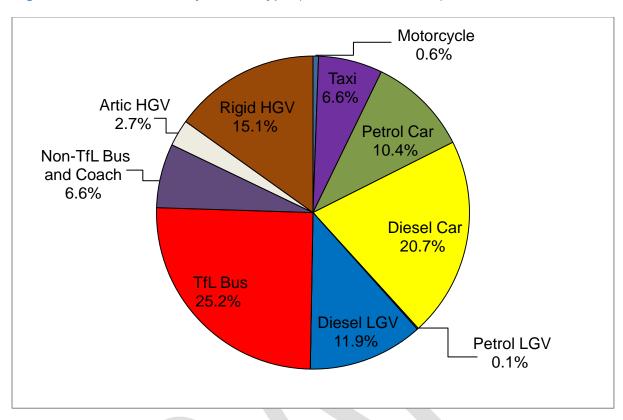
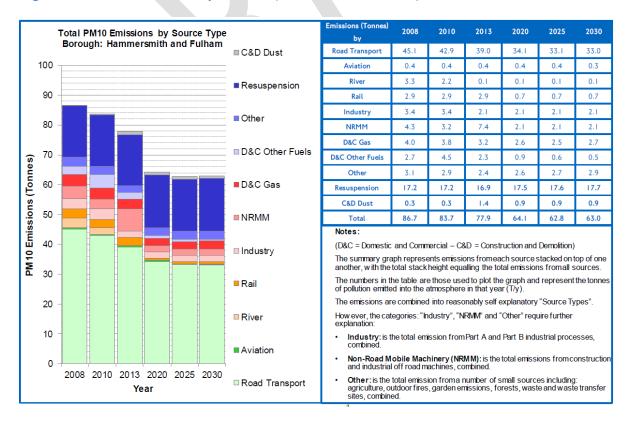


Figure 6 NO<sub>x</sub> Emissions by vehicle type (from the LAEI 2013)





The sources of  $PM_{10}$  within Hammersmith and Fulham are shown in Figure 7 where the largest contributor is shown as road transport followed by resuspension as the second largest source.

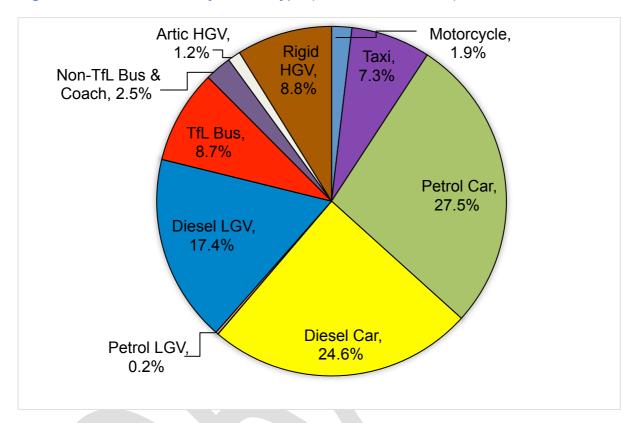


Figure 8 PM<sub>10</sub> Emissions by vehicle type (from the LAEI 2013)

Splitting the road transport  $PM_{10}$  emissions, the greatest contributor to road transport  $PM_{10}$  are petrol cars (27.5 %) followed by diesel cars (24.6%) as shown in Figure 8.  $PM_{10}$  emissions are greater because there are more petrol cars then diesel cars; in London approximately 70% of registered vehicles are petrol while only 30% are diesel.

Road transport  $PM_{10}$  emissions are generated from exhaust gases and from tyre and brake wear. In the London Borough of Hammersmith and Fulham 24% of road transport  $PM_{10}$  emissions originate from the exhaust whereas 76% are generated from tyre and brake wear.

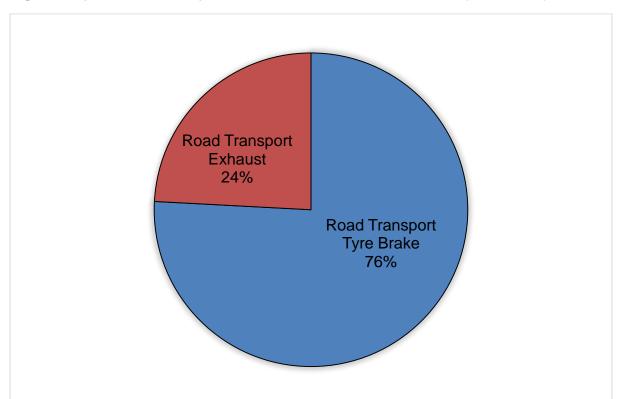
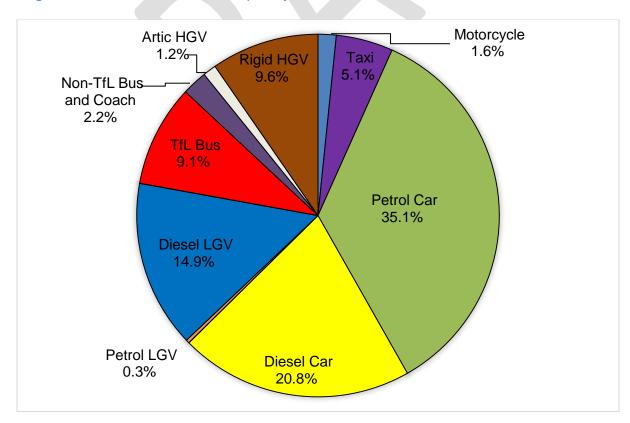


Figure 9 Split of road transport PM<sub>10</sub> emission from their source (LAEI 2013)





Breaking down the road transport  $PM_{10}$  emissions, the greatest contributor to road transport  $PM_{10}$  is from tyre and brake wear as shown in Figure 9. Petrol cars are the largest contributor of this component (35.1%) and diesel cars the second largest contributor (20.8%) because there are more petrol cars then diesel cars.

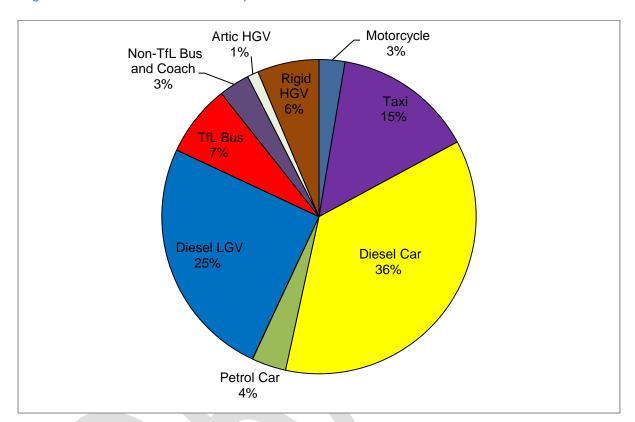


Figure 11 Sources of road transport exhaust PM<sub>10</sub> emissions

Breaking down the road transport  $PM_{10}$  emissions, exhaust component only, diesel cars are the largest contributor (38.8%) and diesel LGV's are the second largest contributor (26.7%) as shown in Figure 11, despite there being less diesel cars then petrol cars in London.

These graphs show that a high percentage of PM<sub>10</sub> road transport is from tyre and brake wear and that this is independent of vehicle type. This means that to reduce road transport PM<sub>10</sub>, there would need to be a decrease in all vehicles travelling through the borough.

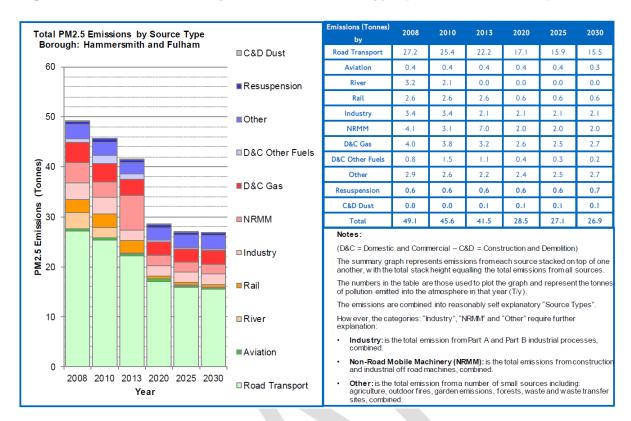


Figure 12 PM<sub>2.5</sub> emissions by source and vehicle type (from the LAEI 2013)

The sources of PM<sub>2.5</sub> within the Hammersmith & Fulham are varied as shown in Figure 12. The largest contributor is road transport followed by NRMM as the second largest source (LAEI 2013)

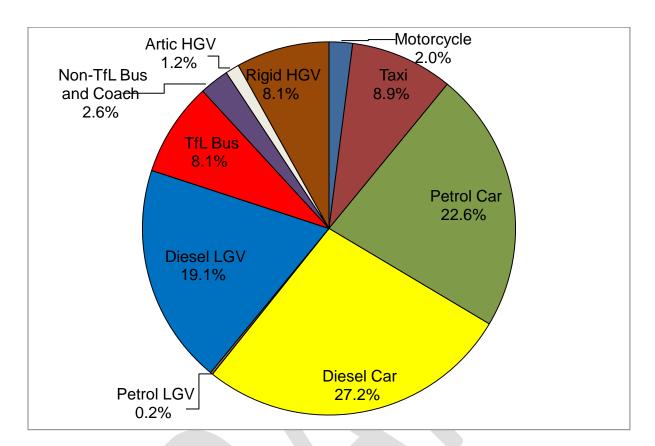


Figure 13 Road Transport PM<sub>2.5</sub> Emissions per vehicle type (from the LAEI 2013)

Splitting the road transport PM<sub>2.5</sub> emissions in Figure 13, the greatest contributor to road transport PM<sub>2.5</sub> are diesel cars (27.2 %) followed by petrol cars (22.6%), despite there being less diesel cars then petrol cars in London.

Road transport  $PM_{2.5}$  emissions are generated from exhaust gases and from tyre and brake wear. In Hammersmith & Fulham 40% of road transport  $PM_{2.5}$  emissions originate from the exhaust whereas 60% are generated from tyre and brake wear.

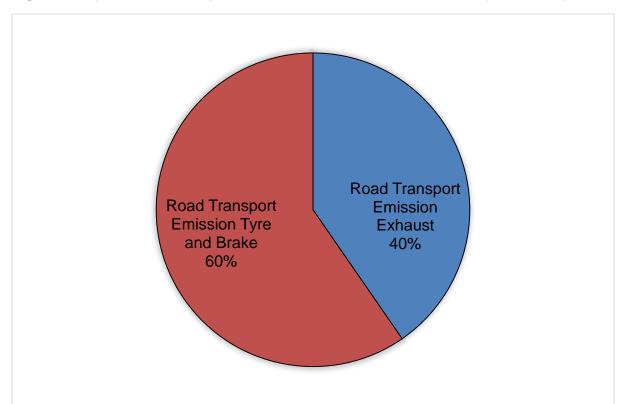
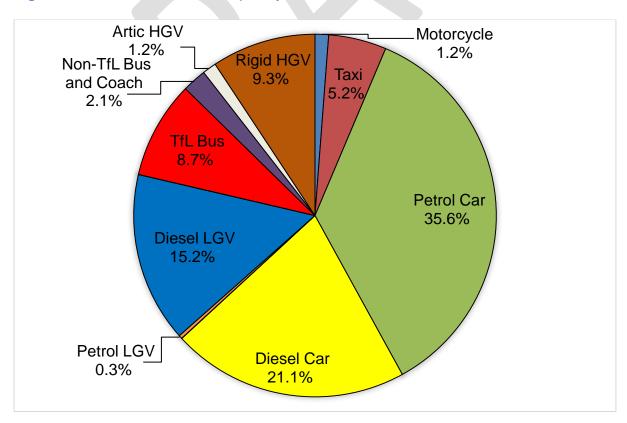


Figure 14 Split of road transport PM<sub>2.5</sub> emissions from their source (LAEI 2013)





Breaking down the road transport  $PM_{2.5}$  emissions in Figure 14, the greatest contributor to road transport  $PM_{2.5}$  is tyre and brake wear. Figure 15 shows that petrol cars are the largest contributor (35.6%) and diesel cars the second largest contributor (21.1%) to non-exhaust emissions of  $PM_{2.5}$ .

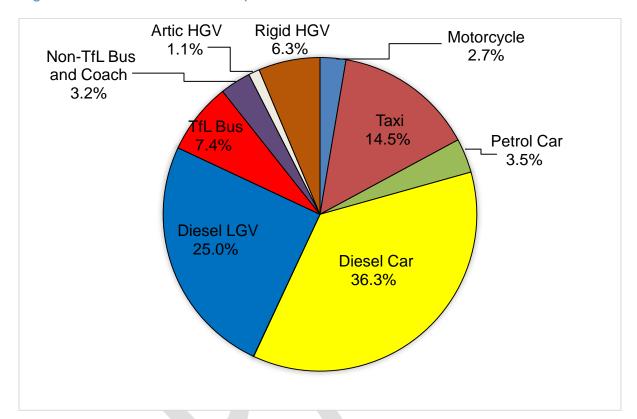


Figure 16 Sources of road transport exhaust PM2.5 emissions

Breaking down the road transport  $PM_{2.5}$  emissions in Figure 16, the greatest contributor to road transport  $PM_{2.5}$  from the exhaust are diesel cars (36.3%) and Diesel LGV's are the second largest contributor (25.0%), despite there being fewer diesel cars then petrol cars in London.

#### 2 Hammersmith & Fulham's Air Quality Priorities

The purpose of this plan is to protect the health and wellbeing of the people who live, work in and visit the borough from the effects of air pollution.

We also have the goal of being the greenest local authority

In order to achieve this, we have the following priorities:

- Tackling the sources of pollution that the council can control for example from our own properties and fleet and through our planning policies, our transport polices, highways works and maintenance
- Raising residents' and businesses' awareness of what they can do to reduce their own emissions and how to avoid exposing themselves to existing pollution.
- Lobby the government to make the changes needed to improve air quality across the Country
- Work with the GLA and TfL to make the improvements needed to reduce pollution in the borough and across London.

#### **3 AQAP Progress**

Table 1 shows Hammersmith & Fulham's AQAP. It contains:

- a list of the actions that form part of the plan;
- the responsible individual and departments/organisations who will deliver this action:
- estimated cost to the council;
- expected benefit in terms of emissions and concentration reduction;
- the timescale for implementation; and
- how progress will be monitored.

BF: Borough Fleet
CP: Property Services
EH: Environmental Health
HS: Housing Services
HW: Highway Maintenance and Projects
PH: Public Health
PL: Planning
PR: Procurement
TR: Transport Planning
If the cost to implement an action is already part of the council's budget, then 'Normal Business' is entered here. Otherwise the funding sources and costs are listed.
Magnitude of Air Quality Benefits
High=1
Medium=2
Low =3
Symbols indicate whether the action will have an impact on NO <sub>2</sub> (nitrogen dioxide), PM <sub>10</sub> and PM <sub>2.5</sub>
(particulate matter) or CC (Climate Change gasses).
What year (or month) this action will be implemented of completed or if this is an ongoing commitment

## **Table 1 - Air Quality Action Plan**

The actions have been grouped into six categories: Emissions from developments and buildings; Public health and awareness raising; Delivery servicing and freight; Borough fleet actions; Localised solutions; and Cleaner transport.

	ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
	Em	issions from dev	/elopm	ents an	d buildi	ings					
Dage 36	1	Ensuring emissions from construction are minimised	EH/PL	Normal business	1	*	*		2023	Number of planning applications for which planning condition for automatic air quality monitoring recommended. In line with SPG available to view at <a href="https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-and">https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-and</a>	This information is required and reported in the Annual Status Report (ASR)
	2	Ensuring enforcement of Non Road Mobile Machinery (NRMM) air quality policies	EH/PL	£2,000 per year with additional funding	1	*	*	*	2023	Number of planning applications for which NRMM planning condition recommended, In	This information is required and reported in the Annual Status Report (ASR). There is a website with further information on

	ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
	Em	issions from dev	elopm	ents an	d buildi	ngs	5				
				from the GLA						line with SPG available to view at https://www.london .gov.uk/what-we- do/planning/implem enting-london- plan/supplementar y-planning- guidance/control- dust-and	NRMM. At the website http://nrmm.london/nrmm/legislation
Page 37	3	Enforcing CHP and biomass air quality policies	EH/PL	Normal business	1	*	*	*	2023	Number of sites for which planning condition for CHP or biomass recommended, in line with SPG. This guidance is vailable to view at <a href="https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/sustainable-design-and">https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/sustainable-design-and</a>	This information is required and reported in the Annual Status Report (ASR)

ID	Action description	Who	Cost	Expected emissions benefit		PM	CC	When	How implementation will be monitored	Further information
En	nissions from de	evelopn	nents ar	nd buildi	ings	3				
4	Enforcing Air Quality Neutral policies	EH/PL	Normal business	1	*	*	*	2023	Number of air quality neutral assessments completed, in accordance with guidance commissioned by the GLA available at <a href="http://www.aqconsultants.co.uk/getattachment/Resources/Download-Reports/GLA-AQ-Neutral-Policy-Final-Report-April-2014.pdf.aspx">http://www.aqconsultants.co.uk/getattachment/Resources/Download-Reports/GLA-AQ-Neutral-Policy-Final-Report-April-2014.pdf.aspx</a>	This information is required and reported in the Annual Status Report (ASR)
5	Ensuring adequate, appropriate, and well located green space and infrastructure is included in new developments	EH/PL	Normal business	2	*	*	*	2023	Appropriate planning policy in place.	The Proposed Submission Local Plan available to view at: https://www.lbhf.gov. uk/planning/planning- policy/local-plan, has a number of Borough wide policies on Green and Public Open Space: Policy OS1 on Parks and

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
Em	nissions from dev	velopm	ents an	d buildi	ngs	3				
										Open Space; Policy OS2 on Access to Parks and Open Space; OS3 on Playspace for Children and Young People; OS4 on Nature Conservation and OS5 on Greening the Borough. These ensure that the council will protect, enhance, and increase provision of parks, open spaces and biodiversity in the borough.
6	Ensuring that Smoke Control Zones are appropriately identified and fully promoted and enforced including a review of the air pollution impacts of approved applicances and fuels and potential local restrictions.	EH	Normal business	2	*	*		2023	Number of activities to enforce/promote the smoke control zone.	This could include information provided to residents and businesses on smoke control (https://www.lbhf.gov.uk/environment/pollution/air-quality-andmonitoring) or enforcement activity by the council

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information					
Er	Emissions from developments and buildings														
										of legislation. Particulate matter associated with wood burning has been a factor in pollution events in London which requires further review and potentially local measures to control them					
7	Promoting and delivering in the Council's own stock energy efficiency retrofitting projects in workplaces and homes (Including using the GLA RE:FIT programme) to replace old polluting heat and energy plant with new low emission plant (e.g. old boilers with new ultra low-NO <sub>x</sub> boilers); and top-up lost insulation in combination with other energy conservation measures.	CP/HS	Normal business	1	*	*	*	2023	Number of projects delivered.	The council has signed up to take part in Re-fit for the corporate estate (more information on RE:FIT is available at https://www.london.gov.uk/what-we-do/environment/energy/energy-buildings/refit), Hammersmith & Fulham are currently benchmarking the properties and will come back with recommendations for energy conservation measures to the buildings.					

ID	Action description	Who	Cost	Expected emissions benefit		PM	CC	When	How implementation will be monitored	Further information					
En	Emissions from developments and buildings														
										The council will investigate options to change the specification of the replacement boilers that will be installed into council housing stock to use ultra low NO <sub>x</sub> boilers.					
8	The council to encourage residents and organisations to consider Blue Green schemes like Sustainable Drainage Systems (SuDs) in homes and offices.	PL	Normal business	2	*	*	*	On-going commitment	Guidance available at the council website at https://www.lbhf.gov.uk/emergencies-and-safety/floods/living-rainwater						
9	The council to encourage the use of prefabrication in construction works to reduce particulate matter.	PL	Normal business	3	*	*		On-going commitment	Included in council planning policies.	Encouraging the use of prefabrication in construction works is considered to be in line with the requirements of Planning Policy CC2, ensuring sustainable design and					

ID	Action description	Who	Cost	Expected emissions benefit		PM	CC	When	How implementation will be monitored	Further information				
En	Emissions from developments and buildings													
										construction. However, a minor amendment is proposed to add a bullet point that promoting the use of prefabrication construction methods where appropriate.				
10	The need to plan for walkability to be recognised in SPDs in local plan	PL	Normal business	3	*	*	*	On-going commitment	Included in council planning policies.	Strategic Objective 14 of the Proposed Submission Local Plan refers to the need to ensure the development of a safe, sustainable transport network that includes improvements to public transport, cycling and walking infrastructure which will improve transport accessibility and local air quality and reduce traffic congestion and the need to travel. Planning Policy T3 specifically deals with increasing				

ID	Action description	Who	Cost	Expected emissions benefit		PM	CC	When	How implementation will be monitored	Further information
En	nissions from de	velopm	ents ar	nd buildi	ings	3				-
										and promoting opportunities for cycling and walking. Promotion of walking is also covered in the Planning Guidance SPD.
11	The council to exercise its enforcement powers to ensure that developers fufil commitments in delivering tree planting plans; also to seek ways of maintaining mature tree cover when planning for new developments.	PL	Normal business	3	*	*	*	2023	Included in council planning policies.	Planning Policy OS5 states that the council will seek to enhance biodiversity and green infrastructure in the borough, including by: • seeking to prevent removal or mutilation of protected trees; • seeking retention of existing trees and provision of new trees on development sites; and • adding to the greening of streets and the public realm.
										The council also sets out in the Proposed

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
En	nissions from dev	velopm	ents ar	d buildi	ings	3				-
										Submission Local Plan its vision of there being more street trees by 2035.
12	Local plan to specify the need to consider the impact of all new developments on air quality.	PL	Normal business	1	*	*		2018	Included in council planning policies.	This issue is covered by a proposed minor amendment to Local Plan Planning Policy CC10 which has been changed to apply to developments which may be impacted by local sources of poor air quality or may adversely contribute to local air quality.
13	Support residents by providing energy efficiency advice and by installing small and low-cost energy efficiency measures to combat climate change. Reduce their energy bills and carbon footprint through the Healthy (Healthier) Homes project and through home energy	EH	Normal business	1	*		*	2023	Number of residents to which advice provided. Number of efficiency measures installed.	Further information is available on the council's webpages at <a href="https://www.lbhf.gov.uk/housing/private-housing/energy-efficiency-and-warm-homes">https://www.lbhf.gov.uk/housing/private-housing/energy-efficiency-and-warm-homes</a>

ID	Action description	Who	Cost	Expected emissions benefit		PM	CC	When	How implementation will be monitored	Further information				
En	Emissions from developments and buildings													
	visits by trained green experts.													
14	Aboricultural and greening policies to be promoted in the local plan and SPDs.	PL	Normal business	1	*	*	*	2023	In council planning policies.	The Proposed Submission Local Plan has a number of Borough wide planning policies on Green and Public Open Space: Policy OS1 on Parks and Open Space; Policy OS2 on Access to Parks and Open Space; OS3 on Playspace for Children and Young People; OS4 on Nature Conservation and OS5 on Greening the Borough. These ensure that the council will protect, enhance, and increase provision of parks, open spaces, and biodiversity in the borough.				

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information			
Em	Emissions from developments and buildings												
15	The council and other decision makers to keep under review new environmental initiatives and best practices as these come forward.	PL	Normal business	1	*	*	*	2023	Number of activities completed.	An example would be that as part of the drafted sustainability strategy for corporate assets there will be a requirement for innovation to be included in all decision making.			



ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
Pu	blic health and	awarer	ness rai	l .	I	l				
										work/london-healthy-workplace-charter The council will consider how information about air quality can be disseminated through this already established contact with local business.  The council is part of the WestTrans partnership, more information is available at <a href="http://www.westtrans.org/wla/wt2.nsf">http://www.westtrans.org/wla/wt2.nsf</a>
23	Promotion of availability of airTEXT and walkit.	EH/PH	£1000 per year	3	*	*	*	2023	Number of activities in which these tools promoted.	Activities could include messages on the council's website and through social media channels or distribution of information at council events. Information can be provided on the

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
Pu	blic health and	awarer	ness rai	sing		•				
									urbanwise sessions.	-quality-audits-to- protect-school-kids
26	Raise awareness of the impact of individual behaviour on air quality during events such as National Clean Air Day.	EH	Normal business	3	*	*		2023	Number of related activities completed.	The national clean air day webpages are available at <a href="https://www.cleanair_day.org.uk/">https://www.cleanair_day.org.uk/</a>
27	Public air pollution alerts and forecast to be made more widely available.	EH	Normal business	3	*	*		2023	Number of messages completed.	The council will put messages on website and on twitter when notified of air pollution alert.
28	Lobby central government to retain air quality legislation after withdrawal from the European Union in 2019.	PH	Normal business		*	*		2023	Number of responses to consultations	
29	Lobby central government to meet World Health Organization (WHO) air quality guidelines	PH	Normal business		*	*		2023	Number of responses to consultations provided.	This action was included in the NICE air quality guideline (2017) available at <a href="https://www.nice.org.uk/guidance/ng70">https://www.nice.org.uk/guidance/ng70</a>

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
Pu	blic health and	aware	ness rai	sing						
30	Lobby tyre,brake and clutch manufacturers to use materials which reduce small particles released through wear.	PH	Normal business			*		2023	Number of responses to consultations provided.	



ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
De	livery Servicing	and F	reight							
31	Review council procurement policies with a view to requiring Fleet Operator Recognition Scheme (FORS) accreditation	EH/ PR	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	The fleet operator recognition scheme webpages are at https://www.fors-online.org.uk/cms/  Initial step would be to develop a procurement policy document for air quality that would be available on the council's intranet procurement pages. The document would provide advice to departments about to enter contracts for services.
32	Review council procurement policies with a view to requiring that sustainable logistical measures are implemented (and include requirements	EH/ PR	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	Initial step would be to develop a procurement policy document for air quality that would be available on the council's intranet procurement pages.

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
De	livery Servicing	and F	reight							
	for preferentially scoring bidders based on their sustainability criteria)									The document would provide advice to departments about to enter contracts for services.
33	Re-organisation of freight to support consolidation (or micro-consolidation) of deliveries, by setting up or participating in new logistics facilities, and/or requiring that council suppliers participate in these	EH/TR	£25,000 per year plus funding from GLA and local business es	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	Hammersmith & Fulham joined a Low Emissions Logistics (LEL), project, which was established in the four boroughs of Lambeth, Croydon, Wandsworth and Southwark in 2016/17, to reduce and consolidate deliveries. Hammersmith and Fulham joined with a group of other London boroughs in 2017. The action for 2017/18 is to collect baseline data for feasibility study into the setting up of an consolidation centre. The LEL is supported

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	СС	When	How implementation will be monitored	Further information
De	<b>livery Servicing</b>	and	Freight							
										by the Mayor's Air Quality Fund.
34	Virtual Loading Bays and priority loading for ultra-low emission delivery vehicles-Review research and trials being completed in London with a view to using in H&F in the future.	TR	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	Transport for London Road Network (TLRN) is running a trial in Wandsworth in 2017, focusing on high-density loading 'hotspots'

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
Bo	rough fleet action	ns								
35	Join the Fleet Operator Recognition Scheme (FORS) for the borough's own fleet and obtain Gold accreditation	BF	Costs being assessed	2	*	*	*	2023	Number of activities completed to work towards achieving this action.	The fleet operator recognition scheme webpages are at <a href="https://www.fors-online.org.uk/cms/">https://www.fors-online.org.uk/cms/</a>
36	Increasing the number of hydrogen, electric, hybrid, bio-methane and cleaner vehicles in the boroughs' fleet	BF	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	
37	Accelerate uptake of new Euro VI vehicles in borough fleet	BF	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	
38	Smarter Driver Training for drivers of vehicles in Borough Own Fleet i.e. through training of fuel efficient driving and providing regular retraining of staff	BF	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
Lo	calised Solutions	3								
39	Green Infrastructure. The council to increase tree, hedge and grass planting on councilowned land and highways.	HW	£100,000 per year	2	*	*	*	2023	Square Metres of additional greening installed.	The first steps will be to identify locations that would benefit from increased green infrastructure and choose appropriate plants. Previous experience from green infrastructure project from Mayor's Air Quality Funding could be used, this is discussed at <a href="http://www.hammersmithtoday.co.uk/shared/hfcycling014.htm">http://www.hammersmithtoday.co.uk/shared/hfcycling014.htm</a>
40	Implement opportunities for small scale LENs (Low Emission Neighbourhoods) and investigate opportunities for funding of further LEN projects	TR	Normal business/ external funding secured	1	*	*	*	2023	Number of activities completed to work towards achieving this action. E.g Applying for future funding opportunities.	An example of previous application for funding for a LEN is shown at https://www.lbhf.gov.uk/articles/news/2016/05/council-1m-bid-tackle-air-pollution-hammersmith

		Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
calised Solutions	3								
The council will commit to modify the pruning regime of trees on main roads in the borough	HW	Normal business	1	*	*	*	2023	Number of roads for which trees received reduced pruning.	
The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to keep fit and active.	PI	Normal business	1	*	*	*	2023	In council planning policies.	Strategic Objective 11 of the Proposed Submission Local Plan is to protect and enhance the borough's open green spaces and create new parks and open spaces where there is major regeneration, promote biodiversity and protect private gardens.  Strategic Objective 15 is to maintain and improve health care provision in the borough and encourage and promote healthier lifestyles, for example through better sports facilities, to reduce
	The council will commit to modify the pruning regime of trees on main roads in the borough  The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to	The council will commit to modify the pruning regime of trees on main roads in the borough  The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to	The council will commit to modify the pruning regime of trees on main roads in the borough  The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to	The council will commit to modify the pruning regime of trees on main roads in the borough  The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to	The council will commit to modify the pruning regime of trees on main roads in the borough  The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to	The council will commit to modify the pruning regime of trees on main roads in the borough  The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to	The council will commit to modify the pruning regime of trees on main roads in the borough  The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to	The council will commit to modify the pruning regime of trees on main roads in the borough  The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to  HW Normal business  Normal business  1	The council will commit to modify the pruning regime of trees on main roads in the borough  The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to  Normal business  Normal 1  **  **  2023  Number of roads for which trees received reduced pruning.  In council planning policies.

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
Lo	calised Solution	ns								
										Planning Policy OS2 and OS2 states that the council will seek to reduce open space deficiency and to improve the quality of, and access to, existing open space (which includes play areas and school playing fields as we as sport, leisure, or recreational facilities

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
Cle	eaner Transport									
43	Discouraging unnecessary idling by taxis, coaches and other vehicles through enforcement and awareness raising campaigns	EH	Normal business and external funding from GLA and annual campaign cost of £10,000 per year	2	*	*	*	2023	Number of drivers told to shut off engines; number of drivers fined for not shutting off engines; number of awareness raising campaigns completed.	Previous action days for idling are shown at https://www.lbhf.gov.uk/articles/news/2016/11/clean-air-champions-successful-action-day-stop-idling-motorists-hf
44	Speed control measures e.g. lowering the legal speed limit to 20mph in built up residential areas	TR	Normal business	2	*	*	*	2023	Number of activities related to maintaining or expanding 20mph roads in the boroughs.	Information on 20mph speed limit is available at https://www.lbhf.gov.uk/articles/news/2016/02/majority-supportmore-20mph-speed-limits-hammersmith-fulham
45	Increasing the proportion of electric, hydrogen and ultra low emission vehicles in Car Clubs	TR	External to Council funding	2	*	*	*	2023	Number of activities completed.	Partnership work by the council with Bluecity electric car club is detailed at <a href="https://www.lbhf.gov.uk/transport-and-">https://www.lbhf.gov.uk/transport-and-</a>

ID	Action description	Who	Cost	Expected emissions benefit		PM	CC	When	How implementation will be monitored	Further information
Cle	eaner Transport								•	
										roads/electric- vehicles
46	Very Important Pedestrian Days (e.g. no vehicles on certain roads on a Sunday) and similar initiatives	TR	Normal business	2	*	*	*	2023	Number of days completed.	An example of a previous day held is shown at <a href="https://www.lbhf.gov.uk/articles/news/2015/06/unlimited-play-streets-children-shepherds-bush-road">https://www.lbhf.gov.uk/articles/news/2015/06/unlimited-play-streets-children-shepherds-bush-road</a>
47	Free or discounted residential parking permits for zero emission cars	TR	Normal business	3	*	*	*	2023	Activities completed to work towards achieving this action.	
48	Review of surcharge on diesel vehicles below Euro 6 standards for Resident and Controlled Parking Zone permits	TR	Under review	3	*	*	*	2023	Activities completed to work towards achieving this action.	Awaiting final ULEZ plans to assess financial implications to residents before final decision on surcharge
49	Installation of residential electric charge points	TR	External to Council funding	1	*	*	*	2023	Number of activities completed to work towards achieving this action.	This is being investigated through funding opportunities available from OLEV/EST and GULCS.

ID	Action description	Who	Cost	Expected emissions benefit		PM	CC	When	How implementation will be monitored	Further information
C	Cleaner Transport									
										Work completed on street light charging points is detailed at https://www.lbhf.gov.uk/articles/news/2017/07/quick-and-easy-electric-car-charging-points-unveiled-westcroft-square
50 50	Installation of rapid chargers to help enable the take up of electric taxis, cabs and commercial vehicles (in partnership with TfL and/or OLEV)	TR	External to Council funding	2	*	*	*	2023	Number of activities completed to work towards achieving this action.	This is currently being progressed working with TfL.
51	Reprioritisation of road space; reducing parking at some destinations and or restricting parking on congested high streets and A roads to improve bus journey times, cycling experience, and reduce emissions caused by congested traffic	TR	Normal business	2	*	*	*	2023	Number of activities completed.	Examples of reallocation of parking spaces to create a parklet detailed at https://www.lbhf.gov.uk/articles/news/2017/04/new-bicycle-parklet-brings-party-brackenbury-village

ID	Action description	Who	Cost	Expected emissions benefit	NO <sub>2</sub>	PM	CC	When	How implementation will be monitored	Further information
Cle	eaner Transport	1	1	1	F	ı	-			I
52	Provision of infrastructure to support walking and cycling. To enable more people to take up cycling to travel around the borough and to allow children to walk to school more easily. More safer cycle routes will be developed by the council and TfL. The council together with its strategic partners such as TfL, to develop plans to increase pedestrianisation, cycling and greening in its town centres.	TR	Normal business	1	*	*	*	2023	Number of activities completed.	Example of previous work related to improving cycling infrastructure available at https://consultations.tf l.gov.uk/roads/hammersmith-gyratory/user_uploads/hammersmith-gyratory-report-final.pdf And https://www.lbhf.gov.uk/articles/news/2016/08/strong-support-safer-cycling-plans-hammersmith-gyratory

## **Appendix A Reasons for Not Pursuing Action Plan Measures**

Table A.1 Action Plan Measures Not Pursued and the Reasons for that Decision

Action category	Action description	Reason action is not being pursued (including Stakeholder views)		
Emissions from developments and buildings				
Public health and awareness raising				
Delivery servicing and freight				
Borough fleet actions				
Localised solutions				
Cleaner transport	From GLA Action Plan Template: 32.Free or discounted parking charges at existing parking meters for zero emission cars	The council aims to increase active travel and travel by public transport. Implementing this measure would not fit with this aim so it is not being pursued.		

# **Consultation Questions**

1.	Do you agree with the council's priorities listed in section 2 of the consultation document?   2 Hammersmith & Fulham's Air Quality Priorities	
	□Yes □No	
2.	If 'No,' please let us know what we should change in the space below:	_
3.	Do you agree that the council should be taking the actions listed in <u>Table 1</u> of the consultation document?	
	□Yes □No	
4.	If 'No,' please let us know what you don't agree with in the space below; please include the action number in your response.	e _

5.	Do you think the	council should be tak	ng more actions	than those listed in	Table 1?
	□Yes	□No			
	If 'Yes,' please le	t us know what we co	uld add to this pl	an in the space belo	ow:
	If you have any o	ther comments on the	e Draft Air Quality	Action Plan please	provide the
•	in the space belo	w:	Diant / III Quanty	- Action Figure 1	- Provide tries

# Agenda Item 5



## **London Borough of Hammersmith & Fulham**

# COMMUNITY SAFETY, ENVIRONMENT AND RESIDENTS SERVICES POLICY AND ACCOUNTABILITY COMMITTEE

18 September 2017

# REVIEW OF USE OF REGULATION OF INVESTIGATORY POWERS ACT (RIPA) and CCTV

Report of the Deputy Leader, Councillor Sue Fennimore

**Open Report** 

Classification - For Policy & Advisory Review & Comment

**Key Decision: No** 

Consultation: None

Wards Affected: All

**Accountable Directors:** Tasnim Shawkat Director of Law and Nick Austin Director for Environmental Health.

**Report Author:** 

Janette Mullins, Senior Solicitor (Housing and Litigation)

Andrew Stocker, CCTV Development Manager

## **Contact Details:**

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#### 1. EXECUTIVE SUMMARY

- 1.1. This is report is to give Members the opportunity to scrutinise the Council's use of covert surveillance and CCTV.
- 1.2. The Regulation of Investigatory Powers Act 2000 (RIPA) provides a statutory framework for police and public authorities to use surveillance and communications data, where necessary and proportionate, for the purpose of preventing or detecting crime or preventing disorder. RIPA regulates the use of these powers in a manner that is compatible with the Human Rights Act.

#### 2. RECOMMENDATIONS

2.1. That Members review the use of surveillance by the Council.

### 3. REASONS FOR DECISION

3.1. The code of guidance published by the Secretary of State under section 91 of RIPA advises that local authority Members should review the use of the Act and set the policy.

### 4. THE REGULATION OF INVESTIGATORY POWERS ACT 2000

- 4.1. The Regulation of Investigatory Powers Act 2000 (RIPA) introduced a process for balancing an individual's rights with the authority's obligations to enforce laws on behalf of the wider community. The Act makes all conduct carried out in accordance with an authorisation granted under the terms of the Act lawful "for all purposes". Surveillance must be "necessary" and "proportionate" and be approved by both a council authorising officer and a magistrate.
- 4.2. Councils use RIPA to undertake directed surveillance and access communication data to detect and prevent crimes such as fraud, rogue Traders and anti-social behaviour. Since November 2012 Councils must obtain an order from a JP (District Judge or lay magistrate) approving an authorisation to use directed surveillance, acquire communication data or use a CHIS.

RIPA is separated into 2 parts:

### **Part I Communications Data Access**

- 4.3. This allows Councils to access communications data from Communications Service Providers. It does NOT allow for the interception of communications (i.e. it enables the Council to seek information as to who someone is phoning, not what they say).
- 4.4. Communications Service Providers (CSP's) are anyone who provides a postal or telecommunications service e.g. Royal Mail, British Telecom, Vodafone, etc.
- 4.5. Councils' only have the power to acquire the following data from CSP's
  - Billing, delivery and installation address
  - Contact telephone numbers
  - Periods of subscription use
  - Itemised telephone call records
  - Itemised records of connections to internet services
  - Provision, and use of forwarding/redirection services

- Records of postal items, e.g. registered, recorded or special delivery postal items
- Top up details for mobile phones, credit/debit card details and voucher top up details
- 4.6. CSP's will only respond to requests from Council's via designated contacts who must have undertaken and passed a Home Office approved course. The Council uses NAFN (National anti-fraud network) as the designated contact.

# Part II – Direct Surveillance & Covert Human Intelligence Sources Directed Surveillance

- 4.7. This refers to covert but, not intrusive, surveillance which is not an immediate response to events. It is undertaken for a specific investigation or operation in a way likely to obtain private information about a person (any information relating to private or family life, interpreted broadly to include relationships with others). It must be necessary for the purpose of preventing or detecting crime or disorder and proportionate to what it seeks to achieve.
- 4.8. Since November 2012 a Council can only authorise directed surveillance to prevent or detect criminal offences that are either punishable by at least 6 months' imprisonment or are related to the underage sale of various prohibited items. This is known as the "crime threshold".

### **Covert Human Intelligence Sources (CHIS)**

- 4.9. The practice of using an officer to establish or maintain a personal or other relationship with a person for the covert purpose of obtaining information, e.g. an officer who poses as a tenant to obtain information and evidence against a nuisance tenant. LBHF has never authorised the use of a CHIS.
- 4.10. The Office of Surveillance Commissioners **(OSC)** regulates Part II of RIPA. There was an inspection on 10 January 207.

#### 4.11. Frequency of use of these powers:

#### **Directed Surveillance:**

June 2016 – August 2017–			
Department:	Authorising	Number of	Reason for
	Officer	Authorisations	use of RIPA
Environment, Leisure and Residents Services: Safer Neighbourhoods Division	Director for Safer Neighbourhoods Head of Community Safety	1	Covert CCTV cameras and Visual Surveillance to identify perpetrators of ASB, and drug dealing

#### **Communication Data:**

Department	Authorising Officer	Number of authorisations	Reason for use of RIPA
		None	

#### The Policy

- 4.12. On 3 November 2014 the Cabinet gave approval to a Joint Working Agreement for the exercise of RIPA powers with the Royal Borough of Kensington & Chelsea including sharing officers. The Senior Responsible Officer is LeVerne Parker, Chief Solicitor.
- 4.13. The policy sets out how an investigating officer must apply for RIPA authorisation to one of five Authorising Officers. The officer must set out the purpose of the investigation, the details of the operation (duration, methods, equipment and so on to be employed), the identities where known of the subject of the application, the information it is desired to obtain, the offence to be prevented or detected, an explanation of why it is necessary, details of potential collateral intrusion (infringement of the privacy of people other than the intended subject) including precautions taken to avoid collateral intrusion and an explanation of why the application is proportionate to the aims of the operation.
- 4.14. The Authorising Officer is a senior person of at least Head of Service level, who is not connected with the operation. He or she will consider the application and if satisfied that the requirements of the Act and the Council's policy are met will authorise the application. In doing so the Authorising Officer will record the who, where, what, when and how of the activity, set a date to review the operation. The investigating officer will then apply to the Magistrates' court for approval.

- 4.15. In March 2016 joint training on RIPA was provided to officers of LBHF and RBKC by ACTNOW a leading provider of training in this subject In addition informal training also takes place, for example on 28 November 2016 Janette Mullins, Senior Solicitor met with the professional witnesses from the Anti-Social Behaviour Unit and went through sample RIPA forms and discussed common mistakes and best practice.
- 4.16. The Authorising Officers meet at least 3 times a year with the SRO and review the policy and procedure.

#### 4.17. Non RIPA Surveillance

- 4.18. The policy sets out the circumstances when officers may use surveillance techniques where the crime threshold is not met. In such circumstances, by carefully considering exactly the same factors of necessity and proportionality which would be considered before granting authorisation under RIPA, the officers can show that their activity is lawful and necessary in terms of the qualification in Article 8(2) of European Convention of Human Rights
- 4.19. Non-RIPA surveillance has been used by officers investigating anti-social behaviour, which can involve day to-to-day incidents such as vandalism, and noisy or abusive behaviour by neighbours. Even what is perceived as 'low level' anti-social behaviour, when targeted and persistent, can have a devastating effect on a victim. In order to support victims, it has been necessary to conduct surveillance that does not satisfy the serious crime threshold requirement of RIPA. Evidence gathered can then be used to support enforcement action against the perpetrators of the ASB, including those that reside in RSL properties.

#### 4.20. Frequency of use:

Department	Authorising Officer	Number of applications	Reason
Environment, Leisure and Residents Services: Safer Neighbourhoods Division	Head of Community Safety	4	Covert CCTV cameras and Visual Surveillance to identify perpetrators of ASB, criminal damage, harassment, intimidation
			and drug dealing

#### 5. Office of Surveillance Commissioners Inspection

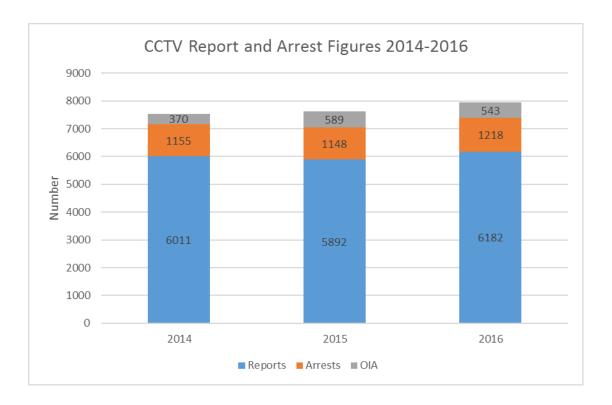
5.1 On 10 January an Inspector of the Office of Surveillance examined the arrangements of LBHF and RBKC to ensure compliance with the statutory

- provisions which govern the use of covert surveillance. His report was sent to the Chief Executive on 14 February 2017.
- The report was broadly positive and found that both Councils continue to make sufficient provision to ensure compliance. The Inspector found that the Authorising Officers had all received RIPA training and were clearly knowledgeable about their responsibilities. He made 6 recommendations.
- 5.3 2 of the recommendations related to inconsistent practices across the two councils for documenting authorisations and the conduct of reviews. RBKC have adopted LBHF procedures.
- To deal with these inconsistencies the inspector recommended that a RIPA "gatekeeper" should provide a more "intrusive role" and review authorisations before and after they are granted to ensure quality assurance. At present authorisations are reviewed by a Senior Solicitor in Legal services after they have been approved by a magistrate. They are also reviewed at the quarterly meetings of the Authorising Officers. Officers are exploring the use of Office 365 functions so that authorisations can be reviewed by Legal Services prior to them being taken to court without delaying the process.
- As set out above LBHF has never used the CHIS powers and has no officers trained to undertake this role. The Inspector was concerned that officers would recognise a CHIS issue if they come across one and whether this may lead to a breach of the legislation. He recommended that the SRO review current provision for CHIS across both Councils and implement measures if considered necessary.
- The Inspector recommended that the RIPA policy should be reviewed and kept up to date as a constant reminder of the care with which social media sites should be used by council officers. This in case some officers, acting in good faith, use their personal profiles on social media in connection with council business. This may, lead to officers, inadvertently, falling within the ambit of RIPA. It is intended to review and publicise the policy and highlight the risks of using social media. Training covering this issue will also be provided.
- 5.7 The last recommendation was that the Councils should ensure that when the Police use LBHF CCTV for targeted surveillance they should comply with the OSC Procedures and Guidance.

#### 6. CCTV SYSTEM

6.1 The Public Space CCTV system in Hammersmith and Fulham continues to expand each year. This growth is almost exclusively funded by planning gain income generated from the many construction developments within the Borough.

- 6.2 In 2016 Hammersmith and Fulham operated 1150 cameras. This has increased to 1371 in 2017. This includes both public space cameras and those covering housing estates.
- 6.3 Over the last year (2016/17) we expanded and improved the camera network as follows:
  - 22 new public space CCTV cameras installed
  - o 2 parks covered by 10 new cameras
  - 2 new housing estate schemes installed
  - 2 housing estate scheme expanded
  - 20 new deployable cameras
- 6.4 There are plans in 2017/18 to carry out further works including:
  - 10 new public space CCTV cameras
  - 3 new housing estate schemes
  - 2 housing estate schemes to be upgraded
  - 10 deployable cameras
- 6.5 In 2016 CCTV operators made 6182 reports and assisted the MET Police with 1218 arrests.
- 6.6 543 additional people, in 2016 were arrested in Hammersmith and Fulham that would not have been without the CCTV operators working jointly with the Met Police.
- 6.7 In addition to the public space CCTV there are other services that use CCTV to deliver solutions. The Neighbourhood Warden Service and Parks Police both use body worn cameras with 13 and 12 cameras respectively. The Neighbourhood Warden Service also has 2 vehicles that are fitted with bi-directional CCTV technology images from the vehicle can be viewed live in the CCTV control room and images can be passed back to the vehicle in real-time.



- One of the reasons for the increase is the improved resolution the operators have across the Borough. The team works with the Police to identify secondary areas that allow CCTV operators to track suspects from the well covered areas into zones where they feel safe. Operators are then able to guide Police to them and affect an arrest.
- 6.9 In recognition of the outstanding service provided, in 2015 LBHF CCTV was awarded the accolade of 'CCTV Team of the Year' by the Met Police. And in 2016 we were commended for outstanding use of CCTV to prevent and deter crime by the MET.
- 6.10 Hammersmith and Fulham give full access to live and recorded CCTV images to both the local Police teams at Hammersmith Police Station and the National Counter Terrorism Command Centre (they are only Local Authority in London to do so). This allows the Police to investigate crimes on the Borough more swiftly and frees up the CCTV operators to concentrate on proactively monitoring areas for crimes rather than downloading footage for the Police.
- 6.11 The control room in Hammersmith Town Hall is often used for a base for running police operations. The Police officers co-locate with the council team combining their knowledge with the CCTV operator's camera skills to target offenders.

6.12 The Police frequently post 'Super Recognisers' in the CCTV control room. These officers, who are known for their photographic memory of faces, are a significant asset and lead to many arrests of 'wanted' individuals taking place when they are co-located in the control room.

#### 7. EQUALITY IMPLICATIONS

7.1. The recommendations do not affect either Council's equality duties.

#### 8. LEGAL IMPLICATIONS

8.1. The legal implications are contained in the body of the report.

#### 9. FINANCIAL AND RESOURCES IMPLICATIONS

9.1. There are no financial implications for the purpose of this report.

#### 9 IMPLICATIONS FOR BUSINESS

9.1 The CCTV service provides increased levels of security for residents and businesses across the Borough. Integrated networks operate in the three town centres, including the Hammersmith BID area. Within the control room there is dedicated CCTV operator that focuses only on the Hammersmith BID area, and is funded by them. There is also a well-established safety net radio system that is used by shops, pubs and businesses allowing them to directly contact the CCTV operators for assistance if it is required.

# LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
None	N/A	N/A	N/A

# London Borough of Hammersmith & Fulham

## COMMUNITY SAFETY, ENVIRONMENT & RESIDENT SERVICES POLICY & ACCOUNTABILITY COMMITTEE



#### 18 September 2017

**The Neighbourhood Warden Service** 

**Report of the Director for Environmental Services** 

**Open Report** 

Classification - For Information/For Policy & Accountability

**Key Decision: No** 

Wards Affected: All

Accountable Executive Director: Nicholas Austin: Director for Environmental Services

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#### 1. EXECUTIVE SUMMARY

- 1.1 The Neighbourhood Warden Service is committed to working in partnership to create a safer borough for all who live in, work in or visit Hammersmith and Fulham.
- 1.2 In April 2010 the Neighbourhood Warden Service was created following the amalgamation of the Estate Wardens with the Shepherds Bush Street Wardens. The team's role is to patrol the borough's streets and local authority estates, providing hi-visibility patrols and challenging antisocial behaviour and low level crime in the borough.
- 1.3 The Neighbourhood Warden Service is two thirds funded by the Housing Revenue Account (HRA) and one third funded by the general fund.

#### 2. ANTI-SOCIAL BEHAVIOUR

#### 2.1 Anti-social behaviour is defined as:

"behaviour that causes or is likely to cause harassment, alarm, or distress to one or more persons not of the same household as the complainant."

Being a victim of anti-social behaviour can range from living next door to a nuisance neighbour to being afraid to walk through a town centre at night.

Anti-social behaviour may not be a criminal offence but it often involves criminal behaviour. It includes:

- vandalism and damage to property
- reckless or dangerous riding on mopeds and scooters
- graffiti
- drug dealing
- verbal and physical assault
- acts intended or likely to cause racial or homophobic hatred
- harassment
- drunken behaviour
- fly tipping
- noise nuisance
- street drinking
- · dog fouling and other dog offences

This type of behaviour is never acceptable and the Neighbourhood Wardens work closely with CCTV, Housing Officers and the police, not only to deter it, but also to assist in identifying those responsible for it so appropriate action can be taken.

Referrals from Housing Officers, calls from residents, information supplied by the Police and other partner agencies, all help the wardens to target their patrols intelligently, enabling them to be in the right place at the right time.

- 2.2 The Neighbourhood Warden Service has the following broad aims and objectives. To:
  - Identify ASB hotspots in the Borough and target resources accordingly.
  - Resolve ASB problems.
  - Work with residents, the police and other stakeholders to improve service delivery.
  - Work in partnership with other relevant agencies and share information.
  - Make residents feel safer and educate them on how to stay safe.

#### 3. PRINCIPLES OF SERVICE DELIVERY

The principles of service delivery are enshrined in Council policies and procedures.

The Neighbourhood Warden Service follows the service standards set out in relevant policies and procedures, all of which contain supporting key performance targets.

The Neighbourhood Warden Service is led by a manager who is assisted by two supervisors. The team provides high visibility patrols to estates across the borough based on ASB trends, however there is also a facility for them to be swiftly deployed to emerging hot spots should the need be identified. They also have the capacity to undertake patrols to street based properties if ASB is affecting the occupiers.

The Neighbourhood Warden Service operates all year round except Christmas Day, Boxing Day and New Year's Day. The hours of operation range from 8am until 11pm Monday to Saturday, and 10am until 10pm on Sundays. Due to the nature of their work, which can involve a degree of confrontation, the Neighbourhood Wardens do not patrol alone.

The team use radios to communicate; the radios are linked to the Parks Police and the CCTV room who have direct access to the Metropolitan Police radio network.

The Neighbourhood Wardens patrol using two LBHF liveried overt CCTV enabled vehicles. They also have access to an unmarked vehicle, which does not have CCTV capability, and four bicycles. The majority of their patrols are on foot in order to maximise engagement with residents. The Wardens patrol in uniform with the LBHF logos clearly displayed.

Wardens are trained and equipped to remove any drug paraphernalia found on estates, including used syringes.

#### 3.1 Intelligence Gathering

Wardens gather intelligence from CCTV equipped patrol vehicles, body worn cameras, observation and from information provided by residents and other agencies. Wardens also liaise with estate support and security officers. This, and other evidence gathered, is used to tackle reports of ASB and provide evidential footage to Housing Services and the Police.

Wardens proactively, and at the request of Housing Officers, conduct patrols of specific areas to gather intelligence and publicise Warden activities to residents.

#### 3.2 Reporting

The Wardens provide Housing Services, Anti-Social Behaviour Unit (ASBU) and other partners with reports detailing intelligence gathered by the team. These reports are submitted within one working day of an incident taking place. Reports include times and dates of any incidents, locations and descriptions of any perpetrators and CCTV images. Intelligence is also submitted directly to the Police via the criminal intelligence system.

Reports are also submitted to Housing Services relating to graffiti, fly tipping, drug paraphernalia, defective locks & intercoms, lighting problems and repairs. Reports requesting repairs to Housing Services properties are copied to 'Mitie' and reports relating to ASB are copied to the relevant Housing Manager, Housing Officer, ASBU and other relevant partners.

#### 3.3 Enforcement

Wardens have powers under the Clean Neighbourhoods and Environment Act 2005 and the Environmental Protection Act, and can issue fixed penalty notices for littering and dog offences. Dog offences include fouling where the owner or walker fails to clean up after their dog, multiple dog walking where a walker or owner has more than the permitted four dogs in a public place, dogs in a no dog area such as a childrens play area, dogs off a lead in a designated area i.e a cemetery and failing to place a dog on a lead when instructed to do so by a council authorised officer.

In addition, Wardens also move people on from dispersal zones and, when necessary, enforce the Borough-wide controlled drinking area. Any member of the public drinking alcohol and causing ASB will be asked to dispose of the opened alcohol.

Groups of people causing disturbance or upset to others are engaged with, questioned, dispersed or moved on depending on the nature of their behaviour.

#### 3.4 Community Engagement

Wardens engage with residents of the Borough's estates, attend school and community events and assist Pinnacle by attending Housing Services estate open days.

Events such as the annual Oxford Cambridge Varsity boat race, the two firework events held in Bishops Park and Ravenscourt Park, Unity Day, the remembrance parades and Victoria Cross Memorial commemorations, are also supported by the team.

Once a month, the wardens undertake an early morning rough sleeper patrol outside of their core hours. Residents often complain of food waste, litter, urine, faeces and drug paraphernalia found in communal areas of housing blocks as a result of rough sleeping. Additionally they report feeling

intimidated if they have to walk past rough sleepers in their hallways or stairwells when leaving their homes.

The causes of rough sleeping are many and the wardens do what they can to support those who find themselves in this position. Wardens have introduced regular early morning joint patrols with the outreach team and Police, which has maximised contact with vulnerable individuals who are sleeping in estate stairwells or on the streets. The patrols have assisted outreach in providing early intervention along with accomodation and treatment for drug and alcohol misuse.

The wardens were instrumental in supporting a joint operation with the Council's Community Safety Officer and the Police to crack down on aggressive begging in King Street. Numerous joint patrols with the Police were undertaken and persistant and aggressive beggars dealt with by way of Community Protection Notices.

The wardens work closely with partners such as outreach, the Police and the PATHS team to understand and meet the complex needs of the street community who sleep rough, street drink or beg.

As well as working with rough sleepers, The Wardens often assist with estate based projects that aim to promote community cohesion and provide diversionary activities for young people. The team also visits sheltered housing to give advice on protection against fraud and provide a reassuring presence, as well as attending Tenants and Residents Association meetings when invited.

The wardens regularly help out at the annual Ravenscourt Park Dog Show, which offers an opportunity for wardens to enage with residents, discussing community priorities and publicising what they do.

#### 3.5 Locking Duties

Wardens lock play areas on Housing Services estates. The number and location of locking duties undertaken is agreed in advance at quarterly review meetings. Residents support this activity as it maximises the use of play areas, whilst limiting the noise and ASB that can be associated with them.

#### 4. REFERRALS & FEEDBACK

Much information is shared between the Wardens and Housing Services and this is vital to ensure the swift resolution of ASB issues.

Housing Services notify the wardens of any new ASB cases by way of a referral process. This involves the completion of a form which outlines the ASB, the victim(s) and those responsible for it. If the matter is resolved, the referral is closed after two weeks, however, the referral can be open ended if required.

#### 5. REPORTING INCIDENTS AND INTELLIGENCE

The Wardens report any incidents or intelligence to HS within one working day of it being witnessed while on patrol.

#### 6. HEALTH AND SAFETY

The Wardens receive and share information regarding aggressive and violent residents to ensure risks to staff are minimised.

Joint risk assessments are carried out on all estates in advance of any work being carried out by the Wardens and relevant keys and fobs will be supplied to the team.

#### 7. MAJOR INCIDENTS

The role of the Local Authority Liaison Officer (LALO) is to act as a focal point for the other responders on scene of a major incident who require liaison with a local authority. The LALO also attends Silver / tactical briefings as required.

A number of Wardens have received LALO training and have been deployed during major incidents such as the fires, power outages or gas leaks.

#### 8. TRAINING

All wardens undertake an intensive three day course when they join the service. This includes sessions on law, local procedures, conflict resolution, health and safety and enforcement.

Wardens also receive Prevent training. This is one of the four elements of CONTEST, the government's counter-terrorism strategy which aims to stop citizens becoming terrorists or supporting extremism.

#### 9. EQUALITY IMPLICATIONS

The team work with a diverse range of residents including those who are more vulnerable to crime, including older people, the disabled and faith groups.

#### 10. LEGAL IMPLICATIONS

None.

#### 11. FINANCIAL AND RESOURCES IMPLICATIONS

The Neighbourhood Warden Service is funded through the Housing Revenue Account and the General Fund. Funding arrangements are reviewed annually in line with the annual budget review and reflect the changing requirements

and demand for the service. It generates income for the council by selling patrol time to Housing Associations.

#### 12. IMPLICATIONS FOR BUSINESS

The team support the business community by tackling ASB in the town centres.

#### 13. PROCUREMENT AND IT STRATEGY IMPLICATIONS

None

#### **APPENDICES:**

#### (A) CASE STUDIES

- 1. On Wednesday 22nd March 2017, Wardens were on the White City Estate, conducting a joint patrol with police to search for concealed weapons. During a check of the first floor of one of the residential blocks wardens noticed a box hidden on the metal casing which runs the length of the balcony ceiling. Wearing protective gloves, the wardens managed to remove the box from its hiding place. Inside they discovered a high powered G-10 air pistol together with ammunition. The Police were immediately informed, attended and took possession of the item.
- 2. On 29<sup>th</sup> March 2017, Wardens were approached by a female in distress in Fulham Broadway. She informed them an unknown male was following her. The wardens immediately dialled 999 and spoke to a Police Operator giving details of the incident and a description of the male. The wardens remained with the lady until the arrival of the Police.
- 3. On Tuesday 16th January, Wardens were engaged in a joint patrol with two officers from the Metropolitan Police. Whilst monitoring the Shepherds Bush area for anti-social behaviour the wardens spotted a man they recognised drinking alcohol on the green. Using the zoom facility of their vehicle's CCTV camera they were able to confirm identification. The wardens were aware that the male was wanted by the Police for failing to appear at court in relation to theft charges and, also, that he was of interest to the immigration service. The wardens relayed this information to the Police who arrested him for failing to appear and theft.
- 4. On 21<sup>st</sup> August 2017, following a complaint from a 92 year resident, the wardens carried out a welfare visit. On arrival, a neighbour was found at the resident's address. It became apparent that this neighbour was in distress and possibly suffering from mental health problems. Consequently, the Police and ambulance service were called. An assessment was carried out by paramedics and the neighbour was taken to hospital. Additional welfare checks were made during the evening to ensure that the 92 year old resident was resting and well.

## (B) PATROL STATISTICS

## January - July 2017

Fixed Penalty Notices issued	72
Controlled Drinking Zone infringements dealt with	40
Rough Sleepers engaged with	66
Fly Tips reported	17
Congregating youths engaged with/moved on	93

## Community Safety, Environment and Residents Services PAC Work Programme 2017/18

28 <sup>th</sup> June 2017			
Courtyard Room, HTH. 7:00pm.			
ITEM LEAD OFFICER REPORT BRIEF			
Parks	Dave Page / Ullash Karia	To talk about the options for the management of the borough's parks.	
20 mph Zones	Nick Boyle	To consider the implementation of additional 20mph zones in the borough.	
Air Quality	Elizabeth Fonseca / Peter Smith / Nick Boyle	To update the committee on progress since the Air Quality Commission's report.	

18 <sup>th</sup> September 2017			
Courtyard Room, HTH. 7:00pm.			
ITEM	LEAD OFFICER	REPORT BRIEF	
Use of Powers under the Regulation of Investigatory Powers Act and CCTV	Janette Mullins / Andy Stocker / Claire Rai	To consider the Council's use of powers under RIPA over the past year and to make comment on whether the Council's systems for regulating this use are effective and delivering appropriate outcomes. To consider the Council's CCTV network and its impact on crime and anti-social behaviour.	
Uniform based street services	Claire Rai	To consider the work of the Council's Neighbourhood Wardens.	
Draft Air Quality Action Plan Consultation	Elisabeth Fonseca	To comment on the Council's draft Air Quality Action Plan.	

## Community Safety, Environment and Residents Services PAC Work Programme 2017/18

20 <sup>th</sup> November 2017 Courtyard Room, HTH. 7:00pm.				
ITEM	ITEM LEAD OFFICER REPORT BRIEF			
Biodiversity Commission	Peter Smith	To consider the report of the biodiversity comission.		
Highway Maintenance	Ian Hawthorn	To consider the Highway Maintenance programme and the effectiveness of the service.		
Noise from Helicopters	Paul Baker	To consider the Council's actions to reduce the impact of noise nuisance on residents.		

29<sup>th</sup> January 2018 Small Hall, HTH. 7:00pm.

7<sup>th</sup> March 2018 Small Hall, HTH. 7:00pm.

18<sup>th</sup> April 2018 Committee Room 1, HTH. 7:00pm.