

CABINET

14 NOVEMBER 2025

REPORT OF THE PORTFOLIO HOLDER FOR THE ENVIRONMENT & ICT

A.6 ADOPTION OF THE ESSEX WIDE AIR QUALITY STRATEGY

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

Following the Portfolio Holder for Environment's & ICT agreement to be part of the draft consultation process to adopt the Essex Wide Air Quality Strategy in November 2024, the proposed strategy was presented to the Essex Chief Executives Forum (ECEF) recently, where plans for finalising the strategy were set out.

The ECEF supported the proposed strategy unanimously, and agreement to publish the final strategy on the EssexAir website at the end of October was given the green light to proceed.

Essex County Council (ECC) took the final strategy to its Cabinet on Tuesday 9th September where it was approved and adopted by ECC. The plan remains to publish the final version of the strategy at the end of October which will afford all other Essex Local Authorities to go through their governance process and seek a decision to formally adopt it.

As ECC's Cabinet have agreed to adopt the strategy following the completed consultation process, this report seeks the agreement of Cabinet to endorse the adoption of the Essex Wide Air Quality Strategy for Essex 2025-2029, in accordance with the Portfolio Holder for Environment & ICT's agreement to participate in consultation process on the 25th October 2025.

EXECUTIVE SUMMARY

The adoption of the Essex Wide Air Quality Strategy will have limited impact on the Council as the principles set out are already implemented and it will ensure that we continue to follow best practice in accordance with other Local Authorities throughout the County.

- The Essex Air Quality Strategy has been jointly developed by all of the district, borough and city councils in Essex, as well as Essex County Council and the two unitary councils, Southend and Thurrock.
- All have worked together as part of the Essex Air Quality Consortium, under the banner of EssexAir, to improve air quality across the County.
- Councils in Essex, Southend and Thurrock have been working together to develop a joint Essex Air Quality Strategy. It has been developed by the Essex Air Quality Consortium, which brings together all 15 borough, district, city, county and unitary councils across Essex to work in partnership on air quality issues.
- A number of the councils already have local air quality action plans or strategies. The new Essex Air Quality Strategy aims to complement these and provide an overarching strategy for the whole county, including Southend and Thurrock.

- The strategy will help to strengthen the current partnership working in Essex further. It is felt that a joint strategy will also carry additional weight, have greater impact, and will help demonstrate a more co-ordinated and consistent approach to tackling air pollution across Essex.
- While Essex County Council, Southend-on-Sea City Council and Thurrock Council are part of the government's Devolution Priority Programme and, together with the 12 district, borough and city councils in Essex, they are also working collaboratively on proposals for local government reorganisation, there remains significant support from the councils for a new Essex Air Quality Strategy.
- Irrespective of the potential future make-up of local government in Essex, it is felt there will still be a need for local authorities in Essex to work collaboratively on the subject of air quality to ensure maximum impact and make best use of the collective resources available.
- Having developed the new draft strategy, residents, businesses and partner organisations were given an opportunity to share their feedback as part of a public consultation. The consultation, which ran from January to March 2025, was managed by Essex County Council on behalf of the Essex Air Quality Consortium and provided a valuable insight into people's views. The feedback received during the consultation has been reviewed and is summarised in report form. It has now also been used to help improve and finalise the strategy and determine initial priority actions to improve air quality in Essex.
- Overall, the feedback on the draft Essex Air Quality Strategy during the public consultation was very positive and demonstrated broad agreement with the importance of the topic of air quality and strong support for the vision, aims and planned actions set out within the draft strategy.
- Potential changes to the strategy have been considered in light of the feedback received, it has been finalised and agreed by the councils. The comments will also help in prioritising the initial actions to focus on to helping improve air quality in Essex.

RECOMMENDATION(S)

It is recommended that Cabinet:

- (a) adopts the Essex Wide Air Quality Strategy 2025-2029 in the form appended to this report (Appendix 1); and**
- (b) notes that other councils across Essex will be taking individual decisions regarding adopting the Essex Wide Air Quality Strategy 2024-2029.**

REASON(S) FOR THE RECOMMENDATION(S)

By formally adopting the Essex Wide Air Quality Strategy it will ensure that Tending are part of a robust and focussed approach to tackling poor Air Quality across the County, whilst implementing changes where appropriate to protect the health and safety of current and future

generations who reside in our District. It will allow Tendring to be part of discussions on a county level via working groups and ensure that we are ahead of the curve regarding any proposed or new legislative changes.

In light of impending Local Government Reorganisation (LGR) it will afford the opportunity to work collaboratively with our neighbouring Council's and provide a joined-up approach to protect public health and wellbeing.

Although Tendring does not have an Air Quality Management Area (AQMA) within the District, we need to assess air quality in our district for the specified pollutants and submit Annual Status Reports to Department for Food & Rural Affairs (DEFRA). By adopting the Essex Wide Air Quality Strategy, it will remove the need for Tendring to draft our own strategy, whilst ensuring that we adhere to the principles set out in the strategy and continue to follow best practice in accordance with other Local Authorities throughout the County. By being part of the strategy and the Essex wide working groups, it will ensure any new legislation, regulations and guidance are discussed and that our work in monitoring and improving Air Quality in Tendring is appropriate and focussed accordingly.

ALTERNATIVE OPTIONS CONSIDERED

1. To draft our own strategy which encompasses specific issues and data relating to the Tendring District solely. This would be a bespoke to Tendring and follow the contents of our Annual Air Quality Status Reports supplied to the Department for Food & Rural Affairs (DEFRA). This option is not recommended due to the impending LGR and that we will become a unitary authority with our neighbouring Councils who are hoping to be part of the Essex Wide Strategy.
2. Adopt the Essex Wide Air Quality Strategy where we will work collaboratively according to principles set out The Air Quality Strategy for England and take specific proactive action to improve air quality. This is the option chosen for Tendring to implement as it will negate the need for TDC to produce its own strategy.
3. No strategy – This is not an option as it is a mandatory for all Local Authorities to have their own Air Quality Strategy. The requirement for a strategy fulfils the statutory requirement of the Environment Act 1995 as amended by the Environment Act 2021 to publish an Air Quality Strategy setting out air quality standards, objectives, and measures for improving ambient air quality every 5 years.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

This decision will contribute to the Corporate Plan 2024 – 28 (Our Vision) themes of:

- **Championing our local environment** – Improving Air Quality for our residents and visitors to our District
- **Working with partners to improve quality of life** – Ensuring we work collaboratively with external partners to protect public health & wellbeing, and reduce the burden on local and national health providers

- **Pride in our area and services to residents** – The monitoring of Air Quality helps identify areas where improvement is necessary, whilst affording the opportunity to implement measures to ensure the air our residents breathe is clean

Air Quality is relevant to all of the above corporate priorities.

RELEVANT STRATEGY – This is a new Essex wide strategy that requires adoption.

ANY PREVIOUS DECISIONS – The Portfolio Holder for Environment & ICT agreed for Tending to be part of the draft strategy and consultation process on the 25th October 2025.

OUTCOME OF CONSULTATION AND ENGAGEMENT (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

As part of the consultation and engagement process, the proposed strategy was devised by colleagues who form part of the Essex Air Quality Consortium working group, as well as going out for public consultation.

In respect of the work being led by ECC:

- 25/10/24: All comments to be sent to ECC from all Essex Local Authorities regarding the draft strategy, Tending submitted ours as part of the strategy working group
- 15/11/24: ECC “aim” to have approval to go to public consultation
- 22/11/24: Essex Chief Exec Forum (discussion / presentation by ECC)
- 05/12/24: Essex Leaders & Chief Exec Meeting (discussion / presentation by ECC)
- 09/05/2025: The public consultation showed a very strong level of support for the need for action to improve air quality in Essex, with 82% of respondents saying that they felt that improving air quality was important (67% very important and 15% important). In addition, 75% said they were concerned about the impacts of poor air quality on the health of themselves, their family and friends (54% very concerned and 21% fairly concerned).

- The draft Essex Air Quality Strategy itself was also well supported. A significant 83% of respondents were supportive of our draft vision (58% strongly support and 25% support) and each of the four draft aims were supported by over 80% of people who responded to the consultation survey.
- All ten of the proposed overarching actions to improve air quality in Essex were also well supported, with air quality monitoring, limiting impacts of development and working with partners all receiving 84% support. Leading by example, raising awareness of air quality issues, utilising green infrastructure, identifying funding to reduce emissions and working on Essex-wide initiatives all had between 80% and 82% support. Encouraging public transport and active travel modes had 76% support and encouraging low emissions vehicles had 64% support.

- When asked to what extent they agreed that, overall, the planned actions would help achieve the vision and improve air quality in Essex, 69% of respondents agreed (30% strongly agreed and 39% agreed).

August 2025: The proposed strategy was presented to the Essex Chief Executives Forum (ECEEF), where plans for finalising the strategy were set out.

The ECEEF supported the proposed strategy unanimously, and agreement to publish the final strategy on the EssexAir website at the end of October was given the green light to proceed.

09/09/2025: The proposed strategy was presented to the ECC Cabinet and agreement to adopt was approved with a view to publishing the document at the end of October 2025.

From TDC’s perspective:

- Officers from the Environmental Health Service have attended regular working group meetings and had a direct input and link into developing the strategy. They will continue to do so moving forward, and they will form part of any review process as time progresses.
- The Portfolio Holder responsible for the Environment has been involved in a discussion/introduction to the Council’s role in monitoring and managing air quality and the draft strategy and has given his approval to TDC supporting the draft for consultation.
- A formal Cabinet decision is now required to adopt the final version of the strategy following it being adopted by ECC. This will follow a similar format to the recent adoption of the Essex Waste Strategy.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

| | | | |
|---|-----|---|--|
| Is the recommendation a Key Decision (see the criteria stated here) | YES | If Yes, indicate which by which criteria it is a Key Decision | <input checked="" type="checkbox"/> Significant effect on two or more wards <input type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget |
| | | And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date) | Decision was published on Modern.GOV on the 8 th September 2025. |

Relevant legislation includes: What legislation requires it?

- The Air Quality Strategy for England
- The Environment Act 1995
- The Environment Act 2021
- The Environment Improvement Plan 2023

- Clean Air Act
- Climate Change Act
- The Transport Act
- Air Quality & Standards Regulations 2010
- Air Quality (England) Regulations 2000 (amended 2002)
- The Environmental Targets (Fine Particulate Matter) (England) Regulations
- National Emissions Ceiling Regulations
- The Environment (Miscellaneous Amendments) (EU Exit) Regulations
- Planning Policy Framework
- County Strategies
- Local Strategies & Policy (All local Planning Authorities will be consulted)

YES The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:

Nothing further to add to the contents of the report.

FINANCE AND OTHER RESOURCE IMPLICATIONS

Finance: There are no financial implications to adopting the strategy as the work is already forms part of our statutory duty to assess Air quality in the district for the specified pollutants and submit Annual Status Reports. Some officer time has been spent attending workshops associated with the development of the draft strategy and there will be further meetings and workshops to come. However, this is standard procedure for all aspects of Environmental Health across all disciplines of the profession.

Within existing budget? A budget already exists for the sampling and testing of Nitrogen Dioxide (NO2) diffusion tubes in the district. The work is already undertaken by officers within the Environmental Protection Team as part of our statutory function to monitor Air Quality in the district.

Other resources (e.g. external parties):

ECC are the lead for the strategy, and they will be responsible for reviews and updating. Officers from the Environmental Health service will attend working groups and be part of any discussions over the course of the duration of the strategy.

TDC Capacity:

Officers from the Environmental Protection Team will continue with their work of monitoring Air Quality within the district as part of our ongoing statutory duty in accordance with the proposed strategy. No further physical or monetary resources are required. All work is overseen by the Environmental Protection Manager and the Environmental Health Manager.

Planning Policy Framework:

The Council’s Planning Service have been consulted regarding this strategy and will have commented separately.

The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:

| USE OF RESOURCES AND VALUE FOR MONEY | |
|--|--|
| The following are submitted in respect of the indicated use of resources and value for money indicators: | |
| A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services; | There are no financial implications from this decision requesting to adopt the Essex Wide Air Quality Strategy. Any financial implications resulting from the action planning to deliver the priorities and commitments within this strategy will be undertaken in accordance with the constitution and existing Service resource. |
| B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and | These are important long-term decisions for the Council and as such will be undertaken in accordance with the constitution, making use of delegated powers where appropriate, and by informing the Monitoring Officer and Section 151 Officer accordingly of any review or amendments. |
| C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services. | The Environmental Health Service has significant budget areas for the Council and also ones where we have good levels of information both in respect of operational delivery and cost. This data will be used as part of any decision-making processes and reviews going forwards. |
| MILESTONES AND DELIVERY | |
| Confirmation to be provided to ECC that TDC is willing to be part of the draft strategy for consultation following Management Team approval | |
| 25/10/24: | All comments to be sent to ECC from all Essex Local Authorities regarding the draft strategy, Tendring submitted ours as part of the strategy working group |
| 15/11/24: | ECC "aim" to have approval to go to public consultation |
| 22/11/24: | Essex Chief Exec Forum (discussion / presentation by ECC) |
| 05/12/24: | Essex Leaders & Chief Exec Meeting (discussion / presentation by ECC) |
| 09/05/2025: | The public consultation showed a very strong level of support for the need for action to improve air quality in Essex, with 82% of respondents saying that they felt that improving air quality was important (67% very important and 15% important). In addition, 75% said they were concerned about the impacts of poor air quality on the health of themselves, their family and friends (54% very concerned and 21% fairly concerned). |
| 09/09/2025: | Essex County Council Cabinet agree to formally adopt the strategy with a view to publishing the document at the end of October 2025. |

Oct 2025: It is hoped all Essex Local Authorities will formally adopt the strategy after securing approval after following their individual governance process.

ASSOCIATED RISKS AND MITIGATION

- **Financial** – There are no financial issues or risks to the Council
- **Service Delivery (inc. any existing projects at risk)?** – No further resource is needed placing other projects or Service delivery at risk
- **Safety** – No safety concerns or risk involved adopting the strategy
- **Reputation** – There are no concerns regarding our involvement. Being part of an Essex Wide Strategy is positive and supports consistency across the County
- **Air Quality Management Area (AQMA)** – Currently there are no AQMAs within Tendring, but should DEFRA decide to implement future changes regarding thresholds for Air Quality there may be a need to set one up. Therefore, there is the potential for a future financial cost pressure. This requirement is a statutory duty and does not form part of adopting the Air Quality Strategy, but one where an area falls below National set standards.

EQUALITY IMPLICATIONS

There are no implications that indicate that the proposals in the strategy will have a disproportionately adverse impact on any people with a particular characteristic.

SOCIAL VALUE CONSIDERATIONS

Social value considerations will be built into any future review of the strategy over the five year period between 2025-2029 and be discussed as part of the Essex Air Quality Consortium chaired by ECC.

IMPLICATIONS RELATED TO DEVOLUTION AND/OR LOCAL GOVERNMENT REORGANISATION

At the time of writing, there are no implications associated with being part of the Essex Wide Air Quality Strategy.

Due to the impending LGR, and the likelihood that Tendring will join up with surrounding neighbouring Council's to form a unitary North East Essex Council, it is seen as beneficial that we are part of the proposed strategy. By being so it will ensure consistency across the County and ensure the proposed plans and actions included are adhered to, and where necessary, any future amendments will be dealt with under a review conducted by ECC and its partner Authorities.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050

There are no adverse implications associated with the Council's aim to be NET ZERO by 2050.

Being part of the strategy is seen as a positive step and one where actions associated with Air Quality will be addressed. Any review will look at progressive ways to help achieve NET ZERO and how it may affect Tendring directly, whilst the implementation of any new measures across the district will be assessed accordingly, and where necessary, concerns of a financial, reputational or governance nature will follow the correct channels as set out in the constitution and following discussions with the Monitoring Officer and the Section 151 Officer.

| OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS | |
|--|--|
| Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below. | |
| Crime and Disorder | None |
| Health Inequalities | None, being part of the strategy will look to address Health Inequalities further |
| Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance) | None |
| Area or Ward affected | All wards across the District form part of the proposed strategy |

PART 3 – SUPPORTING INFORMATION

| BACKGROUND |
|---|
| <p>Since 1997, the government has required local Councils to review and assess Air Quality in their area with reference to the pollutants specified in the National Air Quality Strategy. There has been a requirement (implemented in 2023) in relation to a statutory requirement under the Environment Act 1995, as amended by the new Environment Act 2021, for all Local Authorities to publish an Air Quality Strategy in which standards, objectives and measures for improving ambient Air Quality are to be reviewed every 5 years. This requirement is regardless as to whether the Local Authority has an Air Quality Management Area (AQMA).</p> <p>Air quality is an important issue for Essex County Council (ECC) and each of the district, borough, city councils and unitary authorities (i.e. Thurrock Council and Southend Council) in Essex. There is growing evidence about the effects poor air quality has on human health, with increasing concern about the impacts of fine particulate matter (PM2.5), as well as nitrogen dioxide (NO2). Managing local air quality is primarily the role of district, borough, city councils and unitary authorities, but as air pollution crosses boundaries and we know road transport is one of the biggest contributors to poor air quality for key air pollutants such as NO2 and PM2.5, ECC also has a clear role to play. The intention is to work together, sharing our understanding, resources and best practice to help achieve the best outcomes.</p> <p>The Air Quality Strategy for England sets out the strategic framework for managing air quality in England, including relevant powers, responsibilities, and further actions. The UK Government is ultimately responsible for achieving national legally binding air quality Limit Values and Targets, with responsibilities devolved to Local Authorities (rather than County Councils) in terms of achieving national Air Quality Objectives through a process known as Local Air Quality Management (LAQM).</p> <p>The existing LAQM framework is summarised in the Air Quality Strategy for England, which indicates that Local Authorities must:</p> <ul style="list-style-type: none"> • Assess Air quality in their area for the specified pollutants and submit Annual Status Reports • Declare an Air Quality Management Area (AQMA) if concentrations are above Air |

Quality Objectives (currently, Tendring doesn't have any areas of exceedance)

- Develop an Air Quality Action Plan for each AQMA, setting out measures to fix the problem, and dates by which they will be carried out

However, where exceedances of Air Quality Objectives are associated with an emission source within the control of another body, such as a neighbouring Local Authority, a County Council, the Environment Agency or National Highways, such bodies can be legally required to implement improvement measures (e.g. where air quality issues are attributable to road traffic emissions, the measures required to resolve these issues typically need to be implemented by the relevant highway authority).

The Air Quality Strategy for England also indicates that all Local Authorities are expected to take proactive action to improve air quality, whether or not they have an AQMA and that Local Authorities without an AQMA should specify proactive measures they will take in an Air Quality Strategy. It is also stated that:

“As well as meeting local objectives, Local Authorities play a role in contributing to national targets. The government recognises that as a regional pollutant, many of the sources of PM2.5 are outside of Local Authority control. However, there are sources of PM2.5 over which Local Authorities do have control. Therefore, while PM2.5 is not currently part of the Local Air Quality Management framework, the government still expects all Local Authorities to effectively use their powers to reduce PM2.5 emissions from the sources which are within their control.”

ECC supports the UK Government and the relevant district / borough / city councils to identify, assess and implement measures aimed at improving local air quality. As unitary authorities, Thurrock Council and Southend Council are responsible for managing air quality in their areas.

The Essex Air Quality Strategy initially focusses on actions (collectively) we will take over the five-year period between 2025 and 2029. This is considered a reasonable time period for actions to improve air quality to be implemented and progress to be measured. It will be important, however, that the strategy is kept under review to take account of new information, guidance and policy, and to ensure the actions within the strategy remain appropriate.

The strategy has a strong focus on road traffic emissions and the pollutant NO₂, due to the air quality issues identified in Essex to date. However, a range of other emission sources have also been considered, where appropriate, with the aim of reducing concentrations of (and exposure to) PM_{2.5}.

Although Tendring does not have an Air Quality Management Area (AQMA) within the District, we need to assess Air quality in our district for the specified pollutants and submit Annual Status Reports (ASR). By adopting the Essex Wide Air Quality Strategy, it will remove the need for Tendring to draft their own strategy, whilst ensuring that we adhere to the principles set out in the strategy and continue to follow best practice in accordance with other Local Authorities throughout the County. By being part of the strategy and the Essex wide working groups, it will ensure any new legislation, regulations and guidance are discussed and that our work in monitoring and improving Air Quality in Tendring is appropriate and focussed accordingly.

PREVIOUS RELEVANT DECISIONS

- Cllr A Smith consulted on the 25th October 2024 and provided with a draft of the proposed strategy to obtain his concurrence to be part of the consultation stage

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

- Briefing Note taken to Management Team on the 5th November 2024 to inform of the draft proposed Essex Wide Air Quality Strategy
- Management Team's endorsement to present the Essex Wide Air Quality Strategy to Cabinet on the 23rd September 2025

APPENDICES

Appendix 1: Essex Wide Air Quality Strategy

Appendix 2: Essex Air Quality Consultation Report

Appendix 3: Essex Air Quality Action Plan

Appendix 4: Essex Air Quality Supporting Information

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