

Appendices

1. Northampton Low Emission Strategy Draft (Initial)



CABINET REPORT

Report Title	Northampton Low Emission Strategy (NLES)
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AGENDA STATUS: Public

Cabinet Meeting Date:	8 th June 2016
Key Decision:	YES
Within Policy:	YES
Policy Document:	No
Directorate:	Customers and Communities
Accountable Cabinet Member:	Cllr Alan Bottwood
Ward(s)	All

1. Purpose

- 1.1 To seek Cabinet approval for a period of public consultation on the draft Northampton Low Emissions Strategy (NLES).

2. Recommendations

- 2.1 That Cabinet approve the attached draft NLES subject to the outcome of a 8 – 12 week period of public consultation. The results of the consultation will be reported back to Cabinet in the Autumn

3. Issues and Choices

3.1 Report Background

- 3.1.1 Since 2003, Northampton Borough Council has declared and retained 7 AQMAs around the town. These are areas where the national air quality objective for a pollutant, Nitrogen Dioxide (NO₂), is not being met. In accordance with the Environment Act 1995, the Council is obligated to prepare an action plan outlining how it will go about reducing the harm from exposure to unacceptable areas of air quality.
- 3.1.2 Northampton Borough Council's response to this has been to develop an air quality strategy, known as the NLES. This is a new approach to action planning which has been adopted by a handful of UK local authorities.
- 3.1.3 The current draft of the NLES and supporting appendices has been prepared with the input and co-operation from a number of internal and external stakeholders including;
- Highways and Transport, and the Public Health and Wellbeing Directorate of Northamptonshire County Council
 - LGSS Procurement
 - The Planning Department of Northampton Borough Council
 - The Northampton Enterprise Partnership
 - Adjoining Northamptonshire local authorities
- 3.1.4 A professional stakeholder consultation of the current draft was completed in March 2016 involving the partners referred to above.
- 3.1.5 With regard to the public consultation exercise is it proposed to seek approval from Cabinet to carry out a public consultation exercise on the draft NLES ahead of bringing the strategy back to Cabinet in the Autumn for adoption.
- 3.1.6 The consultation exercise shall follow Policy Guidance PG (09) issued by DEFRA under Part IV of the Environment Act 1995. In accordance with this guidance the consultation period will last for a minimum of 8 weeks.
- 3.1.7 Advice has also been sought from the Council's Communications team and the following outline to consultation has been proposed:
- Press Release involving local media
 - Social media posts
 - Consultation with local resident groups and associations
 - Via the Council's website and intranet

3.2 Issues

- 3.2.1 In accordance with Part IV of the Environment Act 1995, where the Council has designated an air quality management area, it is under a legal obligation to produce an air quality action plan.

3.2.2 The European Court of Justice has ordered the UK Government to take urgent action regarding continued breaches of the Air Quality Strategy for UK. A Continued failure to meet the limit values could place the UK Government at risk of legal action being taken against it under EU law. This could include the potential for fines, which are proposed to be passed down to local authorities where its action or in-action has contributed to the limit value being exceeded. It is therefore important, not least for the protection of public health, that all public bodies work together to achieve compliance with the limit values by the earliest possible date.

3.3 Choices (Options)

3.3.1 As the purpose of the report is to seek the approval of cabinet to enter into a public consultation exercise there are considered to be 2 main options:

- Cabinet approval is given for public consultation to commence.
- Cabinet approval is not given for public consultation to commence.

4. Implications (including financial implications)

4.1 Policy

4.1.1 At this current stage this report is seeking Cabinet approval to go out to public consultation and therefore does not set, or have any implications on existing policy.

4.1.2 Once adopted, the NLES will intend to have weight in the planning process as an adopted air quality action plan. Supporting planning guidance developed as part of the NLES has been written in line with the National Planning Policy Framework (NPPF), and will eventually seek to support the development of local policies.

4.2 Resources and Risk

4.2.1 The NLES has been developed with grant funding support from the Department of Environment, Food and Rural Affairs (DEFRA). This funding has been used to develop the consultation draft and supporting appendices, and will also finance the implementation of the strategy. Therefore no additional financial risk or resource has been identified for the consultation exercise.

4.3 Legal

4.3.1 In accordance with Part IV of the Environment Act 1995, where the Council has designated an air quality management area, it is under a legal obligation to produce an air quality action plan.

4.3.2 The European Court of Justice has ordered the UK Government to take urgent action regarding continued breaches of the Air Quality Strategy for UK. A Continued failure to meet the limit values could place the UK Government at risk of legal action being taken against it under EU law. This could include the

potential for fines, which are proposed to be passed down to local authorities where its action or in-action has contributed to the limit value being exceeded. It is therefore important, not least for the protection of public health, that all public bodies work together to achieve compliance with the limit values by the earliest possible date.

4.4 Equality and Health

4.4.1 A key objective of the NLES is to address health inequalities. Evidence suggests that persons exposed to the worst areas of air quality can be located in some of the most deprived areas of Northampton. Whilst the NLES is targeted at improving air quality in AQMAs, its intention is also to approach air quality in a more holistic manner by promoting measures which can have a general improvement in air quality across the town.

4.5 Consultees (Internal and External)

4.5.1 The following Consultees have been considered as part of the wider public consultation exercise:

- Members of the public and local businesses
- Northamptonshire County Council
- Highways England
- Neighbouring Northamptonshire Local Authorities

4.6 How the Proposals deliver Priority Outcomes

4.6.1 With reference to the Corporate Plan – Priority 7, the NLES in its intention will work to ‘influence our partners to improve air quality and meet Government minimum targets’.

4.7 Other Implications

4.7.1 None

5. Background Papers

- 5.1 Northampton Low Emission Strategy AQ & Planning Technical
- 5.2 Guidance Draft
- 5.3 Community Impact Assessment
- 5.4 Policy Guidance PG (09)

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