



## OPEN REPORT COMMUNITY AND ENVIRONMENT COMMITTEE

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**Community and Environment Committee 7 December 2023**

### **Ashbourne Air Quality Management Area Action Plan and Air Quality Monitoring**

#### **Report of Director of Regulatory Services**

##### **Report Author and Contact Details**

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##### **Wards Affected**

Ashbourne North

##### **Report Summary**

This report provides a further update in relation to the Ashbourne Air Quality Management Area Action Plan and requests the provision of a supplementary revenue budget for the real time monitoring of a suite of air pollutants.

##### **Recommendations**

1. That the updates available in relation to the draft Air Quality Action Plan be noted.
2. That a supplementary budget estimate of £10,000 to facilitate a 12-month subscription to Earthsense be recommended to Council for approval.

##### **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, 26 October 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**

Yes, in relation to the requested budget for real time air quality monitoring.

**Exempt from Press or Public**

No

# Ashbourne Air Quality Management Area Action Plan and Air Quality Monitoring

## 1. Background

- 1.1 At the meeting of the Community and Environment Committee held on 26 October 2023 discussions from the first meeting of the Air Quality Action Plan Working Group core group were discussed. It was noted that these discussions included the position regarding actions for inclusion in the action plan following the public consultation, the public support for a 20-mph zone within the town and the potential synergies between the air quality action plan and the ambitions of the Ashbourne Reborn programme. It was resolved that a further updating report should be submitted to this meeting of the Community and Environment Committee.

## 2. Key Issues

- 2.1 Since the October meeting of the Community and Environment Committee officers have continued to work with colleagues from Derbyshire County Council to seek updates in relation to the actions previously suggested for inclusion within the Action Plan. In particular officers have been informed that the wording of the first three proposed actions (Investigate the use of Urban Traffic Management Control to optimise traffic flows within Ashbourne town centre; Investigate town centre priority or capacity changes to improve heavy goods and other vehicle flows on A515 Buxton Road; Influence route selection via live information systems) is to be updated and that a round table discussion with mineral and logistics operators is projected for the New Year, which is intended to focus on transport issues in the High Peak and Ashbourne. In addition we understand that signals are being considered for Station Street, which the County Council believe will help to act as a gateway to control northbound traffic through Ashbourne.
- 2.2 Whilst this work is ongoing, there was no more specific update available from Derbyshire County Council at the time of writing this report.
- 2.3 In addition to working directly with Derbyshire County Council colleagues, officers have liaised with our Senior Regeneration Officer, who leads on the Ashbourne Reborn programme. The purpose of this liaison has been to record progress on developing potential synergies between the 2 strands of work, particularly in relation to the 20-mph zone issue. Officers now understand that Derbyshire County Council's position is that they will not support the creation of a 20-mph zone through either programme of work and as such the ability to further negotiate on this issue is curtailed.
- 2.4 Discussions have progressed more productively in relation to the real-time monitoring of air pollution. It is now understood that Derbyshire County Council are purchasing 3x Earthsense Zephyr air quality monitors for deployment in Ashbourne. These monitors provide real-time measurement of a suite of pollutants, including nitrogen monoxide, nitrogen dioxide, ozone and particulates (PM<sub>10</sub>, PM<sub>2.5</sub> and PM<sub>1</sub>). Whilst the sites for deployment have not yet been decided or communicated to officers, this has the potential to add considerably to the information available about pollution levels within the town. Through the work of the Progressive Alliance's Pollution Working Group and the development of the emerging Derbyshire

Dales Plan, members have been clear that they have an ambition to monitor air pollution in the district to a greater extent than has previously been the case. Therefore it is recommended that in addition to the network of devices being established by Derbyshire County Council, the District Council also purchases such a monitor, initially on a pilot basis.

- 2.5 Whilst a number of devices are available for monitoring air pollution, officers consider that there are considerable benefits from sourcing devices that are compatible with others in use in the district and wider county. The Derbyshire Environmental Protection Group (DEPG) is evaluating devices but it is known that High Peak Borough Council also operate a number of Earthsense monitors.
- 2.6 The Earthsense model works on a leasing system, whereby users subscribe to the service for a set period of time. In addition to the monitors themselves, users have the option to subscribe to a fully supported public facing web portal, which could include all Zephyr locations. To subscribe for 1 monitor for 12 months would cost £4,050 (exc VAT) and to subscribe to the public portal for 12 months would cost £5,500 (exc VAT), giving a total cost of £9,550 for the first 12 months. To renew the subscription the cost has been quoted as £1,500 (exc VAT) for the monitor and a further £5,500 (ex VAT) for the web portal.
- 2.7 Currently there is no budget to purchase this subscription. Therefore officers are requesting the provision of up to £10,000 to purchase a 12-months' subscription for 1 monitor plus the web portal, on the understanding that further work is undertaken with colleagues at Derbyshire County Council to understand the potential for economies. For example, it may be possible for the various authorities to share one web portal. It is also recommended that the value of the monitoring be examined over the first 12 months, prior to a decision being made regarding renewal.

### **3. Options Considered and Recommended Proposal**

- 3.1 Three different air quality monitors have been considered as part of this report. Whilst the Earthsense Zephyr is the most expensive option of these three, at least in year 1, it is considered to offer potential benefits in terms of helping to establish a monitoring network for the district and county. The leasing model enables the option of not renewing, if these benefits are not forthcoming.

### **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 A further report will be brought to the February meeting of the Community and Environment Committee to update on the Action Plan itself.

- 5.2 In order to progress the purchase of the real time air quality monitoring system the requested budget will need to be reported to the next available meeting of Council for confirmation.

## **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 It will be necessary to seek approval from Council for a supplementary revenue budget in 2023/24 to reflect the proposed expenditure of up to £10,000. This would be financed by the use of the General Reserve. As this expenditure is “one-off”, the General Reserve is permitted under the Council’s Medium Term Financial Strategy. This report includes a recommendation for a referral to full Council to seek approval for this supplementary revenue budget and its financing, this approval will be requested in quarter 2 revenue monitoring reported to Council 14 December.
- 7.2 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. 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. As such, the legal risk of challenge 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:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Paul Wilson	29/11/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Gemma Hadfield	23/11/2023
Monitoring Officer (or Legal Services Manager)	Helen Mitchell	29/11/2023