



## CABINET REPORT

<b>Report Title</b>	<b>Low Emission Strategy</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	6 December 2017
<b>Key Decision:</b>	YES
<b>Within Policy:</b>	YES
<b>Policy Document:</b>	Northampton Low Emission Strategy
<b>Directorate:</b>	Customers and Communities
<b>Accountable Cabinet Member:</b>	Cllr Mike Hallam
<b>Ward(s)</b>	All

### 1. Purpose

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- 1.1 To seek Cabinet approval for the adoption of the Northampton Low Emission Strategy.

### 2. Recommendations

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- 2.1 That Cabinet approve the adoption of the Northampton Low Emission Strategy as outlined in Appendix 1

### 3. Issues and Choices

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#### 3.1 Report Background

- 3.1.1 The Environment Act 1995 places a statutory obligation on each local authority in the UK to carry out regular review and assessment of air quality in its area. The aim of the review is to make sure that the national air quality objectives will be achieved throughout the UK by the relevant deadlines. These objectives have been put in place to protect people's health and the environment.

- 3.1.2 A local authority must designate an Air Quality Management Area when it appears that any of the air quality objectives are not being achieved. The district council may amend or revoke an area as appropriate in the light of subsequent reviews. Northampton currently has a total of seven AQMAs declared at locations where Nitrogen Dioxide levels have consistently exceeded the national air quality objective. In September 2017 Cabinet approved the designation of a further AQMA to cover the town centre area. Once an AQMA has been declared the local authority is required to develop an action plan to outline the actions it plans to take to address the exceedances of air quality standards.
- 3.1.3 The Northampton Low Emission Strategy has been developed as part of the Air Quality Action Plan for Northampton. It is a coordinated document which outlines the approach that the Council is taking to address exceedances of air quality standards around the Borough.
- 3.1.4 The draft strategy was put out for public consultation during summer 2016 and further refined by input from Scrutiny Panel 4. The draft strategy has been updated to take account of the input from the Scrutiny panel, the results of the public consultation and changes in Central Government guidance and technology.
- 3.2 **Issues**
- 3.2.1 The principle behind the Low Emission Strategy is to promote, support and encourage the uptake of low emission vehicles as a means to addressing air quality in Northampton. Scrutiny Panel 4 has provided valuable input into the development of an action plan for the implementation of this strategy.
- 3.2.2 The Strategy recognises that exceedances of air quality standards and overall improvements in air quality will only be achieved by close working with a range of partners including colleagues in Planning, Transport and Highways, along with public transport operators and haulage companies.
- 3.2.3 The Strategy outlines the evidence for change, providing data on air quality and vehicle emissions, the health effects of air pollution and the legal requirements to address air quality issues.
- 3.2.4 The second section of the strategy outlines the steps towards the creation of a low emission future, explaining how transport management and travel planning, planning policy and development management, procurement, fleet management, the use of licensing powers and economic development can all contribute to this goal.
- 3.2.5 The strategy contains a Northampton Vehicle Emission Framework which details the measures to improve vehicle emissions across all sectors. Outlining a plan for a feasibility study for a Clean Air Zone, explaining the benefits for using alternative technology for public transport, details how the development of infrastructure for electric vehicles and other best practice measures can be developed and outlines steps to encourage emission reductions from freight vehicles.

3.2.6 The final section of the strategy is a communications plan together with details of how the strategy will be implemented, monitored and reviewed.

3.2.7 Technical guidance documents in relation to Planning, Electric Vehicles and Procurement accompany the strategy.

### 3.3 **Choices (Options)**

3.3.1 Cabinet could choose to adopt the strategy and progress with its implementation. By doing this the Council will be able to progress with actions to address air quality exceedances in Northampton in accordance with its legal requirements under the Environment Act 2005

3.3.2 Cabinet could choose not to adopt the strategy. By taking this action it would have to carry out alternative actions to comply with the legal requirement to address identified exceedances of air quality standards in Northampton.

## 4. **Implications (including financial implications)**

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### **Policy**

4.1.1 The adoption of the Low Emission Strategy establishes policy in relation to air quality

### **4.1 Resources and Risk**

4.2.1 This work will be progressed within existing budgets with any relevant opportunities for grant funding being followed up.

### **4.3 Legal**

4.3.1 Under section 84 of the Environment Act 1995, the local authority must prepare a written action plan, which must by law include the measures to be used to improve air quality and the time or times in which it proposes to implement these measures. However, Northamptonshire County Council have the power to disagree with the action plan or any revision. In the event of a disagreement to an action plan either Authority may refer the matter to the Secretary of State.

4.3.2 Failure to comply with this legislation would increase the risk of the Council being judicially reviewed by any person aggrieved by air quality standards in Northampton. A challenge may also arise from the perceived insufficiency of any action plan prepared under section 84 with regard to the requirements of the air quality objectives established in the Air Quality (England) Regulations 2000.

4.3.3 There are no direct Human Rights consequences of a failure to comply with the above statutory obligations. A perceived breach of human rights may be an element of the Claimant's argument.

#### **4.4 Equality and Health**

4.4.1 A Community Impact Assessment has been carried out as part of the consultation process on the strategy, this will be updated.

#### **4.5 Consultees (Internal and External)**

4.5.1 Planning, Legal, Finance,

4.5.2 Public Health Team Northamptonshire County Council.

#### **4.6 How the Proposals deliver Priority Outcomes**

4.6.1 The progressing of the low emissions strategy is a key action to protect the environment of Northampton

#### **4.7 Other Implications**

4.7.1 None

#### **5. Background Papers**

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5.1 Northampton Low Emission Strategy

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