

A preliminary review of local air quality management consultation practices in England

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Abstract

Stakeholder participation in environmental risk decision-making processes is on the increase in the UK and EU member states. An example of this enhanced consultation requirement concerns the statutory requirement involving local authority declaration of Air Quality Management Areas (AQMAs). This local air quality management (LAQM) consultation process represents one of the largest locally based environmental risk consultation exercises carried out in the UK. This paper rehearses and provides evidence from an intensive 2-year ESRC research project that has investigated the nature, scope and effectiveness of LAQM consultation approaches. In order to interrogate this environmental risk distribution, all 353 local authorities in England were surveyed, and 11 in-depth case studies were identified and executed. Our findings suggest that there are no simple solutions to the consultation dilemma. Local authorities are faced with a series of substantive challenges in contacting, engaging with, and incorporating the views of their diverse constituencies within the LAQM decision-making process. However, in order to assist local authorities in this process we have evolved a range of emergent 'better practice' parameters that build upon and operationalise our research findings.

Keywords: local air quality, consultation, participation, deliberative democracy.



1 Introduction

Stakeholder participation in environmental risk decision-making processes is on the increase in the UK and EU member states [1]. Key drivers for this enhancement of participatory democracy include the Aarhus Convention (1998), and Directive 2003/35/EC on public participation in plans and programs relating to the environment. In the UK, Schedule 11 of the Environment Act 1995 [2] reinforces this push for deliberation in the context of local authority review and assessment of local air quality management (LAQM). The Schedule emphasises the need for local authorities to consult stakeholders on achieving health-based standards and objectives for a range of pollutants. An example of this enhanced consultation requirement concerns the statutory requirement involving local authority declaration of Air Quality Management Areas (AQMAs). The areas comprise localised ‘hot-spots’ where monitoring and modeling suggests air quality objectives are likely to be exceeded by a target date [3]. Currently *circa* 166 of the 353 local authorities in England have declared AQMAs for at least one of the core pollutants [4]. It is important to note that the major polluting source is vehicle traffic. This LAQM consultation process represents one of the largest locally based environmental risk consultation exercises carried out in the UK. This paper rehearses and provides evidence from an intensive 2-year ESRC research project which has investigated the nature, scope and effectiveness of LAQM consultation approaches. In order to interrogate this environmental risk distribution, all 353 local authorities in England were surveyed, and 11 in-depth case studies were identified and executed. Our findings suggest that there are no simple solutions to the deliberative dilemma. Local authorities are faced with a series of substantive challenges in contacting, engaging with, and incorporating the views of their diverse constituencies within the LAQM decision-making process. However, in order to assist local authorities in this process we have evolved a range of preliminary emergent ‘better practice’ parameters which build upon and operationalise our research findings.

2 Method

A comprehensive questionnaire was constructed in order to capture a broad view of LAQM consultation strategies in England. The questionnaire, included a mixture of open and closed questions (rated scales) which were designed for ease of coding, was reviewed in 2005 by two major urban authorities (Bristol City Council and the London Borough of Ealing). Following this preparatory audit, a pilot questionnaire was then sent out to all local authorities in Northern Ireland and Scotland. The questionnaire was then updated, amended, improved, and sent out to each of the 353 environmental health departments in local authorities in England. The survey was primarily directed at environmental health officers dealing with air quality issues – this is because environmental health departments have primary responsibility within the local authority matrix for LAQM consultation processes. Following the send-out, a statistically representative response rate of *circa* 40% was obtained. Data from the survey was statistically



analysed, and an initial mapping exercise of LAQM consultation processes was undertaken. The qualitative data resulting from the survey was grounded in further in-depth case studies. On this basis comprehensive case study selection criteria were established, and eleven case studies were identified and executed.

3 Findings

3.1 Questionnaire survey findings

A central challenge that local authorities face is how best to constructively engage with local stakeholders concerning LAQM issues. In practice, this engagement is characterised by two fundamentally different modes: ‘one-way’ environmental risk information provision, and ‘two-way’ environmental risk communication [5]. In this case, it is clear that the vast majority of local authorities (91%) preferred the former to the latter (see Table 1).

Table 1: Local authority LAQM consultation methods ⁽ⁿ⁼¹⁴⁷⁾.

<i>Methods of consultation</i>	<i>Percentage response</i>
Supply information	91
Workshops/meetings	65
Questionnaire survey	35
Public meetings	30
Focus groups	22
Citizen panels/juries	11

A core requirement of Schedule 11 of the Environment Act 1995 is that of local authority consultation concerning LAQM with a range of interested and affected stakeholders. Perhaps unsurprisingly, most survey respondents (94%) had undertaken such a consultation. However there does exist a relative taxonomy concerning the importance of statutory consultees to environmental health practitioners involved in LAQM consultation processes (see Table 2). These statutory consultees include the Secretary of State for the Environment, Defra, Environment Agency, Highways Authority (England only), the Mayor of London, all neighbouring authorities, county councils (if applicable in England), National Park authorities as appropriate, bodies representing local business interests and other persons as appropriate. In this context Defra was viewed by environmental health local air quality management practitioners as the most significant external statutory stakeholder, closely followed by the Environment agency and the Highways Agency. It is interesting to note that neighboring authorities also feature as important statutory consultees.



Table 2: Local authority LAQM consultation with external statutory stakeholders ⁽ⁿ⁼¹⁴⁹⁾

<i>External stakeholders</i>	<i>Percentage response</i>	<i>Score*</i>
Defra	90	1.3
Environment Agency	80	2.3
Highways Agency	65	2.3
Neighbouring authorities	90	2.2
County Council	60	2.1
Local businesses	56	2.5
Residents	62	2.1
Residents groups	50	2.2
Local schools	16	2.9
Local universities	16	3.3
Local NGO	33	2.8
Other	18	2.7

* 1=very important and 5=not important

It is clear that the greatest contribution to poor air quality in localized pollution ‘hot-spots’ where AQMA’s are declared is from road traffic emissions [6]. In this context, the effectiveness of intra-organisational working relationships (i.e. between transport, built environment, and land-use planners; Local Agenda 21 and environmental health protection officers) is critical [7]. Thus, a core feature of enhanced LAQM may prove to be that of greater ‘joined-up’ governance – better communication and inter-play of expertise within local authorities. In practice, our survey results supported this suggestion. The overwhelming majority of environmental health officer respondents (90%) consulted land-use planners on LAQM issues. Further intra-organisational consultation was carried out with transport planners (77%), Elected Members (74%), Local Agenda 21 officers (48%), and Cabinet Members (40%) (see Table 3).

Table 3: Local authority consultation on LAQM issues.

<i>Review and Assessment work</i>	<i>Percentage response</i>
Updating & Screening Assessment	99 ⁽ⁿ⁼¹²⁸⁾
Detailed Assessment	74 ⁽ⁿ⁼¹¹⁹⁾
Air Quality Management Area declaration	71 ⁽ⁿ⁼¹²⁵⁾
Further assessment	72 ⁽ⁿ⁼¹⁰⁶⁾
Air quality action plan	74 ⁽ⁿ⁼¹¹⁵⁾
Progress report	92 ⁽ⁿ⁼¹¹⁴⁾
Air quality action plan progress report	75 ⁽ⁿ⁼¹⁰⁴⁾



Perhaps the most critical determinant of the relative success of consultation practice is whether, or not, views obtained during the consultation process actually affect decision-making processes [8]. The question was rated (1 = very significant, and 5 = not significant) - thus low scores represent a positive response by local authorities to stakeholder inter-action. In general, in response to our questionnaire survey, local authorities suggested that the views of those consulted were important to them. Interestingly there exists a clear belief that consultation raises awareness about LAQM issues. However there was an ambivalent response to the core question (whether consultation actually changes LAQM decision-making processes); and similarly, on behaviour change and relative importance of differing stakeholders views. Never the less, local authorities do believe that consultation is a reasonably worthwhile exercise, and stakeholder's views on LAQM are important (see Table 4).

Table 4: Local authority views on whether consultees affected the LAQM decision-making process.

<i>Statement</i>	<i>Score</i>
Involving stakeholders in consultation increases awareness of air quality issues	2.0
Involving stakeholders in consultation has influenced decision-making	2.8
Not all stakeholder views are equally important	3.0
Involving stakeholders in consultation affects behaviour change leading to better air quality	3.2
We get nothing out of consultation	3.6
Stakeholders' views are not important	4.2

3.2 Case study selection and findings

The case studies were employed to elucidate and build on questionnaire survey evidence [9]. A rigorous case study selection criteria method, comprising four component determinants, was deployed. The selection determinants provided for a range of local authority case studies to be identified. These determinants included:

- Administrative type – district, metropolitan, unitary, London authority.
- Region – southeast, southwest, midlands, northeast, northwest England.
- AQMA status – with or without declared AQMA.
- Consultation communication strategy – simple information provision (1-way communication), consultation (simple 2-way communication), participation (enhanced 2-way communication).



On this basis 10 case studies were chosen. A further case study of Sheffield City Council was included on the basis of further examination of 'better practice' LAQM consultation processes (see Table 5).

Table 5: Case study local authorities.

<i>No</i>	<i>Local Authorities</i>	<i>Admin type</i>	<i>AQMA</i>	<i>Region</i>	<i>Communication Strategy</i>
1	Brentwood	D	Yes	S.East	1
2	Kirklees	M	No	North	2
3	Islington	L	Yes	London	2
4	City of Westminster	L	Yes	London	P
5	Birmingham	M	Yes	W.Mid	P
6	Middlesbrough	U	No	N.East	P
7	Oldham	M	Yes	N.West	2
8	Carlisle	D	No	N.West	P
9	Maidstone	D	Yes	S.East	1
10	Plymouth	U	No	S.West	P
11	Sheffield	M	Yes	N.East	P

(D=district, M=metropolitan, L=London borough, U=unitary.

1=one-way, 2=two-way, P=participation communication strategies).

3.3 Initial case study outcomes

Semi-structured interviews were carried out with a representative series of local authority environmental health officers concerning their experience of LAQM consultation processes. In general their situated practical experience of this process mirrored the results from the questionnaire survey. In other words, although local authorities were supportive of the theoretical underpinning of greater stakeholder inclusion in LAQM processes, and authorities were making genuine attempts at engaging a broad range of stakeholders; the actual process of consulting with stakeholders was perceived to be problematic.

A major concern was how to integrate consultation outcomes in any subsequent LAQM decision-making. In other words, there were difficulties in 'weighting and reporting responses', and 'embedding responses in decisions'. Local authorities were concerned that non-expert stakeholders 'had difficulties in engaging with complex air quality science'. At times, eliciting community responses 'were a struggle - response rates were poor'. Some authorities were concerned that current practice was perceived as a 'tick-box exercise' by local communities, rather than an example of real participatory democracy.

In this context, some authorities felt subject to a 'piggy in the middle effect', sandwiched between central government and local communities. Conversely, authorities tended to 'feel more at ease with statutory stakeholders', and were more able to include their responses. One message became clear during the

interview process: that there was a perceived 'lack of guidance and funding' on how to carry out and improve LAQM consultation.

3.4 A 'better practice' case study exemplar

Amongst a reasonably large set of 'good practice' LAQM consultation exemplars contained within our case study group, at least one case study tended to stand out as a potential emergent example of 'better practice': that of Sheffield City Council. Although Sheffield provides an information-rich and inter-active web site, the key component of its relative success is the ability to knit together formal (top-down) and informal (bottom-up) LAQM networks. This work was enabled via the development of initial 'options scoping' at ward level. Community 'Area Panels' were formed, and 'Clean Air Partnerships' comprising both statutory (expert) and non-statutory (community) members were set up. External air quality and consultation facilitation consultants were employed to bolster the authority's capabilities. Under the 'Sheffield Development Framework', the 'East End Strategy Group' was formed, comprising local communities, businesses and the local authority. In this context, the 'East End Quality of Life Initiative' was able to directly engage as formal LAQM consultees – this is example of 'joint-working' is significant as this body represents an amalgam of constituencies, and therefore carries both social and local force.

Sheffield's 'Diffusion Tube Project' led by an outreach worker (who is Director of the Local Community Forum) provides a good example of how to empower and engage communities affected by poor air quality. The interviewee noted a 'perceived lack of trust' in local authority monitoring by the residents of Tinsley, an 'Objective 1 Economic Zone' and 'Housing Market Renewal Area' and 'Health Action Zone' adjacent to the M1 motorway. In tandem with the residents of Tinsley and the LA, the outreach worker set up a community-based diffusion tube monitoring experiment. A Project Steering Group was formed comprising locals, local authority built environment and transport planners, and environmental health officers. The idea was to empower the community to monitor on a 'do it yourself' basis an element of local air quality in order to 'better own' the problem. This process engaged the interest of the local media who reported the progress of the project.

Because the experiment was funded by formal resource structures (the project was funded by the Primary Care Trust) and included formal local authority and informal local community components; this allowed for a clear broad-based stakeholder constituency to thrive and impact on LAQM in that area. In other words the experiment facilitated better 2-way consultation, communication and participation consultation processes concerning LAQM in Tinsley. Importantly, the project provided real leverage on planning decisions in that area, thereby demonstrating a critical link between consultation and participation. This represents a core outcome of enhanced communication between local authorities and their stakeholders in the context of LAQM consultation processes.



4 Conclusions

Our findings tend to suggest that there is no 'off the shelf' resolution to the consultation dilemma. Local authorities are faced with a series of substantive challenges in contacting, engaging with, and incorporating the views of their diverse constituencies within the LAQM decision-making process. However, in order to assist local authorities in this process we have evolved a range of preliminary emergent 'better practice' parameters which build upon and operationalise our research findings.

We suggest that local authorities and their stakeholder's commitment to involve in the process are best enabled via experienced and effective 'local champions' (within both the community and the local authority). Local authorities and their communities should be able to access adequate resources to engage in the consultation process (levered by relevant funding streams). Trust in the process can be built through 'co-work' exercises - for example LAQM knowledge can be co-produced via 'pollution measurement partnerships' (between the community and the local authority). Perhaps the most critical determinant of 'better practice' LAQM consultation is the link between consultation and subsequent decisions. In this context stakeholder engagement should be timely and have the capacity to effect real change via a clear association with the LAQM decision-making process.

In summary, effective LAQM consultation results from a holistic set of pre-conditions, and works best when informal networks are empowered to interact with formal networks, and this interaction can be enabled by skilled local advocates. This process works well when it is adequately resourced and is carried out over a reasonably extended time frame. Critical to this is the point at which local authorities consult.

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