



Derby City Council

Report sponsor: Rachel North, Strategic
Director, Communities and Place

ITEM 8

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Draft Air Quality Action Plan

Purpose

- 1.1 An Air Quality Action Plan (dAQAP) has been produced in accordance with Derby City Council's statutory requirements under the Environment Act 1995 and the associated Local Air Quality Management (LAQM) assessment and reporting regime.
- 1.2 The AQAP provides a list of proposed measures designed to address the main sources of air pollution within Derby City Council's designated Air Quality Management Areas (AQMAs).
- 1.3 It is important to note that the AQAP measures are distinct from, but complementary to, the measures already proposed under the *Local Roadside NO₂ Plan* which focusses solely on Stafford Street. The measures in the AQAP generally apply to the whole City.
- 1.4 Internal and external stakeholder engagement as well as cross-party political involvement has taken place as part of the AQAP development process.
- 1.5 A draft version of the Plan also went out to public consultation in March for a period of 12 weeks. This final version updates the Plan and takes into account the consultation responses received.
- 1.6 Ownership of each measure will now be required in order to progress delivery of the AQAP, however many of the measures are already contained within relevant work programmes.
- 1.7 Once approved, the finalised AQAP will be sent to DEFRA in accordance with the Council's duties under The Environment Act 1995.

Recommendations

- 2.1 To approve and adopt the Air Quality Action Plan and commit to the delivery of the measures in the Plan.

Reasons

- 3.1 Production of an AQAP is a statutory requirement under the Environment Act 1995 in all cases where one or more AQMAs have been declared within the Local Authority's

area.

- 3.2 In order to protect the health of the public of Derby from the effects of air pollution and under the Council's commitments to reduce fine particulate matter (PM_{2.5}) under the Public Health Outcomes Framework.

Supporting information

- 4.1 The Local Air Quality Management (LAQM) assessment and reporting regime is prescribed in guidance and policy produced by DEFRA, primarily under the Policy Guidance document (PG16) and Technical Guidance document (TG16). Implementation of LAQM in accordance with the guidance is a legal requirement under the Environment Act 1995.
- 4.2 Local Authorities are required to report annually to DEFRA on air quality in their area. Where concentrations of key air pollutants are exceeding, or are at risk of exceeding, National Air Quality Objectives (AQOs), the Local Authority must declare an Air Quality Management Area (AQMA).
- 4.3 Derby City Council has declared two AQMAs in its area. Both relate to elevated concentrations of nitrogen dioxide (NO₂) arising primarily from road vehicle emissions. They cover the inner/outer ring roads and a stretch of the A52 around Spondon.
- 4.4 Following declaration of an AQMA, the Local Authority is required to produce an Air Quality Action Plan (AQAP), designed to address/reduce the main sources of emissions within the areas covered by the AQMA.
- 4.5 Unlike the EU Limit Values, the National AQOs are not legally binding limits, but 'targets'. Authorities must aim to reduce pollutant concentrations to a level below the Objectives. The production of an AQAP is a statutory duty.
- 4.6 The first stage of the AQAP design process is to undertake *source apportionment* assessment work. This aims to determine the main sources of emissions which contribute to the exceedance/s. Measures must then be designed to address the identified primary sources of emissions.
- 4.7 Specialist air quality consultants *Ricardo AEA* were appointed by Derby City Council to undertake the assessment work and assist in drafting the AQAP.
- 4.8 The AQAP has been developed taking into account the designated LAQM process of assessment and also the views of a wide range of stakeholders. It has also taken into account the measures being proposed around Stafford Street under the *Local Roadside NO₂ Plan*, with the intention that the measures are complementary and supportive.

- 4.9 The draft AQAP suggests measures for tackling identified NO₂ hotspots (described as Priority 1) and then goes on to include measures around the following main themes (Priorities 2 and 3):
- Modal shift to low emission forms of transport (walking/cycling);
 - Support for low emission taxis;
 - Development of an electric vehicle charging strategy;
 - Supporting sustainable development (through planning policy);
 - Reducing vehicle idling;
 - Managing PM_{2.5} exposure; and
 - Freight emission improvement measures.
- 4.10 Once implemented, the measures are designed to assist in ensuring air pollutant concentrations across the City are reduced both outside and within the AQMAs. They will also help to ensure and maintain compliance with the predicted EU Limit Value exceedance along Stafford Street.
- 4.11 A completed AQAP, or an annual update on the plan, is due for submission to DEFRA in June every year.

Public/stakeholder engagement

- 5.1 In early 2019 an internal stakeholder group was formed and an inception meeting took place in February 2019. The group included colleagues from Traffic and Transportation, Public Health, Taxi Licensing, Fleet Management, Development Control and Planning Policy amongst others. The group discussed potential measures which the Council could feasibly include within the AQAP, in line with the source apportionment work.
- 5.2 Then in May 2019, a public stakeholder meeting took place in the Council Chamber to discuss the developing AQAP and take the views of relevant partners across the City. The meeting was well attended and included representatives from local bus service providers, taxi trade representatives, local businesses, the NHS, cycling and sustainable travel groups/organisations, green/climate campaign groups and local Councillors.
- 5.3 Following cabinet approval of a draft version of the AQAP in January 2020, the draft was then published for a 12 week public consultation in March 2020. Although the timing of the consultation was unfortunate due to the Covid-19 lockdown, a good level of feedback was still received.
- 5.4 Overall, responders to the consultation were very supportive of the measures. The only notable criticism levied at the Plan was a perceived lack of ambition in respect of walking/cycling support and infrastructure. Some respondents also used the consultation as an opportunity to raise concerns over the A38 Derby Junctions Scheme and its associated implications for air quality in the City.

AQAP Updates since January

- 5.5 For ease of reference, attached to this Report is a document outlining the changes which have been made to the AQAP following the March 2020 consultation (entitled '*AQAP Summary of Changes*').

- 5.6 Primarily, the changes that have been made to the AQAP since the Draft was approved by Cabinet in January 2020, relate to updates on schemes and measures which have progressed, and in some cases been completed, since the Draft was produced.
- 5.7 There is also further clarification on new sustainable transport funding and schemes which have since been progressed by the Council. Identification of these measures is intended to address some of the concerns raised in the consultation regarding the perceived lack of ambition in this area of work.
- 5.8 The report is now considered to be up to date and addresses the consultation feedback.

Other options

- 6.1 The production of an AQAP is a statutory requirement under the Environment Act 1995.
- 6.2 The measures outlined in the AQAP are not, however, the only options available for reducing air pollutant emissions within Derby. In theory, there are many options available for addressing air quality.
- 6.3 The measures outlined in the plan have been long-listed based initially on source apportionment modelling, which is a requirement under the LAQM methodology (TG(16)) assigned to the process for development of AQAPs. They have then been subjected to internal and external stakeholder engagement. Finally, the measures have been short-listed based primarily on their potential contribution to lowering emissions, but also in terms of their practicality and feasibility for delivery.
- 6.4 The list of measures proposed within the AQAP must be flexible. They may be subject to amendment, removal or addition on a continual basis, depending upon new evidence, changing circumstances (particularly with the road network) or financial pressures. All amendments, removals or additions will however be justified in accordance with LAQM guidance, with the primary consideration being the measures' potential to mitigate the primary sources of air pollutant emissions within Derby City Council's AQMAs, bearing also in mind cost effectiveness.

Financial and value for money implications

- 7.1 Delivery of the measures in the Plan does have financial implications, however it is important to note that many of the measures are already costed and funded through secured schemes, such as the Transforming Cities Fund (TCF), Access Fund and the Mobility Transport Zones Programme.
- 7.2 All measures proposed under the AQAP have been considered in terms of practicality and feasibility, with cost playing a notable role in this process. The measures are not, however, fully costed and neither has appropriate Council resources been assigned for full delivery of the Plan.

- 7.3 As the full cost of unfunded elements of the plan becomes clearer, sources of funding will need to be identified at that point and will then be subject to the Council's decision-making process. There is therefore a risk that funding will not become available for all elements of the Plan.

Legal implications

- 8.1 Production and submission of the AQAP is a statutory duty for the Council under the *Environment Act 1995*.
- 8.2 The requirement for an AQAP is distinct from the requirements laid out under the *EU Directive on ambient air quality and cleaner air for Europe (2008/50/EC)* (and associated *Air Quality Standards Regulations 2010*). Delivery of the AQAP will, however, inevitably support the continued compliance with the EU Directive/UK Regulations.

Climate implications

- 9.1 Derby City Council declared a climate emergency in May 2019.
- 9.2 The AQAP has been produced with a particular focus on providing co-benefits for climate change. Many of the measures in the AQAP will provide associated reductions in carbon emissions, largely as a result of reducing road vehicle emissions by reducing the combustion of carbon-based fuels.
- 9.3 In particular, climate change has been an important driver for national and local policy which has allowed the Council to commit to the sustainable and low emission transport schemes mentioned in the AQAP, particularly those under the Transforming Cities Fund (TCF), Access Fund and the Future Transport Zones (FTZ – formerly FMZ) Fund.
- 9.4 Overall, the AQAP is deemed to provide significant benefits and support to carbon reductions in the City, which adds to its value.

Other significant implications (Including Covid-19)

- 10.1 Due to the prevalence of air quality in the media in recent years, the AQAP could generate significant public scrutiny. This is especially the case in light of recent evidence linking poor air quality and worsened effects from Covid-19.
- 10.2 The AQAP has been designed following public engagement and it is felt that it incorporates the main views offered by stakeholders, including those from both sides of the air quality debate.
- 10.3 In terms of the modelling used in the assessment which forms the basis of the proposed measures, this was carried out in early 2019. It is clear that there have been changes since that time which could be captured by further modelling.
- 10.4 In particular, there have been profound effects to air pollutant concentrations in the City (and Nationally) on account of the significant reductions in traffic associated with the Covid-19 lockdown. According to diffusion tube measurements across the City during this time, average concentrations of NO₂ were down by 29.3% (March) and 44.8% (April) compared with the same period in 2019.

- 10.5 Even with traffic levels now back close to where they were before the pandemic, traffic patterns and distribution are still being influenced by Covid-19 restrictions and NO₂ concentrations still appear to be much lower than normal. This will inevitably have impacted the predictions and conclusions provided in the AQAP, which included a modelled year of 2020.
- 10.6 Evidently the future is unclear, but whatever happens with the Covid-19 situation into 2021 and beyond, it would be sensible to assume that traffic levels and therefore, inherently, pollutant concentrations, will not continue to remain so low indefinitely.
- 10.7 Updated modelling would clearly be beneficial in order to better reflect changes which have occurred since 2019, however it is felt that delaying the Plan further does not warrant the time and expense of doing so at this stage. To further support this argument, it is useful to note that there is a lot of analysis being undertaken at a local and national level by Government and elsewhere to investigate the impacts of Covid-19 on air quality and this can be used to draw assumptions and conclusions in the mean-time.
- 10.8 Importantly, given the uncertainty in the future, it is not believed that the recently measured reductions in air pollutant concentrations caused by the Coronavirus pandemic, should be interpreted as a reason for reducing the extent of the measures in this AQAP.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu	23/10/20
Finance	Amanda Fletcher	02/11/20
Service Director(s)	Tracey Blackwell	02/11/20
Report sponsor	Rachel North	30/10/20
Other(s)		

Background papers: Air Quality Action Plan, AQAP Summary of Changes Document, AQAP Consultation Report

List of appendices: