

BRECKLAND DISTRICT COUNCIL

Report of: Executive Member People and Information, Alison Webb and Executive People & Public Protection Manager Phil Adams

To: Cabinet 1 May 2018
Overview and Scrutiny Commission 19 April 2018

Author: Andrew Grimley, Team Leader Environmental Protection

Subject: Air Quality Action Plan

Purpose: To present to members details of a proposed Air Quality Action Plan to address elevated air pollution levels within the town of Swaffham

Recommendation(s):

- 1) That members approve the draft Air Quality Action Plan (AQAP) for Swaffham and authorise delegated powers for the Executive Member People and Information to sign off the plan once it has been finalised**

1.0 BACKGROUND

- 1.1 Members' attention is drawn to the Swaffham Air Quality report taken to the 21st March 2017 Cabinet meeting which reported issues with poor air quality in Swaffham and the need to declare an Air Quality Management Area (AQMA) in the centre of Swaffham. See Appendix 1.
- 1.2 Cabinet accepted the need to declare an AQMA and that there was a subsequent need to develop, in consultation with Overview and Scrutiny Commission, the local community and other interested bodies, an air quality plan to address the issues raised by the AQMA. See Appendix 2 for AQMA order, which came into force from 1 May 2017 and plan.
- 1.3 Overview and Scrutiny Commission were involved in establishing the Steering group required to oversee the development of an Air Quality Action Plan (AQAP) to address the air quality issues. The Steering Group is composed of representatives from Overview & Scrutiny Commission (Councillor Wilkinson), the Public Protection team (Environmental Protection), Planning (Capita), Norfolk County Council (NCC Transport Planning and Public Health), Councillor Paul Darby Swaffham District Councillor and Swaffham Town Council. The Steering group met to discuss the requirements of the action plan and identified a number of potential actions to be included within it.
- 1.4 It should be stressed that the Action plan only sets out measures aimed at improving air quality in a section of the town centre (centring on the junction of Station Street, Mangate Street, the A1065 Market Place and Lynn Street) for the Council and its partner organisations to investigate in terms of their feasibility on both a practical and financial basis. It should be stressed that the action plan is not a list of actions which will be implemented:
 - 1.4.1 The suggested action plan measures were put out for consultation from 12 January for a period of 6 weeks focussing on obtaining the views of as many interested parties as possible including local residents, members of the public visiting the town, Swaffham

Town Council, District and County Council members, local schools, business and organisations. Static displays with leaflets, flyers and questionnaires were placed in central locations accessible to local people and organisations including the library, town council offices and the Green Britain centre.

1.4.2

We had 194 responses to the consultation. The respondents were principally residents (84%) and visitors to town centre (29.6%); with 5 responses each from businesses and schoolchildren.

Measures: All of the measures put forward for investigation in the draft AQAP (Section 5 Appendix 3) were supported by the majority of respondents.

The ones with less support were ‘

- Educate drivers to adopt more eco-friendly driving styles’ (76% support),
- Introduce air quality as a topic in schools’ (82% support)
- and ‘investigate car parking arrangements’ (79% support).

Comments: We had 159 comments with broad support for investigations into

- Reducing the amount of HGV / agricultural traffic through the town centre (25%),
- Limiting future development until traffic issues have been resolved (5%)
- Investigation of providing a by-pass (22%),
- Looking at traffic enforcement measures to reduce speed / car parking issues (4%)
- Increase traffic flows (1%),
- Introducing more greenery (2%),
- Improving signage (2%),
- Providing more cycle lanes and safe walk ways (8%),
- Improving public transport (4%)
- Investigating road and car parking within the town (11%)

1.4.3 The results of the consultation were reported back to the Steering Group on 9 March 2018 where the results and potential future work was discussed. The group did not raise any significant items for change or amendment in the plan. The NCC Transport Planning officer advised that a number of the transport related action points had been incorporated into the draft Norfolk County Council Network Improvement Strategy which will look to investigate traffic issues in and around the town including reviews of the one way system, car parks, signage and road junction improvements;

1.4.4 The Steering Group have examined the results of the public consultation and have refined the action points within the plan which is attached in Appendix 3

1.4.5 **Discussion of issues**

1.4.6 Based on the above consultation and consideration by the Steering Group it is recommended that the plan action points are adopted within the measures to be investigated as part of the Air Quality Action Plan aimed at addressing air quality issues in Swaffham Air Quality Management Area.

1.4.7 The action plan is in draft and there are a number of technical steps required within the plan to be worked upon before submission to Department of the Environment Food and Regional Affairs (Defra). The council also needs to put the plan out to a number of statutory consultees including the Environment Agency, neighbouring authorities, other interested parties and Defra before the final plan is submitted to Defra. The technical parts of the plan and wider consultation will take place during the spring / summer of 2018. It is stressed however, that the main issues, which relate to the action points already consulted upon and agreed through the consultation in early 2018 and as agreed and discussed at the steering Group, are unlikely to change. In this respect it is recommended

that as the final plan is developed the finer / specific details are discussed / approved with the Executive Member People and Information under her delegated powers, in conjunction with advice from the Steering Group before the final plan is submitted in the autumn.

2.0 **OPTIONS**

2.1 Approve the adoption and inclusion of the plan action points for further investigation in the draft Air Quality Action Plan. Delegate authority to the Executive Member People and Information to approve the final plan as it is developed and consulted in terms of the finer / specific details before its submission and approval by the Department of Environment, Fisheries and Rural Affairs

2.2 Do nothing

3.0 **REASONS FOR RECOMMENDATION(S)**

3.1 To meet the duty imposed on the Council by Section 83 of the Environment Act 1995 to manage air quality and ensure that air quality objectives are met, through the declared AQMA and the production of an action plan.

4.0 **EXPECTED BENEFITS**

4.1 Improvement in air quality through the delivery of an action plan which has been fully consulted upon to gain the views of members, local community and other interested parties / organisations to obtain a reduction on the possible impact on human health / meeting the legal duty under section 83(1) of the Environment Act 1995.

5.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.1 **Carbon Footprint / Environmental Issues**

These issues are covered in the body of the report and appendices.

5.2 **Constitution & Legal**

These matters are an executive function delegated to Cabinet. The advice from the Executive Manager for Governance is "The Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) makes it clear that Councils have a choice as to whether air pollution is a Council or Cabinet decision. If you then look at the terms of reference in our constitution, this is a function allocated to Cabinet".

5.3 **Corporate Priorities**

Improving air quality links to the corporate priorities:--

Supporting Breckland to develop and thrive: Work together with partners and local communities to make public spaces cleaner, greener and safe; Work with our partners to

reduce and prevent crime and anti-social behaviour and protect the community and environment.

Enabling stronger, more independent communities: Lead and support the Breckland Health and Wellbeing Partnership to address key local health care and wellbeing issues; Work with current and new partners to deliver council services which improve the opportunities for vulnerable residents and families with complex needs.

NB: 'vulnerable residents' in this context would include children, the elderly and those with chronic respiratory and circulatory disorders

5.4 **Equality and Diversity / Human Rights**

It is in the opinion of the Report Author that there are no implications except as described above where more vulnerable residents may be more susceptible to poor air quality issues.

5.5 **Financial**

Associated costs will depend to a great extent on the action plan content itself and it's not possible to be clear on this content at this stage. This will be presented to members once all options have been assessed and costed.

5.8 **Health & Wellbeing**

There are proven links between air quality, especially NO₂ and particulates. NO₂ and particulates are directly linked to road traffic and correlates to levels of NO₂ so and reduction here will also positively impact on levels of particulates. Improved air quality will therefore have a positive impact human health in this area.

5.9 **Risk Management**

A risk register will be incorporated into the plan and measures will be used to mitigate those risks where possible.

5.10 **Staffing**

Development and delivery of the action plan is a priority for the Public Protection Team and will become the focus of the existing Environmental Protection Officer responsible for air quality. This will result in a reallocation of some work and / or a refocus of other priorities. It should be noted though that other tasks normally carried out by this officer (air quality monitoring in the affected area, annual reporting to Defra, etc.) will become part of this focused project. Extra resourcing was made available by Cabinet in terms of the report submitted in March 2017 to ensure effective service is maintained.

5.11 **Stakeholders / Consultation / Timescales**

Engagement with Elected Members, the Town Councils and wider stakeholders such as residents groups and Norfolk County Council will be required during the development of the action plan. As previously explained in the cabinet report, some work has already been undertaken by Norfolk County Council to scope potential road schemes, but further consultation will be required.

6.0 **WARDS/COMMUNITIES AFFECTED**

6.1 Swaffham

7.0 **ACRONYMS**

7.1 Defra - Department of the Environment Food and Regional Affairs
AQMA – Air Quality Management Area

AQAP – Air Quality Action Plan
NO2 – Nitrogen Dioxide

Background papers: -

Appendix 1	Swaffham Air Quality Report 2017
Appendix 2	Air Quality Management Area Order
Appendix 3	Draft Air Quality Action Plan

Lead Contact Officer

Name and Post:	Andrew Grimley
Telephone Number:	01362 656241
Email:	andrew.grimley@breckland.gov.uk

Key Decision:	No
Exempt Decision:	No

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix 1	Swaffham Air Quality Report 2017
Appendix 2	Air Quality Management Area Order
Appendix 3	Draft Air Quality Action Plan