

<b>Subject:</b>	Air Quality Management Action Plan		<b>Status:</b>	For Publication			
<b>Report to:</b>	Cabinet		<b>Date:</b>	19 <sup>th</sup> October 2016			
<b>Report of:</b>	Principal Environmental Health Officer		<b>Portfolio Holder:</b>	Councillor Ashworth			
<b>Key Decision:</b>	X	Forward Plan	X	General Exception	<input type="checkbox"/>	Special Urgency	<input type="checkbox"/>
<b>Equality Impact Assessment:</b>		Required:	Yes	Attached:	Yes		
<b>Biodiversity Impact Assessment</b>		Required:	No	Attached:	Yes/No		
<b>Contact Officer:</b>	David Pierce		<b>Telephone:</b>	01706 252560			
<b>Email:</b>	davidpierce@rossendalebc.gov.uk						

## 1. RECOMMENDATION(S)

1.1	The Council endorse the action plan for addressing the exceedances in our air quality management areas.
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## 2. PURPOSE OF REPORT

2.1 To make Cabinet aware of the steps the authority proposes to take in addressing exceedances identified in our air quality monitoring programme. Furthermore seeking Cabinets endorsement of the report.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.
  - **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.
  - **Clean Green Rossendale:** This priority focuses on clean streets and town centres and well managed open spaces, whilst recognising that the Council has to work with communities and as a partner to deliver this ambition.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- We are statutorily obliged to produce an air quality management action plan as a consequence of declaring air quality management areas. Failure to produce an action plan may result in administrative sanctions from DEFRA.
  - Damage to reputation for failing to take air quality seriously
  - Other stakeholder's priorities and challenges could restrict progress.

## 5. BACKGROUND AND OPTIONS

5.1 The development of an Air Quality Action Plan (AQAP) is a statutory duty following the declaration of an Air Quality Management Area (AQMA). Rossendale Borough Council has declared two AQMAs in 2013 which are along a short section of Bacup Road Rawtenstall and along a short section of Manchester Road Haslingden.

- 5.2 These areas have historically had nitrogen dioxide (NO<sup>2</sup>) levels above acceptable government strategy objectives. The primary source of nitrogen dioxide emissions is from road vehicles. In order to mitigate the problem RBC is tasked with identifying specific options that will reduce emissions of nitrogen oxides (as a precursor to the formation of nitrogen dioxide) and primary nitrogen dioxide from vehicles and thereby reduce concentrations of nitrogen dioxide locally.
- 5.3 Nitrogen dioxide is a toxic gas. In elevated environmental concentrations it exacerbates respiratory conditions including decrease in lung function growth, asthma prevalence, cancer incidence, adverse birth outcomes and mortality.
- 5.4 The Air Quality Action Plan has been produced by the Air Quality Management Resource Centre at the University of the West of England on behalf of the Council. It is designed to address the air quality problems in the Air Quality Management Areas and on the basis of evidence to set out actions which could be implemented that should improve the air quality and work towards meeting the objectives.
- 5.5 This is a highly regulated area of work and the content, nature and format of the attached report is largely prescribed by DEFRA. This makes the report appear somewhat bureaucratic, unfortunately something beyond local control or influence.
- 5.6 RBC will have to report to DEFRA on progress of the AQAP and impact of measures to address air quality in Annual Status Reports.
- 5.7 No options to consider.

#### **COMMENTS FROM STATUTORY OFFICERS:**

#### **6. SECTION 151 OFFICER**

- 6.1 There is a financial risk in relation to this AQMAP. The EU has made members states aware that if they fail to meet their air quality targets the EU may fine individual members.
- 6.2 In turn DEFRA have indicated that they may pass these fines on to non-conforming authorities. Within "britexit" pending the risk is considered very low.
- 6.3 Members will recall that Council has recently received Department of Transport funding of c £500k which has been used to support the installation of clean engine technology in 38 Rossendale Transport Limited buses.

#### **7. MONITORING OFFICER**

- 7.1 There is a risk legal arising from point 6.2, however this is considered very low.

#### **8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

- 8.1 The following stakeholders were consulted during the report:
- Highways Development control (Lancashire County Council)
  - Strategic Highways (Lancashire County Council)
  - Highways (Lancashire County Council)
  - Forward (Rossendale Borough Council)
  - Licensing Manager (Rossendale Borough Council)
  - Public Health (Lancashire County Council)
  - Transdev Bus
  - Rossobus
  - Regeneration (Rossendale Borough Council)

- Highways England.

8.2 A 28 Day consultation has been undertaken with members of the public. Their feedback is contained within the supporting documents of the report.

**9. CONCLUSION**

9.1 By endorsing this Air Quality Management Action Plan, the Council will be demonstrating its commitment to putting air quality at the heart of the decision making process and thereby act in a co-ordinated way to reduce air pollution and protect the health of people and the environment within Rossendale.

Background Papers	
Document	Place of Inspection
Air Quality Action Plan For Manchester Road, Haslingden and Bacup Road, Rawtenstall	Environmental Health Service Council Offices Business Centre
Air Quality Policy and Strategy 2009	Futures Park Bacup Lancashire OL13 0BB