

## Bath & North East Somerset Council

DECISION MAKER:	<b>Cllr Charles Gerrish, Cabinet Member for Service Delivery</b>	
DECISION DATE:	<b>On or after 19<sup>th</sup> March 2011</b>	PAPER NUMBER
TITLE:	<b>Air Quality Action Plan for Bath.</b>	EXECUTIVE FORWARD PLAN REFERENCE: <b>E 2245</b>
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>  <b>Appendix A: Proposed Air Quality Action Plan for Bath.</b>  <b>Appendix B: Summary of the findings of a consultation exercise.</b>		

### **1 THE ISSUE**

1.1 The Environment Act 1995 introduced a requirement that every local authority is under a duty to carry out regular reviews of the air quality in their boundaries. Following a review of the air quality an Air Quality Management Area has been declared for parts of Bath. Following the declaration of an Air Quality Management Area the authority is required to produce an action plan outlining the measures it proposes to take to reduce the levels of pollution.

1.2 A consultation exercise has been undertaken to consider the various options available to reduce pollution and to hear the public's views on what should be included. The Cabinet Member is being asked to adopt the Action Plan.

### **2 RECOMMENDATION**

The Cabinet Member is asked to agree that:

2.1 The Air Quality Action Plan provided in Appendix A is adopted.

### **3 FINANCIAL IMPLICATIONS**

- 3.1 Following the declaration of an Air Quality Management Area or areas the authority is legally required to produce an Air Quality Action Plan, which states what measures the authority is going to take to reduce the levels of pollution in the affected areas. Prior to declaring its Action Plan, the authority must consult with the local community on the proposed measures.
- 3.2 The Action Plan will commit the local authority to some measure of expenditure. However the authority has to carry out a cost benefit analysis of all proposed actions and this will be indicated in the consultation document when it is released. Where proposals are seen as not being cost effective then the authority can decide not to pursue those actions. Following consultation a recommendation will be made to the authority regarding funding of any necessary measures.
- 3.3 Addressing air quality problems is one of the criteria used by the Department for Transport to allocate Local Transport Plan funds to local authorities through the Integrated Transport Block. Improving air quality is one of the main objectives of the Joint Local Transport Plan. Those schemes recommended in the Action Plan that provide good value for money will be considered for funding from the Integrated Transport Plan Block allocation.
- 3.4 A “growth item” of £30k has been included in the 2011/12 Environmental Services, Service Action Plan to finance an additional member of staff. However, funding for this post will be achieved through the savings made in the re-negotiation of the Council’s Scientific Services contract. The tasks for this post holder will be to work with colleagues within other services of the Council and organisations outside the Council to progress the measures identified in the Air Quality Action Plan.

### **4 CORPORATE PRIORITIES**

- Addressing the causes and effects of Climate Change
- Improving transport and the public realm

### **5 THE REPORT**

- 5.1 The Environment Act 1995 introduced a requirement that every local authority should carry out regular reviews and assess the air quality within their boundaries. The Government set standards for a number of pollutants, which they required authorities to monitor. If the levels of pollution are found to be above, or predicted to be above, the Government’s targets then the local authority is required to declare an Air Quality Management Area (AQMA’s) for that area.
- 5.2 AQMA’s are set up where air pollution levels are high enough to be a potential health risk. As almost all air pollution comes from traffic emissions, AQMA’s are often set up along major roads. An AQMA has already been declared along the major road network in Bath. Measures to improve air quality in this area have already been determined and an Air Quality Action Plan has been produced. Money from government has been allocated to the Council to deal with traffic-related air pollution in the Integrated Transport Block Allocation.

5.3 A review of the air quality in Bath revealed a number of exceedences in the level of pollution (Nitrogen Dioxide). A further detailed assessment confirmed that the level of nitrogen dioxide along the main "A" roads are higher than the Government's acceptable limits and the Council declared an AQMA for that area in 2008.

5.4 Following the declaration of an Air Quality Management Area or areas the authority is legally required to produce an Air Quality Action Plan, which states what measures the authority is going to take to reduce the levels of pollution in the affected areas. Prior to declaring its Action Plan, the authority must consult with the local community on the proposed measures.

5.5 The Cabinet Member is asked to consider the responses received from the consultation exercise in Appendix B and to adopt the Action Plan provided in Appendix A.

## **6 RISK MANAGEMENT**

6.1 The report author and Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

7.1 A proportionate equalities impact assessment has been carried out using corporate guidelines.

## **8 RATIONALE**

8.1 The rationale behind recommending adopting the Action Plan in Appendix A is that the plan reflects the views of the local residents and businesses and also the views of the Council's Transportation Planning team.

## **9 OTHER OPTIONS CONSIDERED**

9.1 Other options considered include:-

- (1) Not to adopt an Air Quality Action Plan. This is not an option as the Council would be in breach of the Environment Act 1995.
- (2) Following the consultation exercise, some of the measures were amended due to changes introduced to the funding of transport initiatives, by the new government.

## **10 CONSULTATION**

10.1 A full consultation exercise has been carried out over a period of three months including all of the residential and local businesses within and surrounding the proposed Air Quality Action Plan. A summary of the findings of the consultation exercise is provided in Appendix B.

## **11 ISSUES TO CONSIDER IN REACHING THE DECISION**

11.1 Social Inclusion; Customer Focus; Sustainability; Human Resources; Human Rights; Other Legal Considerations (Environment Act 1995)

## 12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Council Solicitor) and Section 151 Officer (Strategic Director - Support Services) have had the opportunity to input to this report and have cleared it for publication.

<b>Contact persons</b>	Robin Spalding; Environmental Monitoring Technical Officer. Tel 01225 396622  Andrew Jones; Environmental Monitoring and Licensing Manager; Tel 01225 477557
<b>Background papers</b>	Environment Act 1995  Department of Transport Guidance on Local Transport Plans, dated July 2009.  DEFRA Guidance on Local Air Quality Policy Guidance.
<b>Please contact the report author if you need to access this report in an alternative format</b>	