



**OPEN REPORT
COMMUNITY AND ENVIRONMENT COMMITTEE**

Community and Environment Committee 26 October 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 summarises discussions at the first meeting of the Air Quality Action Plan Working Group core group and proposes that further updating reports are provided to future meetings of this Committee.

Recommendations

1. That the first meeting of the Air Quality Action Plan Working Group core group be noted.
2. That a further updating report be submitted to the December meeting of this Committee.

List of Appendices

None

Background Papers

Reports to the Community and Environment Committee – 7 April 2021, 23 June 2021, 17 November 2021, 23 February 2022, 29 June 2022, 1 November 2022, 9 February 2023, 13 July 2023, 7 September 2023

Consideration of report by Council or other committee

Since the declaration of the Ashbourne Air Quality Management Area in April 2021 a number of updating reports have been considered by the Community and Environment Committee as detailed under the Background Papers heading above.

Council Approval Required

No

Exempt from Press or Public
No

Report Title

1. Background

- 1.1 At the meeting of the Community and Environment Committee held on 7 September 2023 it was resolved, inter alia, that an air quality action plan working group be re-established, with a membership draw from a list contained within the report to that committee meeting and with a core group consisting of at least one officer from the District Council and two elected members taken from the list set out in the report. It was also resolved that the preliminary findings of that group be reported to the next meeting of the Community and Environment Committee, which is this meeting.
- 1.2 This report feeds back on the first meeting of the core group and sets out those preliminary findings.

2. Key Issues

- 2.1 The core group met on 4 October 2023 to discuss the position regarding the actions proposed for inclusion within the action plan following the public consultation on them earlier in the Summer and to receive the views of members of Ashbourne Town Team. It was noted that in addition to the general support for those items agreed by Derbyshire County Council there was public support for the concept of a 20 mph zone within the town, but a negative view towards the concept of a Clean Air Zone.
- 2.2 The group also considered the potential synergies between the air quality action plan and the ambitions of the Ashbourne Reborn programme. In considering this issue they were assisted by the attendance of the Senior Regeneration Officer who is working on the programme. It was noted that a number of common themes were starting to emerge and that they were being discussed in both forums.
- 2.3 The group recognised that discussions in both forums still needed to develop and that sufficient time was required for these developments to mature. It was estimated that it would take a further 6 to 8 weeks for these discussions to come to a conclusion and that following that timescale it was expected that officers should be able to present an updated suite of options for the final draft action plan.
- 2.4 The group also heard that discussions with Derbyshire County Council and High Peak Borough Council about the formation of an air quality liaison group specific to the mineral and logistics sector were ongoing. Again these discussions need to mature but the logic was that because air quality management areas in both local authority areas would be impacted by the same operators it would be logical to try to form a liaison group that worked for both AQMAs at the same time.

3. Options Considered and Recommended Proposal

- 3.1 The option to submit the draft Air Quality Action Plan 'as is' with the measures currently approved by Derbyshire County Council was considered but rejected at this stage, in order that potential synergies with the Ashbourne Reborn programme could be thoroughly explored.

4. Consultation

- 4.1 The measures currently approved by Derbyshire County Council, along with the concepts of a 20 mph zone and a Clean Air Zone have already been subject to public consultation.

5. Timetable for Implementation

- 5.1 Further updating reports will be submitted to the December 2023 meeting of this Committee and if necessary to the February 2024 meeting.

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 associated with this report. As the cost of staff is included in the approved budget, the financial risk associated with the approval of the report's recommendations is assessed as low.

8. Legal Advice and Implications

- 8.1 An 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.
- 8.2 As the proposal seeks to establish a route for the agreement of an action plan through partnership working it therefore contributes to the authority fulfilling its obligations under the 1995 Act.
- 8.3 As such, 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:-

	Named Officer	Date
Chief Executive	Paul Wilson	18/10/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Gemma Hadfield	12/10/23
Monitoring Officer (or Legal Services Manager)	Kerry France	18/10/23