

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Cllr Warren, Deputy Council Leader (Statutory) and Cabinet Member for Climate Emergency and Sustainable Travel	
DECISION DATE:	On or after 15th March 2025	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3584
TITLE:	Adopting the Bath Air Quality Action Plan 2024	
WARD:	Bathwick; Kingsmead; Lambridge; Lansdown; Newbridge; Oldfield Park; Walcot; Westmoreland; Widcombe & Lyncombe;	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1. Bath Air Quality Action Plan 2024 Appendix 2. Equality Impact Assessment		

1 THE ISSUE

- 1.1 Officers monitor the concentration of nitrogen dioxide throughout the district. Where concentrations are found to be exceeding the objective limit of an annual average in excess of 40 micrograms per cubic metre, the local authority is required to declare an Air Quality Management Area (AQMA). The AQMA for Bath was declared in 2002, this was later updated to the current area in 2013 (Figure 1 in Appendix 1). Following declaration of the Air Quality Management Areas (AQMA), the Council is obliged to develop Air Quality Action Plans which seek to reduce air pollution to below the objective limit. Under the Part IV of the Environment Act 1995 as amended by the Environment Act (2021); the local authority is required to update the Action Plan every 5 years. The existing Air Quality Action Plan was adopted for the Bath AQMA in 2011 and was supplemented with the Clean Air Plan in 2020.

2 RECOMMENDATION

The Cabinet Member is asked to;

- 2.1 Approve and adopt the Bath Air Quality Action Plan 2024.

3 THE REPORT

- 3.1 Under Part IV of the Environment Act 1995 as amended by the Environment Act (2021), and the relevant Policy and Technical Guidance documents local authorities are required to review and assess air quality within their area.

- 3.2 Bath & North East Somerset Council has monitored and endeavoured to address air quality in Bath, and the wider B&NES area, since the mid-1990s.
- 3.3 In 2002 B&NES declared an AQMA in Bath, this was later updated to the current area in 2013.
- 3.4 This action plan replaces the previous action plan which ran from 2011-2024 and covers the Bath Air Quality Management Area.
- 3.5 This report outlines the actions that Bath and North East Somerset Council will deliver between 2024 and 2029 in order to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the city of Bath.
- 3.6 This AQAP supplements the Clean Air Plan which has successfully passed a State 3 assessment, which means concentrations across Bath have been maintained below 40 µg/m³ for 2 years. The Clean Air Plan forms part of the Government's Local NO₂ Plan initiative which is separate from the LAQM framework. Whilst the regimes are separate the plans will be complementary with both designed to reduce NO₂. Measures from the Clean Air Plan are incorporated into the AQAP tables.
- 3.7 Whilst the NO₂ concentrations in Bath have reduced to below 40 µg/m³, the Council needs to demonstrate ongoing compliance with the objectives before revoking the Air Quality Management Area. The Council is required to update the Air Quality Action Plan to ensure concentrations are kept below 40 µg/m³ and improvements continue to be made.
- 3.8 The Council is also keen to go beyond the legal objectives and continue to improve air quality within the district.
- 3.9 This Plan will be reviewed every five years at the latest and progress on measures set out within this Plan will be reported, annually within Bath and North East Somerset Council's air quality annual status report.

4 STATUTORY CONSIDERATIONS

- 4.1 The revised Bath Air Quality Action Plan is a statutory duty under Part IV of the Environment Act 1995 as amended by the Environment Act 2021.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 The Bath Air Quality Action Plan 2024 does not place any additional resource implications to the Council.

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

(Separately document to this report)

- 6.2 The Air Quality Action Plan for Bath is greater than 5 years old. The Local Air Quality Management Statutory Policy Guidance 2022 (LAQM.PG (22))

introduced a new warning process for overdue AQAPs which came into effect on 30 June 2023. If the revised AQAP for Bath is not adopted, the warning process will start with increasing warning letters ending with a section 85 Ministerial letter to the Local Authority requiring the submission of a new AQAP.

7 EQUALITIES

7.1 An Equalities Impact Assessment has been carried out and discussed with the equalities team. This can be found in Appendix 2.

8 CLIMATE CHANGE

8.1 The Council declared a Climate Emergency in March 2019, resolving to provide the leadership to enable the Bath and North East Somerset area to be carbon neutral by 2030. This was followed by the Ecological Emergency, which was declared in July 2020, recognising the severity of the degradation of the natural environment and loss of wildlife, the consequences of this, and the urgency with which we need to take action to restore nature. The Council resolved to be nature positive as an organisation by 2030.

8.2 The Bath AQAP aims to reduce pollutant concentrations, and this will also lead to a reduction in carbon dioxide emissions.

9 OTHER OPTIONS CONSIDERED

9.1 None

10 CONSULTATION

10.1 Internal stakeholders were involved in the development of the plan and were given the opportunity to comment.

10.2 As recommended in the policy guidance (LAQM.PG(22)), all statutory consultees were informed of the Bath AQAP 2024 and given the opportunity to comment. These include National Highways, Neighbouring Local Authorities, Environment Agency, West of England Mayoral Combined Authority and Defra.

10.3 Residents and Businesses within Bath were informed of the Bath AQAP 2024 and given the opportunity to comment.

10.4 Ward Councillors informed of the Bath AQAP 2024 and given the opportunity to comment.

10.5 To raise the profile of the Bath AQAP 2024 we undertook a press release, ensured it was on the Council's website and in the libraries in Bath.

10.6 Consultation period ran between 29th November 2024 to 10th January 2025. In total we received 28 responses from stakeholders. A summary of the responses from stakeholders can be found within Appendix A of the Bath AQAP.

10.7 The document has been approved by the Council Section 151 Finance Officer and Monitoring Officer.

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Background papers	Bath Air Quality Action Plan 2011
Please contact the report author if you need to access this report in an alternative format	