

Licensing and Regulatory Committee



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Proposals to Declare an Air Quality Management Area designation in Great Barton	
Report No:	LIC/SE/17/005	
Report to and date/s:	Licensing and Regulatory Committee	11 April 2017
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Lead officer:	Peter Gudde Service Manager (Environmental Health) Tel: 01284 757042 Email: peter.gudde@westsuffolk.gov.uk	
Purpose of report:	To report the findings of the external consultation on proposals to declare an Air Quality Management Area in Great Barton and to make recommendations.	
Recommendation:	It is recommended that the Committee approves the declaration of the Air Quality Management Area designation in Great Barton shown in Appendix A (of Report No: LIC/SE/17/005), based on the review and findings of the consultation.	
Key Decision: (Check the appropriate box and delete all those that do not apply.)	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:	<ul style="list-style-type: none"> Section 2 of the Report presents the findings of the public consultation 	

Alternative option(s):		<ul style="list-style-type: none"> Not taking action covered by the recommendations – this would leave the Council at risk of challenge by the public and Defra for not meeting its statutory obligations under the Local Air Quality Management Regulations to protect public health. 	
Implications:			
Are there any financial implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> The potential cost of any additional unbudgeted work to deliver actions to meet the Air Quality Objective would be subject to further review and approval by the relevant decision-making Committee following declaring an Air Quality Management Area. 	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> Declaration of an Air Quality Management Area also requires the development of an Action Plan aimed at meeting the relevant National Air Quality Objective. 	
Are there any equality implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> An Equalities Impact Assessment was undertaken prior to the statutory consultation. This did not identify any potential implications. 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Statutory Responsibilities	Medium	Delivering the statutory responsibilities will help reduce the inherent level of risk.	Low
Reputational	Medium	The Councils' work will help achieve a credible pathway to improving air quality.	Low
Financial	Low	Cost-benefit of key work will continue to be reviewed and adjusted.	Low

Community	Medium	Management of air quality in Great Barton through the Council engaging with local stakeholders to deliver an effective Air Quality Management Action Plan	Low
Ward affected:		Great Barton Ward	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		LIC/SE/16/004 - St. Edmundsbury 2016 Air Quality Annual Status Report and proposal to declare an Air Quality Management Area in Great Barton, 11 October 2016.	
Documents attached:		<p>Appendix A – Order to implement the designation and associated map showing the proposed area.</p> <p>Appendix B – Detailed analysis of consultation responses.</p>	

1. Key issues and reasons for recommendation(s)

- 1.1 This report sets out the findings of a consultation following this Committee's decision taken in October 2016 to consult on the declaration of an Air Quality Management Area (AQMA) designation in Great Barton (LIC/SE/16/004, St. Edmundsbury 2016 Air Quality Annual Status Report and proposal to declare an Air Quality Management Area in Great Barton, 11 October 2016, refers). The proposed declaration of the AQMA is for a small number of dwellings fronting on The Street, Great Barton (A143) which was previously designated between 2009 and 2012. LIC/SE/16/004, St. Edmundsbury 2016 Air Quality Annual Status Report and proposal to declare an Air Quality Management Area in Great Barton, 11 October 2016 set out the context and reasons why your officers recommended that the AQMA be re-designated.
- 1.2 This Committee approved a recommendation to undertake external consultation on the proposal to declare the Air Quality Management Area designation in Great Barton.

2. Results of External Consultation

- 2.1 Based on the statutory guidance under the Regulations and following discussion with key stakeholders, consultation was undertaken with both statutory and non-statutory consultees including the Parish Council, relevant District and County Councillors and all properties within an approximately 300m radius of the proposed AQMA. The consultation ran from the 23 January 2017 to the 3 March 2017.
- 2.2 The consultation gave respondents the opportunity to state their support or opposition for the proposals, to provide feedback on their experiences of any specific issues that they considered may be attributing to the quality of the air and to provide their details for potential inclusion on a future steering group.
- 2.3 There were 43 responses to the consultation which were as follows:
- Residents – 41 (of which 3 also declared themselves as elected Members)
 - Neighbouring Local Authorities – 2.
- 2.4 The responses to the question of whether each respondent supported the proposal to declare an Air Quality Management Area in Great Barton were as follows:
- Support – 42
 - Oppose – 0
 - Not specified – 1.
- 2.5 When considering the issues that affect the air quality in Great Barton, there were a range of issues that Officers highlighted on the consultation response form while several additional issues were raised by respondents.
- 2.6 A full analysis of responses is presented in **Appendix B**. The issues can be broken into "general" issues (such as the general excessive volume of traffic, the need for a by-pass and proposed major developments) or "location-specific" issues (such as the positioning of the pedestrian crossing and bus

stops and vegetation preventing dispersion of pollutants). Respondents also highlighted additional, but associated concerns regarding road safety, excessive speeding and congestion during rush hour.

- 2.7 Concern was expressed by several respondents that since the consultation had identified the pedestrian crossing as contributing to disrupted traffic flow and therefore worsening of air quality, the Council would be proposing removing this vital infrastructure. It is worth noting that the Council is obliged to consider all actions that could improve air quality. However, the Steering Group would be tasked to consider all options with any actions that have a detrimental impact on the community in other regards, outweighing the need to improve air quality, would not be taken forward.
- 2.6 Based on the outcome of the consultation, it is recommended that the Committee approves the declaration of the Air Quality Management Area designation in Great Barton as laid out in the Order in **Appendix A**.
- 2.7 Should the Committee approve the recommendation, Officers will coordinate the establishment of a Steering Group, in accordance with the Statutory Guidance, to discuss the potential actions to improve the air quality. This Steering Group will consist of key stakeholders and be tasked with considering what actions could be taken and assessing the costs and benefits of each potential action with the purpose of agreeing what can be taken forward by the Council working with others to meet the Air Quality Objective.
- 2.8 Following approval of the Order by this Committee, the following steps will be taken:
- Issue the Air Quality Management Area Order;
 - Inform Defra and other statutory consultees as required by the Local Air Quality Management, Policy Guidance, April 2016:
 - Take forward work to develop an Air Quality Management Area Plan, to be submitted to Defra within 6 months of the formal declaration
 - Seek active participation of key stakeholders incorporating the establishment of a Steering Group to support the development of the Air Quality Management Area Action Plan.