



**OPEN REPORT
COMMUNITY AND ENVIRONMENT COMMITTEE**

Community and Environment Committee – 13 July 2023

ASHBOURNE AIR QUALITY MANAGEMENT AREA ACTION PLAN

Report of Director of Regulatory Services

Report Author and Contact Details

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Wards Affected

Ashbourne North

Report Summary

This report explains the progress that has been made in relation to public consultation on the draft Ashbourne Air Quality Management Area Action Plan and updates members on the results of air quality monitoring with the Air Quality Management Area.

Recommendations

1. That the Council re-confirms its commitment to incorporating measures in the Action Plan that will bring about a significant and quantifiable reduction in nitrogen dioxide (NO₂) pollution in Ashbourne town centre, pending the eventual construction of a relief road. The Council will continue to work with relevant partners to reach the earliest possible agreement on these measures.
2. That the update on air pollution monitoring within Ashbourne be received.

List of Appendices

None

Background Papers

Report to the Community and Environment Committee – 9 February 2023

Consideration of report by Council or other committee

Since the declaration of the Ashbourne Air Quality Management Area 5 updating reports have been considered by the Community and Environment Committee. This update provides an opportunity to reflect on the progress of the consultation on the draft Air Quality Action Plan and to receive updated results of air quality monitoring within the town.

Council Approval Required

No

Exempt from Press or Public

No

Ashbourne Air Quality Management Area Action Plan

1. Background

- 1.1 At the meeting of the Community and Environment Committee held on 7 April 2021 it was resolved to declare an Air Quality Management Area (AQMA) in respect of the following area in Ashbourne: Buxton Road from the junction with Windmill Lane and North Avenue to the junction with St John's Street; and St John's Street from number 22 St John's Street to the junction with Cokayne Avenue and Park Road.
- 1.2 The AQMA was declared in relation to exceedances of the annual average air quality objective for nitrogen dioxide, which is 40ug/m³ and the area was defined to include all areas in which levels of nitrogen dioxide came within 10% of the air quality objective (ie those which were likely to exceed 36ug/m³).
- 1.3 The AQMA is formally known as the Derbyshire Dales District Council Air Quality Management Area (No 2; NO₂) Order 2021 and came into effect on 5 May 2021.
- 1.4 At the 7 April 2021 meeting it was agreed that updating reports would be submitted to further meetings of the Community and Environment Committee and since that date 5 such updating reports have been submitted. This report reflects on the progress of the recently completed public consultation exercise on the draft Air Quality Action Plan, plus the actions included in the consultation following the meeting of the Community and Environment Committee on 9 February 2023.
- 1.5 Longer standing Members will recall that following the February 2023 meeting advice was received that the public consultation should not be undertaken during the pre-election period and therefore this was paused until 15 May 2023, at which point the 6 week consultation period commenced, concluding on 26 June 2023.

2. Key Issues

- 2.1 Since the declaration of the AQMA work has been underway to develop an action plan aimed at addressing the exceedance of the air quality objective. As the main source of pollution in this case is road traffic, this has involved working with Derbyshire County Council as the Highways Authority. This is necessary as although the responsibility to produce the action plan rests with the District Council, responsibility for works relating to the road network falls mainly to the County Council. In addition, the technical expertise to identify measures considered likely to be both effective and technically feasible rests within the Highways Authority.
- 2.2 In order to enable greater engagement with the development of these proposals a working group consisting of representatives of Derbyshire Dales District Council's Environmental Health Team, Derbyshire County Council's Transport Strategy Team, Ashbourne Town Council and Ashbourne Town Team was formed. The purpose of the working group was to provide input into the formation of the long list of options and to critique the subsequent short list of options developed by the Transport Strategy Team.

2.3 This work resulted in the production of a draft Air Quality Action Plan by Derbyshire County Council and their consultants, which was presented to a meeting of the Community and Environment Committee on 9 February 2023. The draft Action Plan contained 9 proposed actions, as follows:

- Action 1 – Investigate the use of Urban Traffic Management Control to optimise traffic flows within Ashbourne town centre
- Action 2 – Investigate town centre priority or capacity changes to improve heavy goods and other vehicle flows on A515 Buxton Road, Ashbourne
- Action 3 – Influence route election via live traffic information systems
- Action 4 – Investigate improved tree canopy dispersal
- Action 5 – Active Travel promotion
 - 5a – St John Street and Dig Street/Compton public realm
 - 5b – Mobility Hub
- Action 6 – Electric vehicle charging points
- Action 7 – Business and school travel planning
 - 7a – Workplace travel plans
 - 7b - School travel plans
 - 7c – School streets
- Action 8 – Bus Service Improvement Plan implementation
 - 8a – Bus priority
 - 8b – Mobility Hub
- Action 9 – Engagement with minerals and logistics companies

2.4 Whilst Committee approved these items for public consultation, it also included additional measure, as follows:

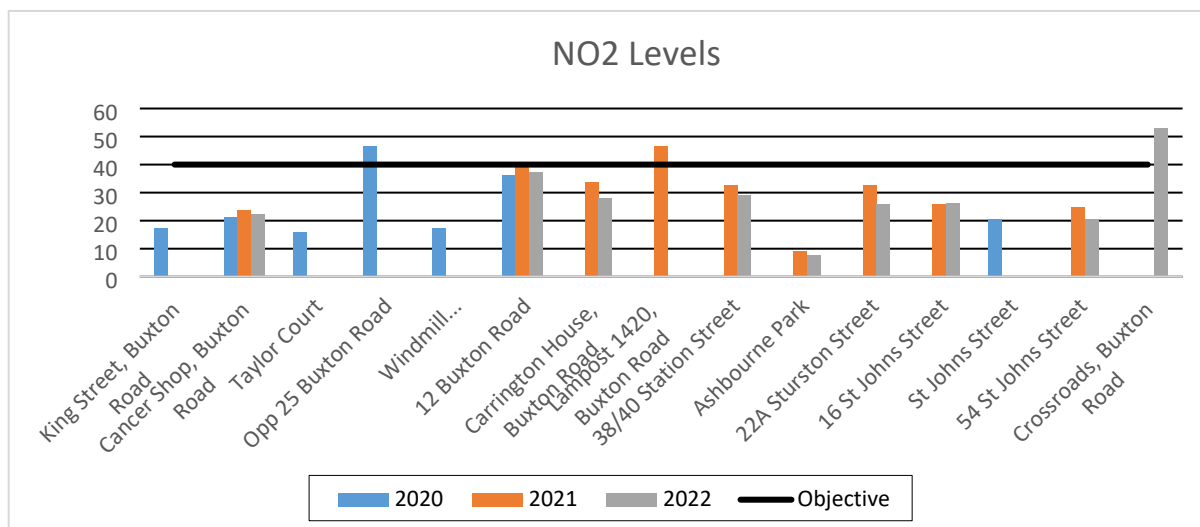
- A clean air zone covering the centre of Ashbourne with a charge levied on diesel commercial vehicles and taxis that are not Euro 6 compliant with an exemption for vehicles registered with keepers within the Ashbourne Civil Parish.
- An enforced 20mph zone within the centre of Ashbourne

2.5 Due to the high level of local interest in the issue, advice was received that the public consultation should not be commenced until after the pre-election period. Consequently, the consultation exercise was paused until 15 May 2023, whereupon a 6-week period of public consultation was commenced, completing on 26 June 2023. The formal consultation took the form of a Survey Monkey questionnaire, supplemented by paper copies of the questionnaire where requested, 2 public meetings, 4 drop-in sessions, plus media publicity and local postcard drops. The consultation generated 402 online responses, comprising straightforward responses to the questions plus 2,628 free-form comments, and 11 separate written submissions, which are currently being analysed in order to inform a final recommendation about the form of the final submission that should go forward to Defra.

2.6 In addition to the information about the consultation, Members may wish to consider the most recent monitoring results from the Council's Ashbourne diffusion tubes. These tubes are the means by which we undertake the routine assessment of NO₂ levels throughout the district and enable us to compare those levels against the air quality objective of 40ug/m³. Raw data

from the diffusion tubes is made available on a monthly basis. Although it is not possible to convert these to absolute values of NO₂ concentrations until the national stock of diffusion tubes has been bias corrected against real time monitoring stations, which is an annual process, it is possible to observe trends in the NO₂ levels in the main area of the Air Quality Management Area on Buxton Road.

- 2.7 The chart below shows corrected monitoring data within the Air Quality Management Area for the years 2020, 2021 and 2022. Members will note that the diffusion tube at the crossroads of Buxton Road, Windmill Lane and North Avenue shows an exceedance of the air quality objective in 2022 and that tube 12 on Buxton Road, whilst showing a reduction in NO₂ concentrations, remains within 10% of the air quality objective such that whilst it is compliant it is still an area of concern.



- 2.8 The data contained within this chart does come with the caveat that it is obtained from diffusion tubes and as such should be treated as indicative. It is expected that real time monitoring will be provided as part of the measures put forward by Derbyshire County Council, which will help to increase the accuracy of the monitoring in the area.

3. Options Considered and Recommended Proposal

- 3.1 At this stage this report is submitted to update Members on progress on the consultation. Until the submissions received as part of the consultation are fully analysed it is not possible to make further recommendations as to the form of the final draft Action Plan to be submitted to Defra.

4. Consultation

- 4.1 A 6-week period of public consultation on the proposals for the draft Air Quality Action Plan concluded on 26 June 2023. The results of the consultation exercise are currently being analysed and will be reported to the next meeting of this Committee, with a recommendation as to the final Action Plan to be submitted to Defra.

5. Timetable for Implementation

- 5.1 It is proposed that a report with recommendations for a final draft Air Quality Action Plan will be submitted to the next meeting of the Community and Environment Committee. Once a final Action Plan is approved by Defra this will become the official mechanism by which Derbyshire Dales District Council and Derbyshire County Council will work towards meeting the air quality objectives in the Ashbourne Air Quality Management Area.

6. Policy Implications

- 6.1 Local authorities have a legal duty to provide an Air Quality Action Plan as a means to address areas of poor air quality that have been identified with Air Quality Management Areas. These action plans should develop measures that will provide the necessary emissions reductions to achieve the air quality objectives and act as a live document which is continually reviewed and developed to ensure that current measures are being progressed and new measures are brought forward.

7. Financial and Resource Implications

- 7.1 At this stage there are no financial implications beyond staff time to analyse the findings of the consultation exercise. The financial risk is therefore assessed as low.

8. Legal Advice and Implications

- 8.1 The Air Quality Action Plan will ensure that the Council meets its statutory duties as set out in the Environment Act 1995 to regularly review and assess air quality in its area. As the proposal contributes to the authority fulfilling its obligations under the 1995 Act, the legal risk associated with this report is low.

9. Equalities Implications

- 9.1 Decision-makers are reminded of the requirement under the Public Sector Equality Duty (s149 of the Equality Act 2010) to have due regard to:
- (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act
 - (ii) advance equality of opportunity between people from different groups, and
 - (iii) foster good relations between people from different groups.
- 9.2 The decisions recommended through this paper could directly impact on end users. The air quality action plan is relevant to younger and older age groups, and people with disabilities, who are more vulnerable from the effects of poor air quality. The air quality action plan aims to have a positive impact on people's health, including those with protected characteristics. The consultation on the draft air quality action plan has not raised any issues with regards to the protected characteristics.

10. Climate Change Implications

- 10.1 Whilst the Air Quality Action Plan is aimed at reducing health related air pollution, any reduction in traffic emissions will also have a beneficial impact in relation to climate change and should be supported.

11. Risk Management

- 11.1 The District Council has a duty to develop an Air Quality Action Plan following the identification and declaration of Air Quality Management Areas. Failure to comply with this requirement could leave this authority open to legal action and potential fines.

Report Authorisation

Approvals obtained from Statutory Officers:-

	Named Officer	Date
Director of Community & Environmental Service, in absence of the Chief Executive	Ashley Watts	04/07/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	28/06/2023
Monitoring Officer (or Legal Services Manager)	James McLaughlin	05/07/2023