

**DEVELOPING AND CONSULTING ON AN ACTION PLAN FOR THE  
NITROGEN DIOXIDE AIR QUALITY MANAGEMENT AREA**

Report of the Director of Corporate Services

**SUMMARY OF REPORT**

- 1.1 The City Council, after declaring its Air Quality Management Areas (AQMAs), is required to draw up an Action Plan by February 2003 to bring air quality within the statutory limits.
- 1.2 The Cabinet is asked to approve the proposals for developing and consulting on the Action Plan for the Nitrogen Dioxide AQMA.

**OPTIONS CONSIDERED**

- 2.1 The Council is required to consult with relevant professionals, organisations and sections of the community in formulating an Action Plan. The aim is to achieve a balanced, effective and representative way of reducing pollution levels so that they meet the statutory objectives.
- 2.2 The Council working group have considered a number of options on how best to achieve this. The option put forward takes resource constraints into account, while adhering to Government Guidance. It is also consistent with previous consultation exercises undertaken for Stages 1-3 of the Air Quality Strategy.

**RECOMMENDATIONS**

- 3.1 The Cabinet recommends to the Council that they approve the proposals for developing the Action Plan.
- 3.2 The Cabinet approve delegation of responsibility for approving the detailed content of the Action Plan to the Director of Corporate Services in consultation with the Executive Member for Environment and Direct Services.

**REASONS FOR RECOMMENDATIONS**

- 4.1 To enable the Action Plan to be written within the timetable prescribed by the Department of Environment, Food and Rural Affairs.
- 4.2 The action plan will contain a number of proposals. Approval of its detailed content and any necessary amendments could be managed more effectively if responsibility were delegated.

- 4.3 To maximise the opportunities for feedback from the public on important policy issues.

## **MATTERS FOR CONSIDERATION**

- 5.1 Local authorities that have declared Air Quality Management Areas (AQMAs) are required by Section 84 of the Environment Act 1995 to draw up an Action Plan specifying the measures to bring air quality in the area within the statutory limits.
- 5.2 The AQMA was declared in August 2001. The Action Plan must be published within 18 months of the AQMA being declared.
- 5.3 In accordance with government guidelines, a multidisciplinary council working group has been meeting regularly since March 2001 to devise and develop proposals for the Action Plan. The group is made up of staff from Traffic and Transportation, Environmental Health, Planning, Environmental Co-ordination, Fleet Management and Housing Services.
- 5.4 It is important that a wide selection of relevant stakeholders are involved in formulating the Action Plan. The purposes are to gain a broader consensus, and to increase ownership of the proposals. It is proposed that this is achieved by setting up a multi-sectoral Steering Group.
- 5.5 Many of the Action Plan elements have already been adopted into Council policy as part of the Local Transport Plan (LTP) or Local Plan. However, further action will be required before the AQMA order can be removed. Additional Action Plan elements will therefore be put forward for discussion at the Steering Group.
- 5.6 The Steering Group will comprise of representatives from a wide variety of organisations, such as local businesses and interest groups, as well as others from the statutory, voluntary and community sectors. In addition to this, members of the Derby City Partnership's Environment Groups, will be invited to participate.
- 5.7 Steering Group members will be sent a copy of the draft Action Plan, along with a questionnaire requesting feedback within 4 weeks.
- 5.8 Once feedback has been collated, revisions will be agreed at consensus workshops. The Action Plan will be finalised and put forward for approval to the Cabinet later this year.
- 5.9 The Action Plan will then be issued for public consultation over a period of six weeks. Leaflets will also be distributed to all residents living within the Air Quality Management Area. Copies of the reports and questionnaires will be sent out to all statutory consultees, libraries and

local housing offices. Details of the Action Plan will be advertised in the local press and consultations made through Derby Pointer. It is intended to carry out joint consultation exercises on the LTP Annual Progress Report at the same time. Presentations will be given to the public at area panel meetings, in order to provide information to and involve as many of the local population as possible.

- 5.10 Once feedback has been incorporated into the Action Plan it will be forwarded to DEFRA for approval.

## **FINANCIAL IMPLICATIONS**

- 6.1 There are no significant financial implications arising from this report.

## **LEGAL IMPLICATIONS**

- 7.1 Local authorities have a statutory duty to prepare an Action Plan detailing proposals on how to improve the air quality in an Air Quality Management Area. They must submit the Action Plan of the Air Quality Management Area to DEFRA within 18 months of the date of declaration.

## **PERSONNEL IMPLICATIONS**

- 8.1 There are no personnel implications arising from this report.

## **ENVIRONMENTAL IMPLICATIONS**

- 9.1 The purpose of the Action Plan is to reduce the level of traffic related nitrogen dioxide within the AQMA so that the air quality standards are achieved. This will significantly improve the environment of the City. It is also expected that there will be health benefits.

## **EQUALITIES IMPLICATIONS**

- 10.1 All citizens of Derby should have the benefit of good air quality.