

BROMSGROVE DISTRICT COUNCIL

CABINET

4TH FEBRUARY 2009

**AIR QUALITY STRATEGY AND PLANNING PROTOCOL FOR
HEREFORDSHIRE AND WORCESTERSHIRE**

Responsible Portfolio Holder	Peter Whittaker
Responsible Head of Service	David Hammond
Key Decision	

1. SUMMARY

- 1.1 The local authorities of Worcestershire and Herefordshire Council, whilst fulfilling their statutory responsibilities and obligations under the Local Air Quality Management regime within the Environment Act 1995, have also recognised a need to develop a more holistic and unified approach to managing local air quality across the two Counties. The Herefordshire and Worcestershire Pollution Group have therefore initiated the preparation of a cross-County Herefordshire and Worcestershire Air Quality Strategy (AQS). The improvement of air quality requires input from a wide range of planning and other professions. Therefore this AQS identifies commitments, particularly for communication and co-operation within and between local authorities, external organisations and the community.

2. RECOMMENDATION

- 2.1 That the Air Quality Strategy and Planning Protocol for Herefordshire and Worcestershire attached at Appendix 1 and 2 be approved and adopted.

3. BACKGROUND

- 3.1 Local authorities have a duty under the Environment Act 1995 to review and assess local air quality within their areas, against a set of health-based air quality objectives for a number of specific air pollutants. Since the publication of the National Air Quality Strategy in 1997, the six local authorities of Worcestershire (Bromsgrove DC, Redditch BC Wyre Forest DC, Wychavon DC, Worcester CC, and Malvern Hills DC) and Herefordshire Council have fulfilled their obligations to identify any areas where there is a likelihood of exceeding the objectives. Where exceedences exist, the local authorities are then required to declare Air Quality Management Areas (AQMAs) and to prepare Air Quality Action Plans (AQAPs) setting out measures to reduce concentrations of air pollutants in pursuit of the objective levels.

Whilst fulfilling statutory responsibilities and obligations to identify hot spots, the local authorities have recognised a need to develop a more holistic and

unified approach to managing local air quality across the two Counties. Herefordshire and Worcestershire Pollution Group, consisting of environmental health professionals, have thereby initiated the preparation of a cross-County Herefordshire and Worcestershire Air Quality Strategy and Planning Protocol. The improvement of air quality requires input from a wide range of planning and other professions. Therefore this Strategy identifies broad actions, particularly for communication and co-operation within and between local authorities and wider bodies and the community.

- 3.2 Consultation has been confined to environmental health and planning professionals within the local authorities involved along with the Worcestershire County Council Transport Policy Section, this is because the document is non statutory.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications

5. LEGAL IMPLICATIONS

- 5.1 Environment Act 1995 is the enabling legislation; statutory duties are currently being complied with. Additionally, Planning Policy Statement guidance has been incorporated into the Protocol.

6. COUNCIL OBJECTIVES

- 6.1 CO1 Regeneration - The adoption of this Strategy and Protocol will help to ensure that any proposed developments do not give rise to adverse pollution impacts in the town centre.

CO2 Improvement & CO3 Sense of Community & Well Being – the work relating to this will help to generate Well Being

CO4 Environment – the Climate Change element is interlinked with the aims of the Strategy

7. RISK MANAGEMENT

- 7.1 The main risks associated with the details included in this report are:

Failing to meet Government targets for Local Air Quality monitoring are included on the Planning and Environment Risk Register.

Failing to adopt the Strategy would be a reputation risk to the Council in relation to its joint working and partnerships objective

7.2 These risks are being managed as follows:

Risk Register: Planning and Environment
Key Objective Ref No: 3
Key Objective: Effective, Efficient and Legally compliant Environmental Health Service

8. CUSTOMER IMPLICATIONS

8.1 The recommendations will have a positive impact on residents throughout the Counties and will enable businesses and developers to be treated consistently in relation to air quality matters from all Authorities within the Counties. It will also act as the first point of contact and source of information relating to local air quality policy for regional bodies and others (for example, the Regional Development Agency, Highways Agency and Environment Agency). The Strategy will be available on the Councils website upon adoption.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 There are no implications of this report which adversely affect the Council's Equalities and Diversity Policies.

10. VALUE FOR MONEY IMPLICATIONS

10.1 There are no value for money implications

11. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None

Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	The Environment and Climate Change have been identified as Council Priorities and Objectives
Environmental	Assessment of local air quality is an important part of the Council's Environment Objective.

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director - Partnerships and Projects	No
Executive Director - Services	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	No
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. WARDS AFFECTED

- All Wards
- 14. APPENDICES**

Appendix 1 Air Quality Strategy for Herefordshire and Worcestershire

Appendix 2 Planning Protocol for Herefordshire and Worcestershire

15. BACKGROUND PAPERS

Air Quality Strategy for Herefordshire and Worcestershire (See Appendices 1 & 2)

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