

Report to Executive

Agenda
Item:
A.3

Meeting Date: 8th February 2021

Portfolio:

Key Decision: YES

Within Policy and
Budget Framework NO

Public / Private Public

Title: Air Quality Action Plan Consultation and adoption

Report of: Corporate Director of Governance and Regulatory

Report Number: Services GD. 19/21

Purpose / Summary:

The purpose of this report is to put forward a summary of the Local Authorities Air Quality Action Plan, whilst also undertaking consultation with key stakeholders.

Recommendations:

It is recommended that the Executive approve the Air Quality Action Plan and note that the recommended key measures have been identified in conjunction with the key partners, so we are able to deliver improvements to Nitrogen Dioxide concentrations in the Air Quality Management Areas. Government guidance requires local authorities to have regard to the cost effectiveness and feasibility of measures in their Air Quality Action Plans.”

Tracking

Executive:	28th January 2021
Overview and Scrutiny:	
Council:	

1. BACKGROUND INFORMATION AND OPTIONS

- 1.1 Local authorities have historically had a major role to play in improving air quality. The Environment Act 1995 extended the responsibilities of local authorities to actively review and assess potential concentrations and sources of the main air quality pollutants. Carlisle City Council's Environmental Health service undertakes the review and assessment process and publishes the reports on the website:
http://www.carlisle.gov.uk/environment_and_waste/environmental_health/air_quality/air_quality_documents.aspx
- 1.2 Further to these review and assessments five "Air Quality Management Areas" (AQMA's) were declared due to excessive annual average concentrations of Nitrogen Dioxide (NO₂) from motor vehicle exhausts. This has been subsequently reduced to 3 AQMA's due to ongoing air quality improvements. NO₂ is a respiratory irritant and can particularly affect those who are already suffering from respiratory conditions such as asthma. Reactions between pollutants in the atmosphere can also lead to changes in concentrations of other gasses, such as ozone (O₃).
- 1.3 After declaring an Air Quality Management Area the council is obliged to produce an Action Plan that sets out the measures that it, and its partners, intends to take to reduce NO₂ concentrations.
- 1.4 Defra's Policy Guidance details the content and consultation required for Air Quality Action Plans. This report relates to the latest Action Plan which has been produced in partnership with Ricardo. Ricardo are specialist consultants that provide expert advice to Local Authorities on environmental matters. Ricardo have undertaken detailed traffic modelling to identify the best way to achieve compliance in AQMA 4 (Bridge street), this is currently the only area of the city with levels of NO₂ which exceed the government objective levels.
- 1.5 The new Action Plan replaces the revised action plan from 2012. The Action Plan discusses the likely causes of high NO₂ concentrations (traffic congestion and heavy-duty vehicles) and details 12 local measures which are expected to reduce these concentrations over the next five years. The full report can be viewed at:
<http://www.carlisle.gov.uk>. A summary table is also contained in Appendix 1 of this report
- 1.6 Although as the lead authority, some measures will involve partnership working to raise awareness of how community actions influence air quality and also in encouraging alternative modes of transport.

- 1.7 The City Council must consult on its Air Quality Action Plan after it has been developed with relevant key players such as transport planners, the Environment Agency and the Highways Agency. It is recommended that the consultation exercise should last for 6 weeks to run alongside the executive decision.
- 1.8 As the three Air Quality Management Areas are in 3 different three city wards, and the 12 measures relate specifically to improving air quality within those wards, the Action Plan is a key decision for the Executive. It is requested that the Executive agree to the measures recommended in the Air Quality Action Plan.
- 1.9 The report also contains an update of the planning procedures on air quality impact assessments and when they are likely to be required, this will support the Planning Officers role and inform Developers at the onset on what will be required with the most up to date advice and guidance. This will enable the Officers to add greater clarity and consistency in the decision-making process. This is appendix c of the main report.

2. CONSULTATION

- 2.1. The consultation process has involved sending the final version of the draft Action Plan to the County and City Council officers involved in its development, as well as other key stakeholders that have been involved throughout the report's development. The Action Plan was made available for public consultation on the City Councils website and comments were invited using the Environmental Health Mailbox or by writing to the department. The department received 5 responses from members of the public.
- 2.2 The Council is only required to consider and publish the comments from keystakeholders ,as detailed in table 4.1 of the report available on the City Councils website, this will be updated on completion to include any comments in Appendix A or the main online report and reasons for not including the comment in Appendix B of the online report.
- 2.3 The 6-week consultation period for the Draft Plan ended on 11th January 2021, however as not all the keystakeholders had commented on the final draft, an extension was made until the end of January 2021, so feedback could be raised at Executive in a timely manner. The final version of the document will then be submitted to Defra, following formal approval from the council's executive panel.

3. RISKS

- 3.1 In order to comply with the legislative requirements and the management of the AQMA we need to have an adopted Action Plan, without this in place we risk a legal challenge.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 4.1 The final version of the action plan, contained as an Appendix to this report will be adopted and it is agreed the main report on the website will be updated accordingly thereafter. If there are any significant alterations required then these can be addressed in the annual review of the action plan, which will take place every year from April 2022.
- 4.2 The update in Appendix C of the main report featured online, will replace the previous 'Air Quality and Land Use Planning' guidance document, which was produced in 2006 and is now out of date.

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**Appendices Appendix 1 Action Plan Measures
attached to report:**

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

- **None**

CORPORATE IMPLICATIONS/RISKS:

Finance – The Air Quality Action Plan will be delivered within existing budget resources

Equality – No Equality comments

LEGAL – Section 82 of the Environment Act 1995 provides that every local authority shall review the air quality within its area. Section 83 requires local authorities to designate air quality action areas where air quality objectives are not being achieved. Section 84 requires a local authority to carry out an assessment and then develop an Action Plan for the air quality management area. Where the Secretary of State is not satisfied that an authority has adequately discharged its duties, he may issue a direction to the authority under section 85 requiring it to prepare an action plan, or to modify an existing action plan.

PROPERTY SERVICES – No Property comments

INFORMATION GOVERNANCE – The consultation literature should include relevant privacy notice information to ensure individuals are informed of the processing of their personal information and their contributions.

APPENDIX 1. Action Plan measures.

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
1	Construction of the new Carlisle bypass extension to the south of the city. Monitor the air quality impacts of the 'Carlisle Northern Development Route' and the proposed bypass extension.	Traffic Management	Other	Cumbria County Council & Carlisle City Council	Complete	2007-2012.	Reduced NO2 levels at monitoring locations and within AQMA's.	Potential for significant improvement in NO2 levels across the city centre.	CNDR is operational. Monitoring at receptors on new road revealed consistently low NO2 levels. Further evidence of NO2 improvements and traffic reduction in the city centre. Several new cycle links from arterial routes to CNDR complete. Plans for future improvements Environmental Health have provided a consultation response in relation to the new bypass and have requested that an Air Quality Impact Assessment is carried out.	Ongoing	Plans being developed for the 'Southern Bypass' as part of the Garden Village project This would extend the existing CNDR and link both ends of the bypass to the M6 Motorway, around the City Centre. The southern bypass project is now in the procurement stage and it is expected that works will begin in the next few years.
2	Effective traffic management measures will be implemented to improve traffic flow on the existing road network and in new developments.	Traffic Management	UTC, Congestion management, traffic reduction	Cumbria County Council & Carlisle City Council	Ongoing	Ongoing	Reduced NO2 levels and standing traffic within AQMA's.	Modelling undertaken at AQMA 4 indicates that a 2.7% reduction in NOx would achieve compliance.	Completed works on pedestrian crossing on Castle Way incorporating Smart Signalling from the main Hardwicke Circus roundabout. Traffic modelling has shown that emissions from diesel vehicles dominate emissions Emissions factor toolkit has been used to show increased traffic speeds would reduce oxide of nitrogen emissions within Bridge Street. Work will continue to improve traffic management in this area.	Ongoing.	Such projects require significant investment.
3	Environmental Health will work alongside the Planning Department to minimise the air quality impacts of new developments.	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	Carlisle City Council	Ongoing	Ongoing	Effective links between EH and Planning officers. AQIA's submitted where necessary. Early consultation with applicants.	Not calculated	Environmental Health is consulted on all proposed developments which may impact on air quality. Responses are aimed at minimising AQ impacts. This includes large residential developments. Recommendations made for car charging points on all new residential properties with parking/garage provision.	Ongoing	Environmental Health comment on all potentially polluting developments. The outcome depends on Planning Department and current policy

4	Improvements to passenger transport infrastructure. Sustainable transport will be integrated into major new developments	Transport Planning and Infrastructure	Bus route improvements	Cumbria County Council	Ongoing	Ongoing	Improved bus service. Increased use of transport provided. Reduced NO2 along main routes	Not calculated	Ongoing improvements to bus services with new shelters and raised kerbs. Plans for large new housing developments include public transport provision and/or sustainable transport options.	Ongoing	Success is dependent on public uptake of sustainable transport options. No real control over the improvement of vehicle fleet.
5	Cycling and walking will be encouraged. Implement new and improved pedestrian and cycle links	Transport Planning and Infrastructure	Cycle network	Cumbria County Council	Ongoing	Ongoing	Completion of proposed works and ongoing improvement of the cycle and pedestrian route network.	Not calculated	The pedestrian crossing on Castle way incorporating Smart Signalling is complete. Pedestrian/cycle bridge connecting Currock and Denton Holme, over the railway line are complete. There are long term aspirations to see a new cycle/footway connecting Etterby area in the north of the city to the west. This will utilise an existing disused railway bridge, over the river Eden. Ongoing applications for government funding for schemes that aim to improve the existing cycleways, creating new sections of cycle track. Extensive plans to increase the cycle path network are now in place.	Ongoing	Ongoing plans associated with improved pedestrian and cycle connections to the CNDR. Funding required to accelerate major improvements.
6	Travel plans will be required for all new developments that meet the criteria. Existing businesses will be encouraged to implement, monitor and review travel plans.	Promoting Travel Alternatives	Workplace Travel Planning	Cumbria County Council & Carlisle City Council	Ongoing	Ongoing	Increased number of participant businesses and more widespread use of alternative transport.	Not calculated	All schools within the city now have travel plans. New developments likely to result in increased highway usage must submit a travel plan for approval when making an application.	Ongoing	Difficult to quantify the impact of Travel Plans.
7	The City Council will continue to provide comprehensive environmental control over emissions from all Part A2 and B Processes located within the local authority area.	Environmental Permits	Other measure through permit systems and economic instruments	Carlisle City Council	Ongoing	Ongoing	Risk based inspections showing that emission limits are being met and efforts are being made to improve on national objectives.	Not calculated	All processes which fall under part B & A2 processes are permitted by Carlisle CC. There were 3 A2 and 41 part B processes in 2019. No recent enforcement action required during 2019 in relation to emissions.	Ongoing	No new major polluting processes in Carlisle

8	The City Council will continue to investigate complaints of black smoke and smoke nuisance as well as managing smokeless zones. Enforcement action will be taken as necessary.	Public Information	Other	Carlisle City Council	Ongoing	Ongoing	Reduction in the number of complaints from members of the public. Reduction in repeat offences.	Not calculated	<p>There is information on our website. An advice leaflet has been produced in relation to garden bonfires.</p> <p>Environmental Health provide advice and enforcement as required. Smoke complaints are responded to involving domestic fires, bonfires, burning of trade waste, industrial and dark smoke. 47 complaints specifically relating to Domestic burning, bonfires and burning of trade waste during 2019.</p> <p>Increase in enquiries and uptake of log burners and multi fuel stoves. Advice given to minimise potential for smoke issues and ensure compliance with smokeless zones.</p>	Ongoing	The Air Quality Strategy set out a goal to cut public exposure to particulate matter pollution. The aim is to reduce by half the number of people in the United Kingdom exposed to the WHO guideline concentration of 10 µg m ⁻³ by 2025. The measures set out here will contribute to this target.
9	Provision of home improvement grants and energy saving advice to the public.	Public Information	Other	Carlisle City Council	Ongoing	Ongoing	Number of properties taking up schemes, resulting in Improved energy efficiency of housing stock.	Cumbria Warm Homes Project (CWHP) delivered a reduction of 317296 lifetime carbon tonnes.	<p>Carlisle CC Home Improvement Agency is currently delivering Health through Warmth Scheme, supported by the Energy Companies Obligation. This includes boiler upgrades and home insulation. Safe and warm grants are provided by the council to deliver up to £7,500 to enable low income homes to carry out minor repairs and energy efficiency measures to their homes. Work has begun on enforcing the Minimum Energy Efficiency Standards, specifically aimed at private rented sector properties.</p> <p>New energy efficiency grants are now available up to £3000 through council grant scheme.</p>	Ongoing	Carlisle CC have now revised Housing Renewal Assistance Policy under the Regulatory Reform Order 2002. This covers all grants involving housing and energy efficiency measures.
10	Environmental Health will work alongside the Neighbourhoods and Green Spaces team to implement the effective use of trees and green areas to offset traffic derived emissions.	Public Information	Other	Cumbria County Council & Carlisle City Council	Ongoing	Ongoing	Increase in trees and vegetation in visible locations. Increased public interest.	Not calculated	<p>Carlisle City Council continues to manage and maintain trees in parks and green spaces, including some additional planting, of mainly mixed broadleaf species, where necessary. Planting of green areas is an essential part of many new developments, including residential.</p>	Ongoing	Limitations to planting options in busy urban areas. Parks and open spaces do not have significant air quality issues. Green Spaces continue to have a positive public impact.

11	Air Quality considerations to be included in all relevant City and County Council policies and strategies.	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	Cumbria County Council & Carlisle City Council	Ongoing	Ongoing	Increased awareness of air quality issues and consideration given by more council departments.	Not calculated	<p>Included air quality links within most major relevant policies including Local Transport Plan (LTP 3) (2011-26) and The Carlisle District Local Plan (2015-30).</p> <p>New schemes being developed to deliver improved cycling routes and vehicle charging infrastructure.</p> <p>The draft 'Carlisle Local Environment (Climate Change) Strategy' is now in the public consultation phase.</p>	Ongoing	Air Quality considerations are put forward during discussion and consultation stages of policy development.
12	Promotion of air quality and sustainable transport issues. Air quality information and monitoring data will be provided to the public.	Public Information	via the Internet	Carlisle City Council/PH	Ongoing	Work closely with DPH and multi-agency partners to raise awareness and AQ issues	Increased public awareness and participation in improving air quality.	Not calculated	<p>Air quality info and real time monitoring data is available on the website. Monitoring data shows continued improvement in most areas. Carlisle CC is actively supporting and promoting Clean Air Day, utilising Social Media and our website, as part of the Global Action Plan.</p> <p>Cumbria's bid for £2.5 million of National Lottery funding to cut carbon emissions in the county has been successful. The project aims to raise ambition to tackle climate change and sharing learning and resources.</p> <p>The public will be able to influence and drive climate action through citizens' juries and other projects, with community groups steering the programme.</p>	Ongoing	Difficult to quantify improvements as a direct result of promotional work or providing monitoring data.

EXCERPT FROM THE MINUTES OF THE HEALTH AND WELLBEING SCRUTINY PANEL HELD ON 14 JANUARY 2021

HWSP.11/21 AIR QUALITY ACTION PLAN CONSULTATION AND ADOPTION

The Principal Health and Housing Officer submitted report GD.07/21 which summarised the Local Authorities Air Quality Action Plan.

The Principal Health and Housing Officer set out the background to the Air Quality Action Plan and the consultation process which had been undertaken and the responses received.

The Panel considered the low number of responses received and the number of Members who had not been able to stay at the meeting. The Panel asked that the report be brought back to its February meeting, if timescales allowed, for further scrutiny by the Panel. If timescales did not allow Members could pass their responses to the consultation directly to the Principal Health and Housing Officer.

The Panel discussed the changes to bus routes and the efficiencies that had been made and suggested that further work be undertaken to link bus routes to the cycling and walking network. A suggestion was also made that park and ride schemes be considered for the City.

The Panel noted the aspiration to open Waverly Viaduct and asked for an update on the Waverly Viaduct to be submitted to a future meeting of the Panel.

The Environment and Transport Portfolio Holder acknowledged the work that had been undertaken to produce the detailed Action Plan. He highlighted the continuously improving air quality in Carlisle and some of the practical work that had happened to achieve clean air along with the discussions that were ongoing with the public transport providers in the City and the County Council Highways Team.

The Finance, Governance and Resources Portfolio Holder also drew attention to the excellent work that had achieved the clean air in the City which everyone benefited from.

RESOLVED – 1) That the Panel scrutinised the Air Quality Action Plan Consultation and adoption (GD.07/21).

2) That an update on the Waverly Viaduct project be submitted to a future meeting of the Panel.

3) That the Local Authorities Air Quality Action Plan be reconsidered by the Panel, if timescales allowed. If not Panel Members would submit their response to the consultation directly to the Principal Health and Housing Officer.