

PUBLIC PARTICIPATION

Agenda Item 3

COMMUNITY & ENVIRONMENT COMMITTEE HELD ON 23 March 2023

Questions received from Peter Dobbs, Local Resident regarding the Ashbourne Air Quality Action Plan.

Could this Council indicate when the consultation on the Ashbourne Air Quality Action Plan, agreed at the C&E meeting 6 weeks ago, is due to start? It would seem to be vital that the results of that consultation are available for the next C&E meeting that is due on 5th July.

As this council had already recognised in their 2020-24 Corporate Plan, mitigation measures that can improve air quality are important.

Addressing poor air quality is an ongoing legal requirement and the compilation of an Action Plan to address the issue is simply the way that the council demonstrates to Defra that it is doing something that is effective. It is not in any way something that is supposed to mark the start of the process.

With this in mind I note that of the 16 actions (grouped into 9 areas) listed in the draft action plan agreed for consultation at the last meeting, the overwhelming majority appear to be classified as either ongoing or in place by March 2023.

Will it therefore be possible to present the new C&E committee when it meets in July with a report that gives an appraisal of the effectiveness of those actions currently in place so that their future decisions can be based on data rather than optimism?

It is worth remembering that by the time this committee meets again it will be well over 2 years from the declaration of an AQMA in Ashbourne and 5 years after the data indicated that there was a serious air quality problem.

And, as far as I am aware, no-one in this room is claiming that the problem has been solved.

RESPONSE

Thank you for your questions Mr Dobbs.

In relation to your first question, following the meeting of the District Council's Community and Environment Committee on 9 February 2023 the Council's Monitoring Officer advised that the matter was clearly sensitive and that he was aware of the position of local political parties in respect of the issue, in that it already featured in party political literature in Ashbourne. As any 6 week period of consultation which commenced immediately following the meeting would continue into the pre-election

period that consultation carried a risk of being judicially reviewed. Should such a challenge be successful it would be likely that there would be a requirement for the Council to re-consult, which would lead to further delays in realising the actions needed for improvements to air quality in Ashbourne. As such he concluded that the implementation of the decision to consult on the Ashbourne Air Quality Action Plan must be delayed until after the local elections. This advice was communicated to all elected Members on 16 February 2023 and consultation on the Action Plan will now commence on 15 May 2023.

As the 6 week period of consultation will not now conclude until 26 June 2023 it will not be possible for officers to analyse and consider the consultation findings such that they would be able to prepare a full report on the outcome of the consultation for the first Community and Environment Committee meeting of the new Council, which is scheduled for 5 July 2023. Officers have been asked to provide an update on the consultation process to that meeting and a full report on the findings to the following meeting of the Committee.

As the effectiveness of the measures that have been taken or which are underway can only be judged by comparison with the annual mean readings for NO₂ in the area, an update on effectiveness will inevitably be limited. However, officers will provide what information they can along with the report on the consultation process.