

## READING BOROUGH COUNCIL

### REPORT BY DIRECTORATE OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

<b>TO:</b>	<b>STRATEGIC ENVIRONMENT, PLANNING &amp; TRANSPORT</b>		
<b>DATE:</b>	<b>13 JULY 2016</b>	<b>AGENDA ITEM:</b>	<b>8</b>
<b>TITLE:</b>	<b>NATIONAL AIR QUALITY ACTION PLAN</b>		
<b>LEAD COUNCILLOR:</b>	<b>COUNCILLOR PAGE</b>	<b>PORTFOLIO:</b>	<b>STRATEGIC ENVIRONMENT, PLANNING &amp; TRANSPORT</b>
<b>SERVICE:</b>	<b>REGULATORY SERVICES</b>	<b>WARDS:ALL</b>	
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#### 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 This report is being brought forward to inform members on:

- Changes to the National Air Quality Plan resulting from legal action against the UK being instigated for breaches of the EU Directive for Air Quality. Consultation was carried out on the proposed changes and officers presented a paper to SEPT Committee in November 2015 outlining the Council's response.
- The paper recommends that the Council remains committed to delivering the Air Quality Action Plan as updated in 2015 and continues to explore innovative ways to improve Air Quality for residents and visitors of Reading with partners.

#### 2. RECOMMENDED ACTION

2.1 To note the current National Air Quality Plan.

2.2 To note the recommendation to remain committed to delivery of the local Air Quality Action Plan and to work with partners to explore innovative solutions to improve Air Quality in Reading.

#### 3. POLICY CONTEXT

3.1.1 Under the Environment Act 1995, Reading Borough Council has a duty to constantly review and assess the air quality within its borough, and compare pollution concentrations against a set of European and National air quality standards. Monitoring has shown that Reading has areas where concentrations of Nitrogen Dioxide (NO<sub>2</sub>) are exceeding both European and national standards, and as such Reading Borough Council has declared an Air Quality Management Area (AQMA) and implemented an Action Plan. The national plan is the approach to achieving compliance with European air quality standards set out by the Government.

## National Context

- 3.1 In 2008, an EU Directive for Air Quality required the UK to manage pollutant levels such as Nitrogen Dioxide down to set levels by 2010. The UK failed to meet the deadline with 40 of the 43 air quality zones exceeding Nitrogen Dioxide limits. Following submissions of further management plans, the EU Commission granted consent to extend the period for compliance.
- 3.2 Following submissions by Client Earth and the European Commission to the European Court, the Supreme Court has ruled that the UK's current air quality plan does not comply with the Directive's requirement to ensure that Nitrogen dioxide levels are reduced to meet the limit values "in the shortest time possible".
- 3.3 In order to avoid Legal action through the Supreme Court, the Government revised and consulted on the National Air Quality Plan.

## Local Context

- 3.4 The Council are under a statutory duty to regularly 'review and assess' air quality in their areas, and to determine whether or not air quality objectives are likely to be achieved. Where exceedances are considered likely, the Council must then declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan setting out the measures it intends to put in place in pursuit of the objectives.
- 3.5 In September 2009, a single AQMA which covers perceived and actual exceedances in the Borough was declared.
- 3.6 The Air Quality Action Plan was reviewed in 2015. The revised Air Quality Action Plan contains measures to improve air quality across Reading, specifically targeting action on the key pollutants of concern - Nitrogen Dioxide and Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>).
- 3.7 The Corporate plan includes a key action to Narrow the gap to the national average (5.3%) of deaths in over 25s linked to air pollution (PM2.5)
- 3.8 The Sustainable Community Strategy includes addressing the issues of climate change and air quality as one of its key priorities. The Air Quality Action Plan links with Climate Change Strategy 2013-2020 in a number of areas, including:
  - Through Reading Climate Change partnership increasing business participation in reducing emissions through, measures such as cycle to work schemes, reducing building energy use and low emission delivery vehicles.
  - Ensuring that measures to address local air quality do not conflict with climate change actions, by considering the interlinked causal factors, identifying conflicts and promoting mutually beneficial solutions. e.g. Careful consideration of impact of biomass burners.
- 3.9 Planning Policy also requires that developments have regard to the need to improve air quality and to reduce the effects of poor air quality. Development that would detrimentally affect air quality will not be permitted unless the

effects are mitigated. Where required, planning obligations will be used to secure contributions to measures to tackle poor air quality or for air quality monitoring.

#### 4. The Proposal

- 4.1 Following consultation, a few changes were made to the Government's original proposal for the plan. The biggest change was for the compulsory implementation of Clean Air Zones in 5 cities (Birmingham, Leeds, Southampton, Nottingham and Derby) that are modelled to be exceeding the EU Ambient Air Quality Directive and Fourth Daughter Directive (DIRECTIVE 2004/107/EC) Target Values for Nitrogen Dioxide (NO<sub>2</sub>) after 2020. Vehicle owners will be required to pay a charge if they enter a Clean Air Zone which has a standard for their type of vehicle and it does not meet that standard.
- 4.2 Other changes include likely amendments of the implementation guidance for Clean Air Zones and some minor changes to the reporting requirements for Local Authorities. There has been no commitment to additional resources to manage the National Air Quality Plan.
- 4.3 Modelling indicates that Reading will be compliant with Nitrogen Dioxide targets by 2020. This means that a Clean Air Zone is not compulsory in Reading.
- 4.4 The plan does suggest that Local Authorities other than the 5 cities for which it will be compulsory can also focus action to improve air quality by implementing Clean Air Zones. This could be done on a voluntary basis without charging to raise public awareness.
- 4.5 A national framework for Clean Air Zones is to be published to enable a consistent approach to be adopted across participating cities/areas.
- 4.6 The national plan separates out the way in which air quality improvements will be brought about into three levels. The table below provides examples of how the Council's action plan addresses each of the levels.

NATIONAL AIR QUALITY PLAN	READING'S AIR QUALITY ACTION PLAN
<b>European</b>	
Euro Standards	Emissions Policy for Taxis, Reading Buses investment programme, Council Fleet
Fuel Quality Directive	No local control
Integrated Pollution Prevention & Control	Regulatory Services carry out inspection, permitting and where necessary enforcement of petrol stations, dry cleaners and other businesses covered under the regime.
<b>National</b>	
Clean Air Zones	Following release of the guidance, this option will be explored.
Ultra Low Emission Vehicle incentivisation.	When the grant funding scheme is published, consideration will be given whether to bid.
Improving road networks	Works such as the Southern Mass Rapid

	Transit scheme, pinchpoint schemes and upgrading signalling.
Reducing emissions from buildings and other sources.	Through Reading Climate Change partnership increase business participation in reducing emissions through, measures such as cycle to work schemes, reducing building energy use, low emission delivery vehicles.
<b>Local</b>	
Measures detailed in local plans.	Continued commitment to and delivery of the Air Quality Action plan.

4.7 In addition to the detailed Air Quality Action Plan, officers continue to work with partners to explore options to improve Reading's Air Quality. Current projects include reviewing an approach to vehicle idling across the Borough and reviewing the Hackney Carriage Vehicle Emissions Policy.

## 5. CONTRIBUTION TO STRATEGIC AIMS

5.1 The National Air Quality Plan and Air Quality Action Plan contributes to the Council's Plan priority theme 'protecting those that are most vulnerable' by reducing mortality attributable to particulate matter.

5.2 The implementation of the National Air Quality Plan contributes to the strategic aims:

- To Develop Reading as a Green City with a sustainable environment and economy at the heart of the Thames Valley
- To promote equality, social inclusion and a safe and healthy environment for all

## 6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 As part of the update to the Air Quality Action consultation was carried out. The plan is a public document accessible through the Council's website. Any significant changes or policies supporting the plan will likely need further consultation.

## 7. EQUALITY IMPACT ASSESSMENT

7.1 None required.

## 8. LEGAL IMPLICATIONS

8.1 Under the Environment Act 1995, Reading Borough Council has a duty to constantly review and assess the air quality within its borough. Where exceedances of European and national standards are identified an Air Quality Action Plan must be drawn up and implemented.

## 9. FINANCIAL IMPLICATIONS

- 9.1 The National Air Quality Plan indicates that funding may become available for specific projects, such as Ultra Low Emission Vehicles. External funding will be sought wherever possible in order to continue to deliver the action plan.
- 9.2 Where local authorities fail to deliver improvements in line with modelling, the Localism Act introduced a mechanism by which Councils could be responsible for paying part of the EU fine.

## **10. BACKGROUND PAPERS**

- 10.1 Air Quality Action Plan.