

## **Environment and Communities Committee**

**18 July 2024**

### **Updated Air Quality Strategy**

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**Report of: Tom Shuttleworth, Interim Director Environment and Neighbourhoods**

**Report Reference No: EC/03/24-25**

**Wards Affected: ALL**

#### **Purpose of Report**

- 1 This report seeks approval to adopt the updated Air Quality Strategy (“AQS”).
- 2 Updating the AQS supports the Green Corporate Plan objective by ensuring air quality is considered across the Council, working to reduce pollution and improve air quality, making Cheshire East a great place to live and work.

#### **Executive Summary**

- 3 The Environment Act 2021 amended Part IV of the Environment Act 1995, and in conjunction with the Local Air Quality Management Policy Guidance (PG22), strengthened the requirement and structure of local authority Air Quality Strategies.
- 4 The aim of the AQS is to provide a strategic framework to deliver local air quality improvements and contribute to long-term air quality goals within Cheshire East. The AQS supports the achievement of the air quality objectives, including the ambitious new Government targets for Particulate Matter, and elevates air quality as an issue for consideration within a wide range of local government and regional frameworks.
- 5 In 2018, Cheshire East Council adopted the current AQS, and following a full review and consultation exercise, we have now produced an

updated Strategy for approval, which meets our legislative responsibilities under the Local Air Quality Management (LAQM) process.

## RECOMMENDATIONS

The Environment and Communities committee is recommended to:

1. Approve the adoption of the updated Air Quality Strategy.

## Background

- 6 The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas and to determine whether or not the air quality objectives are likely to be achieved. Where an exceedance is considered likely the local authority must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives.
- 7 Since the publication of the initial National Air Quality Strategy in 1997, Cheshire East Council has fulfilled its obligations to identify any areas where there is a potential to exceed the relevant objectives. To date all of the AQMAs which have been declared are in discrete locations across the Cheshire East borough, all of which are predominantly associated with road traffic emissions.
- 8 The aims of the AQS are to support the achievement of the air quality objectives and to ensure air quality is considered within a wide range of local government and regional planning frameworks. This is important to note that whilst working towards achievement of the air quality objectives will help reduce the risk of the most serious health effects related to pollution, there are advantages to be gained from the continual improvement of local air quality conditions. By establishing a strategic framework for the inclusion of air quality considerations within Council policies and procedures, a local authority is then well placed to maintain good air quality and secure future improvements.
- 9 Delivering improvements to local air quality requires input from a wide range of professions and partnerships. Therefore, this Strategy identifies commitments intended to promote communication and co-operation within Cheshire East Council, as well as between external organisations and the community.

- 10 These commitments are grouped under several relevant policy sectors including air quality, development control and spatial planning, transport and non-road mobile machinery, climate change and energy management, public health, education and awareness, indoor air quality, industrial, commercial and domestic sources and agriculture.
- 11 The AQS sets out how the Council intends to address air quality across all services and in all relevant decisions. Therefore, it is important that the AQS is aligned with the Council's plans and strategies, such as the Local Transport Plan, Local Plan Strategy, Electric Vehicle Infrastructure Strategy, Environment Strategy, Carbon Neutral Action Plan, and the Cheshire East Local Plan.
- 12 The objectives of developing and implementing an AQS are to:
- Ensure Cheshire East maintains good air quality conditions across the borough.
  - Improve air quality within existing AQMAs and prevent further deterioration, even in those areas where air quality is currently below the objective.
  - Promote greater consistency across a range of policy areas for the achievement of improved local air quality, including Spatial Planning, Development Management, Highways and Strategic Infrastructure, Economic Development, Housing, Environmental Protection and Public Health. This will ensure air quality is addressed in a multi-disciplinary way across the different departments of the Council.
  - Provide a link to wider initiatives across the Council, which could have an impact on air quality, including supporting our borough-wide target to be net-zero by 2045.
  - Raise and maintain the profile of air quality and ensure it remains high on the political agenda.
  - Highlight and educate stakeholders about the link between air quality and the risks to human health, the wider local environment, carbon reduction and biodiversity.
  - Raise the profile of air quality amongst the local communities across Cheshire East.
  - Encourage greater co-operation and collaboration with neighbouring local authorities, local business, industry and residents.
  - Provide the first point of contact and source of information relating to local air quality.

- 13 By achieving the aim and objectives, the AQS will also contribute to:
- Minimising disadvantages suffered by people due to their protected characteristics.
  - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- 14 The implementation of the AQS will be the responsibility of the Regulatory Services and Health (RS&H) team. The Strategy will be reviewed, for example following new guidance, case law or statute law, and/or every five years.

### **Consultation and Engagement**

- 15 During the development of the Strategy, formal consultation took place for six weeks from the 10 April 2024. The consultation was hosted on the website and supported by a press release and social media posts.
- 16 The Strategy was shared by email communication to the Environment Agency, Highways England, UK Health Security Agency and all nine adjoining local authorities. Local ward members and Town and Parish Councils were also consulted for their views. Internal departments such as Development Management, Highways and Public Health were involved in compiling the updated AQS through being represented on the Air Quality Steering Group.
- 17 Respondents were supportive of the Strategy and responses have been fed into the final version. The full consultation responses can be seen in Appendix 2.

### **Reasons for Recommendations**

- 18 It is now a statutory requirement that local authorities have an AQS in place. The strategy needs to reflect changes in legislation and government guidance as well as local requirements.
- 19 It is important that the strategy is reviewed to ensure that it remains fit for purpose as highlighted by statutory guidance, plus, in line with the National Air Quality Strategy, it is also good practice to review the strategy at least every five years.

### **Other Options Considered**

- 20 The Council has the option to proceed without adopting an updated AQS. However, the current Strategy was adopted in 2018 and it is good practice to ensure that the objectives and information within the document are updated so they remain reliable and relevant.

Option	Impact	Risk
Do nothing	The updated AQS could not be adopted and failure to meet the statutory requirement.	Failure to ensure air quality is considered across various Council Plans and Policies. The Council would receive Ministerial Direction from Defra to update the AQS.

## Implications and Comments

### *Monitoring Officer/Legal*

- 21 The Environment Act 2021 amended Part IV of the Environment Act 1995, and in conjunction with the Local Air Quality Management Policy Guidance (PG22), it is now a statutory requirement for local authorities to have an AQS. Previously it was just good practice to publish an AQS.
- 22 The current AQS has been in place for 5 years and due to the changes in legislation, introduction of Particulate Matter limits and amended LAQM guidance, it is the right time to update the current AQS.

### *Section 151 Officer/Finance*

- 23 There are no significant direct financial costs arising from adoption of the AQS. The production of the Strategy has been delivered within existing Regulatory Services and Health service budgets.

The Regulatory Services and Health service budget funds day-to-day implementation of the Strategy. Any project or mitigation work undertaken, would potentially result in further costs. These would be budgeted for using external Grant funding and/or Local Transport Plan money from Highways. Therefore, there is no anticipated impact on the Council's approved budget/Medium Term Financial Strategy (MTFS).

### *Policy*

- 24 Updating the AQS contributes to delivery of the priorities in the [Corporate Plan](#) as follows:

<b>An open and enabling organisation</b>	<b>A council which empowers and cares about people</b>	<b>A thriving and sustainable place</b>
<p>Ensure there is transparency in all aspects of council decision making</p> <p>Listen, learn and respond to our residents,</p>	<p>Reduce health inequalities across the borough</p>	<p>A great place for people to live, work and visit</p> <p>Reduce impact on the environment</p>

promoting opportunity for a two-way conversation		
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### *Equality, Diversity and Inclusion*

- 25 The Council has a duty under Section 149 of the Equalities Act to have due regard to the need to: eliminate discrimination; advance equality of opportunity between persons who share a “relevant protected characteristic” and persons who do not share it; foster good relations between persons who share a “relevant protected characteristic” and persons who do not share it.
- 26 Although air pollution can be harmful to everyone, some people are more affected than others because they are exposed to higher levels of air pollution in their day to day lives, live in a polluted area, or are more susceptible to health problems caused by air pollution. The most vulnerable people face all of these disadvantages. There is also often a strong correlation with equality issues because areas with poor air quality are also often less affluent areas.
- 27 Having an AQS aims to improve air quality through a strategic framework and will have positive health benefits for all, particularly for those people in certain protected characteristic groups.
- 28 An Equality Impact Assessment on the AQS has been prepared and is published online (Appendix 4).

### *Human Resources*

- 29 There are no direct implications for human resources.

### *Risk Management*

- 30 There are no direct risk management implications arising from this report. The report ensures the Council meets with statutory requirements under the Environment Act 1995, as amended by the Environment Act 2021.

### *Rural Communities*

- 31 There are no direct implications for rural communities specifically; however, the Strategy will apply to the whole borough of Cheshire East, including all rural communities.

*Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

- 32 The AQS does not have a direct implication for children and young people or cared for children but will assist in improving air quality and protecting public health across the borough, affecting all communities.

*Public Health*

- 33 Air pollution is associated with several adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society, children and older people and those with heart and lung conditions.
- 34 It is important to reduce, where possible, public exposure to certain pollutants, even where levels are below the national air quality objectives, to support a healthier population and reduce premature death. This is particularly important for fine particulate matter, where there are currently no known safe levels of exposure. By establishing a Strategy framework which positions air quality considerations at the heart of Council policies, procedures and decisions, this will ensure Cheshire East is well placed to maintain good air quality and secure future improvements across the borough.

*Climate Change*

- 35 Measures to improve air quality are typically complimentary to the climate change agenda. The Strategy seeks to prevent 'creep' in air pollution levels from large scale development coming forward and continue to improve air quality by working with partners on wider infrastructure projects to reduce reliance on private vehicles and facilitate the use of public transport and active travel.

<b>Access to Information</b>	
Contact Officer:	Sarah Allwood, Senior Environmental Health Officer <a href="mailto:Sarah.allwood@cheshireeast.gov.uk">Sarah.allwood@cheshireeast.gov.uk</a>
Appendices:	Appendix 1: Updated Air Quality Strategy Appendix 2: Consultation Report Appendix 3: Logged changes to the Air Quality Strategy Appendix 4: Equality Impact Assessment
Background Papers:	N/A

