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Our Ref

Your Ref

Date: 13 April 2021

Dear Councillor,

Environmental and Development Services Committee

A Meeting of the **Environmental and Development Services Committee** will be a **Virtual Committee**, held via Microsoft Teams on **Wednesday, 21 April 2021 at 18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Labour Group**

Councillor Taylor (Chairman), Councillor Heath (Vice-Chairman) and Councillors Dunn, Singh and Tilley.

Conservative Group

Councillors Mrs. Brown, Corbin, Ford, Mrs. Haines and Mrs. Patten.

Independent Group

Councillors Fitzpatrick and MacPherson.

AGENDA

Open to Public and Press

- 1** Apologies and to note any Substitutes appointed for the Meeting.
- 2** To note any declarations of interest arising from any items on the Agenda
- 3** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 4** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 5** AIR QUALITY POLICY **3 - 14**
- 6** COMMITTEE WORK PROGRAMME **15 - 19**

Exclusion of the Public and Press:

- 7** The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 8** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 9** REVIEW OF PLANNING SERVICES STRUCTURE

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	21st APRIL 2021	CATEGORY: RECOMMENDED
REPORT FROM:	ALLISON THOMAS, STRATEGIC DIRECTOR – SERVICE DELIVERY	OPEN
MEMBERS' CONTACT POINT:	MATT HOLFORD, matthew.holford@southderbyshire.gov.uk, 01283 595856	DOC:
SUBJECT:	AIR QUALITY POLICY	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS01, EDS14

1. Recommendations

1.1 That the Committee approves an Air Quality Policy for South Derbyshire.

2. Purpose of Report

- 2.1 To advise Committee of recent statutory and policy developments relating to air quality.
- 2.2 To propose the adoption of an Air Quality Policy for South Derbyshire to synchronise with the Derbyshire County and Derby City Air Quality Strategy 2020-30.

3. Background

- 3.1 South Derbyshire District Council has had a statutory duty to review and assess air quality since the introduction of the Environment Act in 1995. This duty requires the Council to review and assess air quality across the administrative area of the Council. This assessment must establish if there is any human exposure to any of seven key pollutant gases which exceed Air Quality Limit Values set down in the Air Quality Standards Regulations 2010.
- 3.2 Where evidence of exceedances of these health-based Limit Values are established, then the Council has a legal duty to declare an Air Quality Management Area (AQMA) and to develop an Air Quality Action Plan (AQAP) to work towards achieving these Limit Values within the fastest possible time.
- 3.3 It is also a legal duty for the Council to publish an annual Air Quality Status Report to demonstrate to DEFRA that it is meeting the duties laid out in the Environment Act.
- 3.4 Air quality exceeds the Limit Values in approximately half of Council's across the UK. There are roughly 610 AQMAs in the UK. Most of these have been declared due to the impact of emissions from road traffic.

- 3.5 All previous annual assessments have determined that air quality in South Derbyshire meets the Air Quality Limit Values, and so no local AQMA has been declared. The latest version of the South Derbyshire Annual Status Report is published on our website at [Air quality | South Derbyshire District Council](#)
- 3.6 However, there is emerging evidence that exposure to airborne pollution may have greater health impacts than were originally understood when the Environment Act was enacted. The impacts of air quality over the full human lifecycle have been summarised in an influential joint report published in 2016 from the Royal Society of Physicians and Royal Collage of Paediatrics and Child Health "[the Lifelong Impact of Air Pollution](#)"
- Based on current estimates, air pollution is the top environmental risk to human health in the UK, and the fourth greatest threat to public health after cancer, heart disease and obesity.
 - The Department of Health and Social Care's Advisory Committee on the Medical Effects of Air Pollutants (COMEAP) have recently estimated that long-term exposure to man-made air pollution in the UK has an annual impact on shortening lifespans, equivalent to 28,000 to 36,000 deaths every year.
- 3.7 As a result of the increasing evidence of the adverse health impact of air quality, there has been an increased imperative within the public health community to deal with its causes and effects. Cleaner air was identified as one of the top 10 priorities for Public Health England (PHE) in their 2020-25 Strategy.
- 3.8 In 2019 the UK Government also published a new [Clean Air Strategy](#) for the UK, which set out a range of actions to improve air quality across the country.
- 3.9 In response to the PHE Strategy, the Directors of Public Health for Derbyshire and Derby have identified air quality as being an important factor in ensuring healthy local communities. A Derbyshire County and Derby City Air Quality Strategy 2020-30 was jointly approved by the Derby and Derbyshire Health and Wellbeing Boards in January 2020.
- 3.10 The Derbyshire County and Derby City Air Quality Strategy contains the core vision that "*Together we will reduce the health impact of poor air quality for the people of Derbyshire County and Derby City*" along with a set of guiding principles, strategic priorities and quantitative outcomes.
- 3.11 The Environment Bill is currently progressing through Parliament. The Bill makes a clear commitment to set an ambitious, legally binding target for the pollutant with the most significant impact on human health, fine particulate matter. The Bill also mandates that the government will set at least one further long-term air quality target.

4. Purpose and Contents of the Proposed Air Quality Policy

- 4.1 There is no statutory duty on the Council to adopt an air quality policy. However, in officer opinion the adoption of a Policy at this stage offers the following benefits:
- The proposed Policy provides South Derbyshire Councillors and residents with a clear and simple set of measures against which to understand current and future air quality in the District.
 - The proposed Policy sets air quality targets which offer a significant improvement over and beyond the statutory [Targets](#) contained in the Air Quality Standards

Regulations 2010. This reflects the emerging evidence over the last decade that there are health impacts at exposure levels below the existing Air Quality Limit Values. Moreover, it provides a tangible proof that the Council is living by its Corporate Plan aim of 'Our Environment' and keeping a clean, green District for future generations.

- Currently the Council has very little influence where development is likely to worsen air quality but will not breach Air Quality Limit Values. The adoption of the proposed Policy will give the Council some leverage where development proposals are in breach of the Policy, even where it does not breach environmental law or planning policy.
- It can be expected that new air quality duties and targets are delegated to local authorities once the Environment Bill becomes law and any subsequent Regulations are brought into effect. The adoption of the proposed Policy will therefore put the Council two or three years ahead of the curve of anticipated changes in law.

4.2 The content of the Policy has been produced to closely reflect the content of the Derbyshire County and Derby City Air Quality Strategy 2020-30 ('the Strategy').

4.3 It contains a single objective – namely to reduce the health impact of poor air quality for the people of South Derbyshire. It also contains four key priorities, three of which match the Strategy, plus a fourth to ensure that any conflicts between air quality and the Council's key aim of reducing climate change are harmonised as much as possible.

4.4 The Policy contains a number of quantified outcomes. All of the outcomes reflect the same metrics as are contained in the Strategy; are set at meeting targets which exceed the current statutory standards and are set at targets which ensure progressive improvement in air quality. This reflects the aspiration of continuous environmental improvement in accordance with the Council's ISO14001 environmental management standard.

5. Financial Implications

5.1 There are no direct financial implications to adopting the proposed Policy other than it commits the Council to maintaining the existing resource commitment to monitoring and reviewing air quality.

6. Corporate Implications

Employment Implications

6.1 None.

Legal Implications

6.2 The Policy is not a statutory document and there is no form of challenge to it other than the normal form of judicial review against any Council action by a disgruntled party.

6.3 The adoption of the Policy may offer additional leverage (for example in a Planning Inquiry) to support the Council in resisting matters which may be contrary to the Council's aspirations, but for which there is no other existing means of objection.

6.4 The proposals align with the “Our Environment” priority of the Corporate Plan.

Risk Impact

6.5 None.

7. Community Implications

Consultation

7.1 The content of the Derbyshire County and Derby City Air Quality Policy has already been the subject of extensive consultation led by Derbyshire County Council Public Health.

Equality and Diversity Impact

7.2 None.

Social Value Impact

7.3 Beneficial.

Environmental Sustainability

7.4 The Policy reflects the positive environmental aspirations of the Council and has been identified as an opportunity within the ISO14001 risk and opportunity register.

8. Conclusion

8.1 That the Committee approves the South Derbyshire Air Quality Policy 2020-24.

9. Background Papers

All relevant papers have been hyperlinked in the body of the report.

South Derbyshire Air Quality Policy 2021-24

Date: April 2021



Version Control

Version	Reason for review (review date/legislation/process changes)	Effective Date	Review date
1.0	First version	21/04/2021	21/04/2024

Approvals

Approved by	Date
Senior Leadership Team	March 2021
Environment & Development Services	21 st April 2021

1.0 Introduction

Air pollution is the biggest environmental health risk in the UK. It is estimated to contribute up to 40,000 premature deaths in the UK per year and contributes to an estimated 530 deaths and 5400 life years lost in Derbyshire County and City¹. The economic cost to the UK is thought to be around £20 billion a year.

Studies demonstrate long-term exposure to air pollution (over years) can reduce life expectancy, mainly due to cardiovascular and respiratory diseases and lung cancer. Short-term exposure (over hours or days) to high levels of air pollution can also cause a range of health impacts, including exacerbation of asthma, increases in respiratory and cardiovascular hospital admissions and mortality².

The impact of air pollution often disproportionately affects the very young; older people; those with underlying health conditions; and the most disadvantaged within our communities.

Reductions in air pollution require both global, national and local action. In 2019 the UK Government also published a new [Clean Air Strategy](#) for the UK, which set out a range of actions to improve air quality across the country.

Directors of Public Health for Derbyshire and Derby have identified air quality as being an important factor in ensuring healthy local communities. A Derbyshire County and Derby City Air Quality Strategy 2020-30 was jointly approved by the Derby and Derbyshire Health and Wellbeing Boards in January 2020.

¹ Public Health England (2014) Estimated local mortality burdens associated with particulate air pollution https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/332854/PH_E_CRCE_010.pdf

² Public Health England (2019) Health Matter; Air pollution <https://www.gov.uk/government/publications/health-matters-air-pollution/health-mattersair-pollution>



The Derbyshire County and Derby City Air Quality Strategy contains the core vision that “*Together we will reduce the health impact of poor air quality for the people of Derbyshire County and Derby City*” along with a set of guiding principles, strategic priorities and quantitative outcomes.

At the time of drafting this Policy, an Environment Bill is currently progressing through Parliament. The Bill makes a clear commitment to set an ambitious, legally binding target for the pollutant with the most significant impact on human health, fine particulate matter. The Bill also mandates that the government will set at least one further long-term air quality target.

2.0 Purpose

In recognition of the enormous impact that air quality has on the health of local communities, in 2020 both the Derby and Derbyshire Health Protection Boards approved the adoption of a Derbyshire and Derby Air Quality Strategy 2020-2030 (‘the Derbyshire Strategy’).

The purpose of this Air Quality Policy for South Derbyshire is to identify a set of local priorities, aims and objectives to support delivery of the Derbyshire Strategy and in doing so to reduce the Council’s own contribution to local air pollution, facilitate change, influence others and protect health.

3.0 Objectives

The aim of this Policy **is to reduce the health impact of poor air quality for the people of South Derbyshire.**

The priorities of the Policy are:

- **To seek to reduce the sources of pollution within and outside South Derbyshire which contribute to poor air quality,**
- **To prioritise and support those interventions which offer additional health benefits**
- **To mitigate the impacts of poor air quality on health.**
- **To strike a balance between the occasional tensions between climate change interventions and local air quality interventions.**

The diverse and changing nature of the sources, interventions and population groups exposed to poor air quality means that the cumulative effect of a range of interventions has the greatest potential to reduce local air pollution.

The Derbyshire and Derby Health Protection Boards have committed to the development of an annual action plan which will utilise the available evidence and best practice working with partners to achieve the priorities described above. The delivery of the Derbyshire Strategy will be monitored through these Boards.

Delivery of the Derbyshire Strategy will be undertaken through a Derbyshire Air Quality Working group, reporting at least annually to the Health and Wellbeing Board. This will include providing



oversight of key population outcomes, performance against the strategic priorities and progress on the annual the action plan.

The delivery of this South Derbyshire Air Quality Policy will be monitored through the Council's Environment and Development Services Committee.



4.0 Outcomes

The Derbyshire Strategy contains a number of measurable outcomes which link to the four priorities. These outcomes for Derby and Derbyshire are summarised in Table 1, along with more local outcomes to provide a more granular set of desired outcomes for South Derbyshire.

Table 1: Policy Outcomes

Outcome	2017 Derbyshire Baseline	South Derbyshire	
		2019 Baseline	2024 Target
Fraction of mortality attributed to particulate matter air pollution (Note 1)	5.1% (2019)	5.3%	5.1%
Average annual measured concentration of nitrogen dioxide	28.8 µg/m ³	23.8 µg/m ³	23.0 µg/m ³
Maximum annual average measured concentration of nitrogen dioxide (Note 2)	49.9 µg/m ³ (County) 61.9 µg/m ³ (City)	32.7 µg/m ³	36.0 µg/m ³
Number of air quality monitoring sites (Note 2)	272	16	19
Number of monitoring sites where the annual average measured concentration of nitrogen dioxide exceeds 40µ/m ³ (Note 2)	13	0	0
Number of Air Quality Management Areas (Note 2)	8	0	0
Predicted annual average and maximum background PM ₁₀ (Note 3)	No data	Mean 12.7 µg/m ³ Max 16.1 µg/m ³	Mean 12.2 µg/m ³ Max 15.6 µg/m ³
Predicted annual average and maximum background PM _{2.5} (Note 3)	No data	Mean 7.8 µg/m ³ Max 9.7 µg/m ³	Mean 7.4 µg/m ³ Max 9.3 µg/m ³

Data Sources:

Note 1 <https://fingertips.phe.org.uk/profile/public-health-outcomes-framework/> Indicator D01

Note 2 [South Derbyshire Air Quality Annual Status Report](#)

Note 3 [Background mapping data for local authorities](#)



5.0 Definitions

Air Quality Management Areas - (AQMAs) are areas that are likely to exceed the national air quality objective for a specific pollutant.

Fraction of mortality - expressed as the percentage of annual deaths from all causes in those aged 30+

$\mu\text{g}/\text{m}^3$ – microgrammes per cubic meter of air

PM₁₀ - individual particles with an aerodynamic diameter generally less than 10 micrometers. PM₁₀ is also known as respirable particulate matter.

PM_{2.5} - individual particles with an aerodynamic diameter generally less than 2.5 micrometers. PM_{2.5} is also known as fine particulate matter.

6.0 Roles and Responsibilities

- **Responsible:** Service area which performs an activity or does the work.
- **Accountable:** Service area which is ultimately accountable for the service being provided
- **Consulted:** Services which need to be engaged and contribute to the Policy
- **Informed:** Services or stakeholders which need to be informed of the Policy

Detailed operational procedures are separate from policy documents.

Procedural information may be appropriately referenced or provided in the policy to meet a statutory requirement or to clarify the process that leads to a decision.

Responsible	Accountable
<ul style="list-style-type: none"> • Head of Environmental Services <ul style="list-style-type: none"> ○ To support the Derbyshire Air Quality Group ○ To comply with Environment Act 2005 and other emerging legal requirements • Head of Planning and Strategic Housing <ul style="list-style-type: none"> ○ To ensure planning policy and development control decisions do not have an unacceptable adverse affect on air quality. 	<ul style="list-style-type: none"> • Strategic Director – Service Delivery <ul style="list-style-type: none"> ○ Leadership commitment to policy aims ○ Possibly OEP?
Consulted	Informed
<ul style="list-style-type: none"> ○ Senior Leadership Team ○ Head of Planning & Strategic Housing 	<ul style="list-style-type: none"> • Councillors <ul style="list-style-type: none"> ○ To understand the implications of the Policy • Public (published on website) <ul style="list-style-type: none"> ○ To understand the Policy



7.0 References

None

8.0 Associated Documentation

Description of Documentation	Document Reference
Derbyshire County and Derby City Air Quality Strategy 2020-30	

9.0 Appendices / Glossary

9.1 Equality Impact Assessment Form

The outcome of the assessment should be included in the supporting Committee Report which is seeking approval for a new or amended Policy.

9.2 Sustainability Impact Assessment

The outcome of the assessment should be included in the supporting Committee Report which is seeking approval for a new or amended Policy. Put a tick in the areas that you feel that this policy supports/ impacts.

Our Environment		Our People		Our Future	
Improve the Environment of the District	Y	Engage with Communities	Y	Develop Skills and careers	N
Tackle Climate Change	N	Supporting and Safeguarding the most vulnerable	Y	Support economic growth and infrastructure	N
Enhance the attractiveness of South Derbyshire	Y	Deliver Excellent Services	N	Transforming the Council	N



REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	21st APRIL 2021	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595848/5722 democraticservices@southderbyshire.gov. uk	DOC:
SUBJECT:	COMMITTEE WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Environmental & Development Committee – 21st April 2021 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
Reports Previously Considered by Last Three Committees		
Consideration of Statutory Taxi and Private Hire Standards	12th November 2020	Emma McHugh / Nigel Marston Senior Licensing Officer (01283) 595716
Review of Private Hire Fees	12th November 2020	Emma McHugh / Nigel Marston Senior Licensing Officer (01283) 595716
Corporate Environmental Sustainability Group	12 th November 2020	Matt Holford Head of Environmental Services (01283) 595856
Corporate Plan 2020 - 2024: Performance Report Q2	12 th November 2020	Clare Booth Corporate Performance & Policy Officer (01283) 595 788
Waste Delivery Review Outcome Report	12 th November 2020	Adrian Lowery Head of Operational Services 01283 595764

Waste and Minerals Plan Consultation from the County Council	12 th November 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Approval of the Infrastructure Funding Statement	12 th November 2020	Karen Beavin Planning Policy Team Leader (01283) 595749
Service Base Budgets 20020/21	4 th January 2021	Victoria Summerfield Head of Finance Victoria.summerfield@southderbyshire.gov.uk
Pictorial Wildflower Planting Trial-Outcomes and Next Steps	21 st January 2021	Allison Thomas Strategic Director (Service Delivery)
Authority Monitoring Report	21 st January 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Planning Pre-Application Charging Report	21 st January 2021	Steffan Saunders Head of Planning and Strategic Housing
Review of Private Hire Fees	21 st January 2021	Nigel Marston Senior Licensing Officer (01283) 595716
Environment Policy	21 st January 2021	Matt Holford Head of Environmental Services (01283) 595856

Provisional Programme of Reports To Be Considered by Committee		
Corporate Plan 2020 - 2024: Performance Report Q3	4 th March 2021	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Street Trading – Revision of Street Trading Policy	4 th March 2021	Nigel Marston Senior Licensing Officer (01283) 595716
Safeguarding Training for Private Hire Drivers	4 th March 2021	Nigel Marston Senior Licensing Officer (01283) 595716
Air Quality Strategy	21 st April 2021	Matt Holford Head of Environmental Services (01283) 595856
Enforcement & Regulatory Annual Report	June 2021	Matt Holford Head of Environmental Services (01283) 595856
Climate and Environmental Action Plan Annual Review	June 2021	Matt Holford Head of Environmental Services (01283) 595856
S106 Developer Contributions Protocol	June 2021	Karen Beavin Planning Policy Team Leader (01283) 595749

Derbyshire Strategic Planning Framework Statement of Common Ground	June 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Local Development Scheme	June 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
East Midlands Airport Airspace Redesign Consultation (changing the flight paths)	October 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Gypsy and Traveller Accommodation Assessment Report	October 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Statement of Community Involvement	October 2021	Karen Beavin Planning Policy Team Leader (01283) 595749
Environmental Services - commercialisation business plan	October 2021	Matt Holford Head of Environmental Services (01283) 595856
Corporate Environmental Sustainability Group Activity	November 2021	Matt Holford Head of Environmental Services (01283) 595856