

# General Licensing Committee

Report of Head of Corporate Strategy

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To: General Licensing Committee

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## Air Quality Action Plan

### Recommendation

- That the General Licensing Committee approves the Air Quality Action Plan.
- That the head of corporate strategy be given delegated powers to make any minor amendments to the plan in consultation with the Cabinet Member for Health and the Chairman of the General Licensing Committee.

### Purpose of Report

1. To ask the committee to approve the Air Quality Action Plan and consider the report containing the responses to the public consultation.

### Strategic Objectives

2. Support for communities.

### Background

3. The European Union sets the national requirement for air quality management and has declared national Air Quality Objectives (AQO) for different types of pollutants. These have been incorporated into UK law.
4. Under the Environment Act 1995 the council has a duty to monitor air quality against these standards and report on local air quality to Defra. If an AQO is not

being met the council is required to declare an Air Quality Management Area (AQMA). This is the case in Abingdon and Botley.

5. In order to meet the AQO in those areas officers have produced an Air Quality Action Plan (AQAP), attached at Appendix One, in consultation with stakeholders
6. Levels of traffic related nitrogen dioxide close to or above the AQO of  $40\mu\text{g}/\text{m}^3$  led to the designation of AQMAs in Abingdon and Botley. As the pollution is traffic related officers have consulted the highway authority during the production of the plan.
7. Officers developed a plan for Abingdon in 2009. When considering developing a separate plan for Botley officers decided instead to create a wider AQAP aimed at improving air quality across the district but with particular reference to AQMAs. This approach has been approved by Defra and can be updated with additional chapters for any subsequent AQMAs.
8. National guidance relating to action planning requires the council to consult on the AQAP before finalising it. Officers therefore carried out a public consultation exercise between June and August 2014 on the draft.
9. We received forty seven responses, which were broadly in favour of the measures included. The full consultation report is attached as Appendix Two.
10. Many of the respondents commented on the omission of Marcham from the AQAP. Marcham is not currently declared as an AQMA and there were therefore no measures specifically related to it. Officers will bring a report to this committee in early 2015 that will deal with air quality issues in Marcham.

## **Financial Implications**

11. Where measures are the responsibility of this council, we will deliver them using existing officer time and budgets. If the measures require additional resources then officers will seek external funding via, for example, Defra grants.

## **Legal Implications**

12. There is a legal requirement under the Environment Act 1995 for a local authority to produce an AQAP targeted at meeting air quality objectives where an AQMA has been declared.

## **Risks**

13. The council would be failing in its duties under the Environment Act 1995 if it did not approve an AQAP targeted at meeting the AQO in Abingdon and Botley.

## **Other Implications**

14. Officers are required to monitor and report on air quality and declare an AQMA where an AQO is exceeded. They also have to work with the highway authority in their action planning as only reductions in traffic emissions will have a material impact upon this issue. There is no legal obligation to achieve the AQO, only a requirement to work towards meeting the objective.

## **Conclusion**

15. When the council declares an AQMA it has a duty to develop an AQAP. Officers have developed a district wide AQAP containing measures which will work towards meeting the objectives in Abingdon and Botley.

## **Background Papers**

None

## **Appendices**

Appendix 1 - Air Quality Action Plan

Appendix 2 - Air Quality Action Plan 2014 - consultation responses