

Part IV of the Environment Act 1995 Local Air Quality Management

Policy Guidance
LAQM. PG(03)

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LAQM. PG(03)

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What is this Guidance for?

1.01 This guidance is designed to help local authorities with their local air quality management duties under Part IV of the Environment Act 1995. It sets out:

- the statutory background and the legislative framework within which local authorities have to work;
- the new principles behind reviews and assessments of air quality up to 2010 and the recommended steps that local authorities should take;
- how local authorities should handle the designation of air quality management areas and the drawing up and implementation of action plans;
- recommendations and suggestions on taking forward the development of local and regional air quality strategies;
- suggestions of how local authorities should consult and liaise with others;
- a number of local transport measures which authorities might wish to consider; and
- the general principles behind air quality and land-use planning.

1.02 This guidance document represents all aspects of policy, including air quality reviews and assessments, air quality action planning, transport planning and land use planning. It replaces the second set of policy guidance documents, published in March 2000¹.

1.03 **The Government, the Mayor of London and the National Assembly for Wales recommend that this policy guidance should be made available to all local authority departments.** Those chapters covering 'air quality and transport' and 'air quality and land use planning' are relevant for those working in various local government departments. Such departments may include environmental health, planning, economic development and transport planning. This guidance should therefore be taken into account by those departments when carrying out their relevant duties. The guidance on air quality and land use planning, in particular, should be read in conjunction with Planning Policy Guidance (PPG) Note 23: *Planning and Pollution Control* (due to be published in Spring 2003) and Planning Policy Wales and may be material in preparing development plans and in determining planning applications. The guidance may also be of value to the Environment Agency, the Highways Agency, primary care trusts/local health boards, businesses, the public and other stakeholders.

1.04 Neither this guidance, nor the technical guidance LAQM.TG (03), is meant to restrict the non-statutory work of local authorities. For example, the Government, the Mayor of London and the National Assembly for Wales encourage local authorities to develop local air quality strategies; they strongly recommend that **all** local authorities, **particularly those that have not required AQMAs or do not need to designate an AQMA in future but have areas close to the exceedance levels** should consider drawing up a local air quality strategy. For further guidance on local air quality strategies, see chapter 5.

¹ LAQM.G1(00) Framework for review and assessment of air quality, LAQM.G2(00) Developing local air quality action plans and strategies – the main considerations, LAQM.G3(00) Air quality and transport and LAQM.G4(00) Air quality and land use planning.

Statutory background

1.05 This guidance is issued by the Department for Environment, Food and Rural Affairs (Defra), and the National Assembly for Wales² under section 88(1) of the Environment Act 1995 ('the Act'). It replaces the guidance previously issued as LAQM.G1, G2, G3 and G4(00). Under section 88(2) of the Act, local authorities are required to have regard to this guidance when carrying out any of their duties under, or by virtue of, Part IV of the Act.

1.06 This guidance sets out the legislative framework for the system of local air quality management (LAQM). This system is an integral part of delivering the Air Quality Objectives set out in the Air Quality Strategy for England, Scotland, Wales, and Northern Ireland, ('the Air Quality Strategy') published in January 2000, the Air Quality Regulations (England) (Wales) 2000 and the Air Quality (Amendment) Regulations 2002³. Local authorities should consider this guidance in conjunction with the technical guidance in LAQM.TG(03). The Scottish Executive and DOE Northern Ireland will be issuing their own LAQM policy guidance.

1.07 The Greater London Authority Act 1999 provides for the Mayor of London to publish various strategies for the capital, including one on air quality. The Mayor of London published his Air Quality Strategy in September 2002. The Mayor's Air Quality Strategy includes information on current and likely future air quality in Greater London, as well as the measures that the Mayor of London intends to take to improve air quality in the capital.

1.08 The Mayor's Air Quality Strategy does not replace the duties placed on London local authorities under LAQM. However, local authorities in London have to take account of it when carrying out their LAQM duties. Local authorities in London must consult the Mayor on their air quality reviews and assessments. They must also consult on the designation, revocation or amendment of any air quality management areas (AQMAS) and on the preparation or revision of their air quality action plans (AQAPs). The Mayor of London must also take account of this guidance in exercising powers of direction under section 85(2) to 85(4) of the Environment Act 1995.

1.09 The Environment Act 1995 provides the framework for local air quality management across England and Wales. The provisions in Part IV of the 1995 Act are largely enabling and give local authorities the flexibility to take forward local policies to suit local needs. Local circumstances will also determine the content of local air quality strategies, the designation of AQMAS and the content of AQAPs.

1.10 The Secretary of State for Environment, Food and Rural Affairs has reserve powers under section 85 of the Act to require English local authorities to take action where they are failing to make sufficient progress. In the case of local authorities in London, the reserve powers have transferred to the Mayor with the Secretary of State retaining some reserve powers over the Mayor. In Wales, the National Assembly for Wales has the reserve powers to require the Welsh local authorities to take relevant action.

² This guidance has been produced in Wales by the National Assembly for Wales under section 88(1) of the Environment Act 1995. 'The National Assembly for Wales' identifies decisions or actions taken by the Assembly as a whole as opposed to those taken by the Welsh Assembly Government on behalf of the cabinet collectively or ministers individually 'under delegation from the Assembly'.

³ Air Quality (Amendment) Regulations came into force on 11 December 2002 for England and on 31 December 2002 for Wales

1.11 The Secretary of State, the Mayor of London and the National Assembly for Wales may issue directions to local authorities requiring them to take any of the following steps:

- carry out an air quality review and assessment under section 82 of the Act;
- re-do an air quality review and assessment in whole or in part;
- make an order designating an AQMA;
- revoke or modify an AQMA order;
- prepare an action plan;
- modify any action plan; and
- implement any actions in an action plan.

1.12 The Secretary of State, the Mayor of London and the National Assembly for Wales see these powers as a last resort, only to be used where local authorities have clearly failed to carry out their local air quality management duties. These powers would only be used when dialogue has failed in an effort to ensure the duties have been undertaken.

Financial Resources

1.13 Since 1997 financial resources have been made available in the local government finance settlement to help local authorities with their LAQM duties under the 1995 Act. A provision of just over £2million has been included in the settlement each year since 1997 for English local authorities. This provision is not ring-fenced. It is incorporated into the 'EPCS' (Environmental, Protective and Cultural Services) block of the local government finance settlement. Decisions on expenditure within the EPCS block and elsewhere are entirely a matter for local authorities, in the light of their statutory duties and local circumstances. A fuller explanation of the key principles of the local government finance system is available at <http://www.local.odpm.gov.uk/greenpap/part2.htm>.

1.14 Within the £2m total, the amount of provision made available to each English local authority varies widely depending on factors such as the population, geographical size and social make up of the individual local authority.

1.15 Since 1997, and in addition to the annual revenue support grant settlement, English local authorities have been able to apply each year for Supplementary Credit Approvals (SCAs). These additional borrowing powers assist local authorities with capital costs associated with their LAQM duties, particularly for monitoring costs, dispersion modelling and emissions inventories and more recently on their action plans. The 2001/02 SCA programme gave priority to applications from authorities which had designated air quality management areas and were undertaking stage 4 assessments, and authorities designated as neighbourhood renewal fund areas.

Introduction

1.16 It is open to *all* authorities to bid for resources from the SCA programme. Some authorities have a debt-free policy, which means that they are not generally able to take advantage of the SCA programme. The choice of whether or not to become debt-free is one entirely for local authorities themselves to make, and the programme includes no special arrangements for such authorities. SCAs attract Revenue Support Grant (RSG) from central government on the costs of borrowing, *All* authorities that bid successfully for SCA will be expected to deliver the project for which the SCA is given, and to complete monitoring returns to the Department.

Future Changes to the SCA Programme

1.17 Local authorities should note that the proposed introduction of new borrowing freedoms for local authorities, under the prudential system for capital finance for England, will mean the abolition of SCAs and other credit approvals. Subject to legislation – the Local Government Bill was introduced on 26 November 2002 – the Government aims to implement the new system from 1 April 2004. A plain English guide to the new system of local government borrowing is on www.local-regions.odpm.gov.uk/sll/implement/english/index.htm However, the Government will continue to support local authority capital investments, including air quality management projects, and the Office of the Deputy Prime Minister is hoping to consult in early 2003 on what form this support will take. Defra aims to provide further guidance on the implications of these changes later in 2003, including details of transition to the new system.

1.18 In Wales, provision for local authorities' LAQM duties is made in the Revenue Support Grant. The SCA system is not applicable in Wales.

Air Quality and Health

1.19 The main reasons for tackling poor air quality are the link between air quality and the quality of life and the need to minimise the risk of poor air quality to human health. We now have a better understanding of the short-term and the long-term health effects of air pollution largely due to the work undertaken by the Committee on the Medical Effects of Air Pollutants (COMEAP⁴).

1.20 Short-term increases in particles, sulphur dioxide and nitrogen dioxide are associated with increased deaths brought forward and increased respiratory or cardiovascular hospital admissions in the elderly and those who are already ill. These pollutants can also worsen symptoms in those with asthma. COMEAP has also recently reported that long-term exposure to particles is associated with reduced life-expectancy mainly as a result of earlier deaths from heart disease. Carbon monoxide increases symptoms in those with heart disease, and lead affects brain development in children. Benzene and 1,3-butadiene both cause cancer.

⁴ COMEAP research can be found via the Department of Health web site at www.doh.gov.uk/comeap/index.

Links to climate change

1.21 The Government's and the Devolved Administrations' strategic approach to tackling climate change is set out in the UK Climate Change Programme, published in November 2000. It focuses on practical action to reduce emissions up to 2010 and recognizes the contribution that local authorities can make by taking forward the local actions needed to cut emissions.

1.22 Policies to improve air quality cannot be considered in isolation from those designed to reduce greenhouse gas emissions, as some policies to improve local air quality can often have the added benefit of producing additional carbon savings, and vice versa. For example, policies designed to reduce the impact that transport has on air quality by tackling congestion and encouraging a shift to public transport, walking and cycling should also reduce carbon dioxide emissions. Measures to improve energy efficiency and cut energy demand should also reduce the air pollutants that are produced during electricity generation.

1.23 The Government, the Mayor of London and the Devolved Administrations therefore expect local authorities to address the impacts on greenhouse gas emissions of the measures they propose to implement in their air quality action plans. It is recognised though that this is likely to be qualitatively in many instances. Local authorities might also wish to consider including policies to reduce greenhouse gas emissions in their local air quality strategies.

1.24 The Government, the Mayor of London and Devolved Administrations also expect local authorities to take an integrated approach to dealing with environmental issues, such as climate change and air quality. For example, it may be possible to use the data gathered as a part of air quality reviews and assessments to provide information on greenhouse gas emissions, particularly carbon dioxide. Emission inventories could be particularly useful for this.

1.25 Such information will also be useful for assessing the impact of other policy areas, such as land use planning, transport planning and community strategies. The Government, the Mayor of London and Devolved Administrations therefore encourage local authorities to make use of information gathered as part of local air quality management within these other policy areas.

1.26 Local authorities can find out more about what their authority can do to respond to the challenge of climate change in two publications: 'Community leadership and climate change: guidance for local authorities' and 'Community leadership and climate change: guidance for chief executives'. These are available from Defra Publications – telephone: **08459 556000** or fax: **0208 957 5012** and are also available on the Defra website at <http://www.defra.gov.uk/environment/climatechange/laguide/index.htm> The bilingual version of Community leadership and climate change: Guidance for Chief Executives of Welsh local authorities is available at www.wales.gov.uk/climatechange.

Links to environmental noise

1.27 The growing pressure to consider the impact of noise on local populations makes it sensible to consider possible synergies and conflicts with air quality action plans. A study on Potential Synergies and Conflicts Between Noise and Air Quality Action Plans (<http://www.defra.gov.uk/environment/noise/synergy/index.htm>) may help with such considerations. The mapping exercise, being undertaken across England as part of the developing National Ambient Noise Strategy and the future noise mapping required under Directive 2002/49/EC will provide further information and tools to consider the impact of air quality action plans on the noise environment. The National Assembly for Wales is currently investigating options for implementing the requirements of the Directive in Wales.

Air quality objectives

1.28 The Air Quality Objectives set out in the Air Quality Regulations (England) (Wales) 2000 provide the statutory basis for the system of LAQM.

Table 1: Objectives included in the Air Quality Regulations (England) (Wales) 2000 and in Air Quality (England) (Wales) (Amendment) Regulations 2002 for the purpose of Local Air Quality Management

Pollutant	Air Quality Objective		Date to be achieved by
	Concentration	Measured as	
Benzene ¹	16.25 µg/m ³	running annual mean	31.12.2003
	5 µg/m ³	annual mean	31.12.2010
1,3 Butadiene	2.25 µg/m ³	running annual mean	31.12.2003
Carbon monoxide ¹	10.0 mg/m ³	maximum daily running 8-hour mean	31.12.2003
Lead	0.5 µg/m ³	annual mean	31.12.2004
	0.25 µg/m ³	annual mean	31.12.2008
Nitrogen dioxide ²	200 µg/m ³ not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
	40 µg/m ³	annual mean	31.12.2005
Particles (PM ₁₀) (gravimetric) ³	50 µg/m ³ not to be exceeded more than 35 times a year	24-hour mean	31.12.2004
	40 µg/m ³	annual mean	31.12.2004
Sulphur dioxide	350 µg/m ³ not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
	125 µg/m ³ not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
	266 µg/m ³ not to be exceeded more than 35 times a year	15-minute mean	31.12.2005

¹. The Air Quality Objective of 5 µg/m³ for benzene and the objective of 10 mg/m³ for carbon monoxide came into force in separate Air Quality (Amendment) Regulations for England and Wales on 11 December 2002 and 31 December 2002 respectively.

². The objectives for nitrogen dioxide are provisional.

³. Measured using the European gravimetric transfer sampler or equivalent.

Particles objective

1.29 The new national particles objectives (PM₁₀) for 2010, announced by Environment Minister Michael Meacher on 5 August 2002 and set out in the Defra Press Notice Number 323, are provisional objectives and will not, for the time being, be included in Regulations for the purposes of LAQM. In Wales, a similar announcement was made on 18 September 2002. This means that local authorities are **only required to review and assess air quality against the 2004 objectives prescribed in the Air Quality (England) (Wales) Regulations 2000**. The Government and the National Assembly for Wales will consider whether new particles objectives should be included in Regulations as soon as practicable after the review of the EU's first Air Quality Daughter Directive (due to be completed during 2004 and taking into account the outcome of the EU Review). The new objectives are:

Region	Pollutant	Concentration	Measured as	Date to be achieved by
London	Particles (PM ₁₀) (gravimetric)	50 µg/m ³ not to be exceeded more than 10 times a year	24-hour mean	31 December 2010
London	Particles (PM ₁₀) (gravimetric)	23 µg/m ³	Annual mean	31 December 2010
London	Particles (PM ₁₀) (gravimetric)	20 µg/m ³ *	Annual mean	2015
Rest of England	Particles (PM ₁₀) (gravimetric)	50 µg/m ³ not to be exceeded more than 7 times a year	24-hour mean	31 December 2010
Rest of England	Particles (PM ₁₀) (gravimetric)	20 µg/m ³	Annual mean	31 December 2010
Wales	Particles (PM ₁₀) (gravimetric)	50 µg/m ³ not to be exceeded more than 7 times a year	24-hour mean	31 December 2010
Wales	Particles (PM ₁₀) (gravimetric)	20 µg/m ³	Annual mean	31 December 2010

*This is an aspirational target to work towards after 2010 with the aim of achieving it by 2015 where cost-effective and proportionate local action can be identified.

1.30 Although local authorities are not yet statutorily required to assess levels of particles for 2010, there is a strong case for starting this work early. The reasons for this include:

- The fact that authorities are likely to need to carry out this work in the 2006 and subsequent round of reviews and assessments;
- The fact that local authorities will have a key role to play in helping the UK deliver the EU limit values for particles by 2010. The sooner local authorities can identify any potential local exceedances, the better they are placed to be able to tackle them.
- It can help local authorities consider the impacts of new developments.

1.31 The Government and the Devolved Administrations therefore recommend that local authorities include a provisional assessment of whether or not the new particles objectives are likely to be met in their areas in their reviews and assessments of air quality in 2003. Further details of how to carry this out are included in the technical guidance notes.

1.32 The air quality *standards* set out in the Strategy are based purely on medical evidence of the effects of particular pollutants on health. They represent minimum or no significant risk levels. They are not based on a costs and benefits assessment or on technical feasibility, but on the advice of the Expert Panel on Air Quality Standards (EPAQS). The EU limit values are derived from World Health Organisation (WHO) guideline values (these guidelines are equivalent in concept to the UK standards).

1.33 However, the Air Quality Objectives in the Strategy do take account of costs and benefits, and the feasibility of moving towards those standards. The objectives represent the Government's, the Mayor of London's and the Devolved Administrations' medium term policy intentions and are based on the recommended standards. Air quality objectives therefore provide a framework for determining the extent to which policies should aim to improve air quality. They also provide a measure for each of the pollutants of concern against which future progress can be judged.

1.34 The most significant judgement local authorities have to make is **whether the Air Quality Objectives are likely to be achieved in their area by the relevant deadline**. Where objectives are likely to be met, a local authority will not be required to designate an AQMA. Where, in the local authority's judgement, they are not likely to be achieved in any relevant locations (see paragraphs 1.19 – 1.21 on exposure in LAQM.TG(03)), the authority must designate such locations as AQMAs.

Relationship between the UK LAQM system and the EU Air Quality Framework and Daughter Directives

1.35 The European Union's Air Quality Framework and Daughter Directives prescribe limit values for certain pollutants which all member states must meet. The local air quality management system has a key role to play in helping the UK to meet its objectives under these Directives.

Introduction

1.36 The limit values are as follows:

Pollutant	Limit value	Measured as	Date to be achieved by
First Air Quality Daughter Directive			
Nitrogen dioxide	40 µg/m ³	Annual mean	2010
Nitrogen dioxide	200 µg/m ³ not to be exceeded more than 18 times per year	1-hour mean	2010
Particles (PM ₁₀)	40 µg/m ³	Annual mean	2005
Particles (PM ₁₀)	50 µg/m ³ not to be exceeded more than 35 times per year	24-hour mean	2005
Particles (PM ₁₀)*	20 µg/m ³	Annual mean	2010
Particles (PM ₁₀)*	50 µg/m ³ not to be exceeded more than 7 times per year	24-hour mean	2010
Lead	0.5 µg/m ³	Annual mean	2005
Sulphur dioxide	350 µg/m ³ not to be exceeded more than 24 times per year	1-hour mean	2005
Sulphur dioxide	125 µg/m ³ not to be exceeded more than 3 times per year	24-hour mean	2005
Second Air Quality Daughter Directive			
Carbon monoxide	10mg/m ³	Maximum daily 8-hour mean	2005
Benzene	5 µg/m ³	Annual mean	2010
Third Air Quality Daughter Directive			
Ozone#	120 µg/m ³ not to be exceeded more than 25 times per year averaged over 3 years	8-hour mean	2010
Ozone#	120 µg/m ³	8-hour mean	?(long-term objective)
Fourth Air Quality Daughter Directive			
Currently under negotiation			
* the 'stage 2' particles limit values for 2010 are indicative limit values, to be reviewed in 2004.			
# in respect of ozone, the values are target values (to be achieved where practicable and where the costs of doing so do not outweigh the benefits) rather than binding limit values.			

1.37 The dates by which EU limit values are due to be met are usually expressed as 1 January in a particular year. The indicative stage 2 limit values for particles in the first Air Quality Daughter Directive, for instance, are due to be met by 1 January 2010. National Air Quality Strategy objectives on the other hand have a compliance date of 31 December for the year concerned. The date proposed for achieving the new annual mean provisional objectives for particles is 31 December 2010. There is, in practice, no difference between these dates. The EU limit values have to be achieved for the year in which the date is set. So compliance with the indicative stage 2 limit values for particles set in the first Air Quality Daughter Directive would be assessed for the year beginning 1 January 2010. The UK would have to demonstrate compliance after the end of 2010. Compliance with provisional national objectives set for 31 December 2010 would also be assessed after the end of 2010.

1.38 The Government, the Mayor of London and the Devolved Administrations will closely monitor progress towards these limit values, and will keep under review the need for further action. Under the first Daughter Directive the UK is required to submit to the European Commission:

- By the end of 2002, a list of those parts of the country which currently exceed the limit values plus a 'margin of tolerance'⁵
- By September 2003, an action plan for any area identified above, setting out what national and other measures are already in place, or will be put in place, to achieve the limit values set out in the first Air Quality Daughter Directive.

1.39 There are similar requirements under the other Daughter Directives, albeit with longer timescales. As part of its national action plan under the first Air Quality Daughter Directive, the UK intends to notify the Commission of all of the local air quality action plans that are in place by September 2003. In due course, where any exceedances of the 2010 limit values are forecast, the Government will need to work closely with the relevant local authorities in England to identify any further measures that might be implemented as will the National Assembly for Wales with those Welsh local authorities that are identified.

Role of local authorities

Reviews and assessments of air quality

1.40 For the purposes of this guidance, a *review* of air quality means a consideration of the levels of pollutants in the air for which objectives are prescribed in Regulations, and estimations of likely future levels. An *assessment* of air quality is the consideration of whether estimated levels for the relevant future period are likely to exceed the levels set in the objectives.

⁵ 'Margin of tolerance' is the pollutant level set at a fixed percentage above the limit value. The margins decrease by a constant percentage year by year until the date for attainment of the limit value. From that date onwards, no margins of tolerance are permitted. This provision gives a guide for the rate at which pollutant levels may need to fall in order to reach the limit value successfully.

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1.41 A review and assessment of air quality is the first step in the LAQM process. Part IV of the Act requires each local authority⁶ to review air quality 'from time to time'. The Air Quality Regulations (England) (Wales) 2000 and Air Quality (Amendment) Regulations 2002 prescribe Air Quality Objectives and the dates for meeting them. For each objective, local authorities have to consider present and likely future air quality, and assess whether the objectives are likely to be achieved in time. Local authorities should note that they also have a duty to continue to work towards meeting the Air Quality Objectives beyond the deadlines set out in the 2000 and 2002 Regulations. An objective, for example, which is due to be met by 2005 must also be met in every subsequent year.

1.42 Local authorities have already carried out their first round of reviews and assessments to determine the need for designation of any AQMAs in their area (guidance on handling the designation of AQMAs is in chapter 2). This first round should act as a benchmark against which local authorities can measure their future progress in making improvements to their local air quality.

1.43 Over 100 local authorities across the UK have to date designated AQMAs in their areas. The vast majority of these AQMAs are in respect of emissions from road transport with only a small percentage being designated in respect of industrial sources alone. Other AQMAs have been designated as a result of other transport-related emissions such as in the vicinity of airports or due to emissions from shipping. The vast majority of AQMAs have been designated in urban metropolitan boroughs but several are located in smaller market towns due to the street canyon effect, where the roads are narrow, traffic congestion is a problem and air pollution is unable to disperse effectively.

Role of regional groupings

1.44 Under section 101(5) of the Local Government Act 1972, two or more local authorities can act jointly to manage air quality. During the first round of reviews and assessments, many local authorities worked in collaboration on aspects of their air quality review and assessment work, in particular, with respect to air quality modelling work and the development of emissions inventories.

1.45 **The Government, the Mayor of London and the National Assembly for Wales attach great importance to the establishment of the regional air quality steering groups and forums to help deliver aspects of the LAQM process.** These groups can play a vital role by allowing the whole range of professional disciplines within and across authorities to work closely together, and share resources and good practice. Defra and the National Assembly for Wales also help to support these regional groupings by holding the Regional Air Quality Co-ordinators Group meetings where feedback on national policy developments is given and officers can share their experiences and seek advice from Government on carrying out their LAQM duties.

⁶ The statutory responsibility to review and assess air quality, designate Air Quality Management Areas and develop action plans falls to all local authorities in Scotland and Wales and, in England, to London local authorities, metropolitan and non-metropolitan district councils and unitary authorities. The Government and the National Assembly for Wales expect that all local authorities will have a role to play in local air quality management and that, where appropriate, district and county councils will act in partnership throughout the LAQM process. London local authorities will also need to take account of the Mayor's London Air Quality Strategy, as outlined in paragraphs 1.07 and 1.08 above.

1.46 In Wales, the Welsh Air Quality Forum also provides a route for exchange of technical and policy information on implementing LAQM. The Welsh Air Quality Database enables local trends to be compared to identify and manage air quality problems.

Second round of air quality reviews and assessments

1.47 In September 2001, Defra and the Devolved Administrations commissioned a detailed evaluation of the first round of air quality reviews and assessments by local authorities under Part IV of the Environment Act 1995. The evaluation was undertaken by Air Quality Consultants Ltd. and the University of the West of England, Bristol. The main aim was to look at aspects of the LAQM process that had worked well and aspects that could usefully be improved in order to help inform the next and subsequent rounds of reviews and assessments. The report is available on the Defra web site at <http://www.defra.gov.uk/environment/airquality/laqm/eval/index.htm> and the Review and Assessment Helpdesk web site (see Table 2).

1.48 The evaluation report published in March 2002 set out the main thoughts and suggestions on the first round of air quality reviews and assessments, and led to 32 recommendations for future rounds of reviews and assessments.

1.49 One of the key recommendations suggested that the next round should be carried out in two steps:

- an **Updating and Screening Assessment** for identifying those aspects that have changed since the first round of reviews and assessments, including by way of lessons learnt from the first round, that may require further assessment. The Updating and Screening Assessment should include an explanation of the conclusion reached as to whether the local authority should proceed to a Detailed Assessment or not (**this step is not intended to be onerous**); and
- a **Detailed Assessment** of those pollutants and specific locations that have been identified as requiring further work – i.e. where members of the public are likely to be exposed over the averaging period of the Air Quality Objective (see Box 1.4 in LAQM.TG (03) for further details on exposure).

1.50 Defra, the Mayor of London and the National Assembly for Wales have accepted that the next and subsequent rounds of reviews and assessments up to 2010 should be carried out in two steps as indicated above. Local authorities are advised to follow the guidance on the recommended phased approach to the review and assessment process set out in LAQM.TG(03) – see paragraphs 1.11-1.15).

1.51 The Detailed Assessment should conclude by identifying:

- Whether an existing AQMA needs to be amended or revoked (see paragraphs 2.18-2.21 for further details);
- Whether any further AQMAs need to be designated within the area (away from any existing AQMAs);

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- Whether any AQMAs need to be designated for the first time due to changed circumstances; or
- That there is no need to designate any AQMAs.

1.52 Those authorities that are undertaking a further assessment within an AQMA (formerly known as a Stage 4) as a result of the first round of reviews and assessments at the same time as undertaking the second round of reviews and assessments will also use the further assessment results to determine whether an existing AQMA needs amending or revoking.

Completion of round 2 reviews and assessments

1.53 The Government and the National Assembly for Wales expect local authorities (with the exception of London local authorities that have designated AQMAs) to complete their second round of reviews and assessments **by April 2004. The Mayor of London has advised those London local authorities that have designated AQMAs to complete the next round by the end of 2004. The London local authorities without AQMAs will be expected to complete by April 2004.**

1.54 Local authorities are expected to submit their Updating and Screening Assessments to Defra, the National Assembly for Wales and to other statutory consultees⁷ (see Table 3) **by end of May 2003.** London local authorities with AQMAs are expected to submit their Updating and Screening Assessments by end of 2003 or earlier, where possible. Defra, the Mayor of London and the National Assembly for Wales do not believe local authorities will need to consult widely on these Updating and Screening Assessments but they should still make the results available to the public. It will ultimately be up to local authorities as to how wide they consult on these Assessments.

1.55 If Defra, the Mayor of London or the National Assembly for Wales do not accept the local authority's conclusions to proceed or not to proceed to a Detailed Assessment, then the authority will be invited to provide written comments justifying their decision within a specified deadline set out in the appraisal letter. This will be a short deadline in keeping with the need to complete the first step as quickly as possible.

1.56 Those authorities that have to proceed to a Detailed Assessment are expected to submit their draft (but complete) report to Defra and the National Assembly for Wales (as well as to other statutory consultees) for appraisal by end of April 2004. (In London, by end of 2004 to the Mayor of London and other statutory consultees). Local authorities will generally wish to consult the public more fully at this stage. Where Defra or the National Assembly for Wales's appraisal has indicated that the findings are not accepted (i.e. that the proposed AQMA or proposed adjustments to an existing AQMA is/are unjustified or that no declaration is proposed when there appears to be a case for one), the authority must take the comments into account and carry out the following:

⁷ Statutory consultees are those set out in Schedule 11 of the 1995 Act: Secretary of State; Environment Agency; the highways authority; Mayor of London (where applicable); neighbouring local authorities; county council (if applicable); any National Park authority; other public authorities; local business; and others as appropriate (including the public).

- Send further comments in writing to Defra, the Mayor of London and the National Assembly for Wales responding to the points made in the appraisal; and
- Where necessary, revise relevant parts of the Detailed Assessment and resubmit the document to Defra, the Mayor of London or the National Assembly for Wales within 3 months of receipt of the appraisal report.

1.57 The local authority may wish to seek clarification on the findings of the appraisal process and should in the first instance contact the Review and Assessment Helpdesk for further help. The Review and Assessment Helpdesk can discuss the details of individual cases and provides advice on responding to any points raised in the appraisal.

Helpdesks

1.58 The Government and the Devolved Administrations continue to fund a number of helpdesks that provide technical guidance on monitoring, modelling, and emissions. The Review and Assessment Helpdesk also provides general advice on all aspects of the review and assessment process. All the Helpdesks' web sites contain useful advice, as well as lists of frequently asked questions and answers. Local authorities are strongly recommended to make full use of the Helpdesks to help them with the second and subsequent rounds of air quality reviews and assessments. Defra and the National Assembly for Wales are funding an Air Quality Action Plan Helpdesk operated by Casella Stanger (in association with Transport & Travel Research (TTR)) to assist local authorities with their air quality action plans.

Helpdesk	Operated by	Contact details
Review & Assessment	Air Quality Consultants Ltd and University of West of England, Bristol	0117 344 3668 aqm-review@uwe.ac.uk www.uwe.ac.uk/aqm/review
Monitoring	netcen	01235 463356 aqm.helpline@aeat.co.uk www.airquality.co.uk
Emissions	netcen	01235 463356 aqm.helpline@aeat.co.uk www.airquality.co.uk
Modelling	Casella Stanger	020 7902 6119 modelhelp@stanger.co.uk www.stanger.co.uk/airqual/modelhlp
Action Plans	Casella Stanger	020 7902 6130 actionplanhelp@stanger.co.uk http://www.stanger.co.uk/actionplan

Future air quality reviews and assessments

1.59 Defra, the Mayor of London and the National Assembly for Wales expect that local authorities should undertake reviews and assessments of air quality every three years. This means that all local authorities in England (including London local authorities) and Wales will have to undertake an Updating and Screening Assessment during the first four months of 2006 and 2009. Those authorities that need to carry out a Detailed Assessment will have to submit their more detailed review and assessment reports by end of April 2007 and 2010 (see Table 3 for timescales).

Review and assessment Progress Reports

1.60 The evaluation of the first round of reviews and assessments recommended that Defra and the Devolved Administrations should request local authorities to produce annual air quality Progress Reports. Defra, the Mayor of London and the National Assembly for Wales accepted this recommendation and therefore recommend that authorities provide review and assessment Progress Reports according to the recommended timescales in Table 3 to ensure continuity in the LAQM process.

1.61 Defra, the Mayor of London and the National Assembly for Wales therefore expect local authorities to produce these review and assessment Progress Reports in between the next rounds of reviews and assessments. All local authorities are expected to submit these Progress Reports by end of April 2005 (reporting, where possible, on any provisional monitoring data collected over 2004) and end of April 2008 (reporting on any provisional monitoring data collected over 2007).

1.62 Those authorities that do not have to carry out a Detailed Assessment following the Updating and Screening Assessments in April 2003, 2006 and 2009, will be expected to submit review and assessment Progress Reports by end of April 2004, 2007 and 2010 as well as in 2005 and 2008.

1.63 The format of the review and assessment Progress Report is likely to mirror the Updating and Screening Assessment. **It is intended to check if there have been any changes in respect of all seven pollutants.** At the time of submission of the Progress Report, local authorities will be expected, where possible, to report any provisional monitoring data over the previous calendar year. **Further details on the Progress Reports will be provided via the helpdesks by mid 2003.**

1.64 For local authorities these Progress Reports will:

- make the three-yearly assessment work that much easier;
- provide regular and useful indicators for local authority bench-marking, quality of life or sustainability indicators (or equivalent);
- help maintain the profile of local air quality management within the local authority;
- provide for information needs in relation to planning and transport planning processes (i.e. transport plan annual reviews, development control); and
- help towards satisfying or perhaps for some local authorities justifying the expenditure on air quality modelling and monitoring.

1.65 For Defra, the Mayor of London and the National Assembly for Wales, these reports will provide a valuable indication of:

- progress towards meeting the Air Quality Objectives;
- the extent to which any air quality action plan is delivering improvements in air quality; and
- the impacts of any new road schemes or other developments.

1.66 At any time during the Progress Reporting years, if a local authority identifies a risk of Air Quality Objective exceedances, then that authority should proceed to carrying out a Detailed Assessment to identify formally the need to declare any AQMAs. Local authorities in this situation should not delay until the next full round of reviews and assessments.

1.67 Details of the recommended timescales for subsequent rounds of reviews and assessments and submission of Progress Reports can be found in Table 3.

Timescales for key stages of the LAQM process

1.68 Local air quality management is fundamental to helping the Government and the Devolved Administrations achieve the objectives in the Air Quality Strategy, many of which reflect the legally binding EU limit values. Local authorities therefore have a crucial role to play in delivering cleaner air and should carry out their LAQM duties according to the recommended timescales in Table 3.

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Table 3: Recommended timescales for submission of reviews and assessments and Progress Reports

LAQM Activity	Completion Date	Which authorities?
Updating and Screening Assessment (USA)	End of May 2003	All authorities ¹ .
Detailed Assessment	End of April 2004	Those authorities ¹ which have identified the need for one in their April 2003 Updating and Screening Assessment.
Progress Report	End of April 2004	Those authorities ¹ which identified that there was no need for a Detailed Assessment in their April 2003 Updating and Screening Assessment.
Progress Report	End of April 2005	All authorities
USA	End of April 2006	All authorities
Detailed Assessment	End of April 2007	Those authorities which have identified the need for one in their April 2006 Updating and Screening Assessment.
Progress Report	End of April 2007	Those authorities which identified that there was no need for a Detailed Assessment in their April 2006 Updating and Screening Assessment.
Progress Report	End of April 2008	All authorities
USA	End of April 2009	All authorities
Detailed Assessment	End of April 2010	Those authorities which have identified the need for one in their April 2009 Updating and Screening Assessment.
Progress Report	End of April 2010	Those authorities which identified that there was no need for a Detailed Assessment in their April 2009 Updating and Screening Assessment.

¹. All local authorities in England and Wales (identified below except for those London local authorities that have designated AQMAs; they will be expected to submit a USA by end of 2003 or earlier if possible and complete the second round by end of 2004 – where Detailed Assessments are required)

1.69 Apart from the exception (as above), the aforementioned recommended timescales apply to all London local authorities, metropolitan and non-metropolitan district councils, and unitary authorities in England and all local authorities in Wales.

Air quality management areas

1.70 Local authorities have to designate those parts of their areas, where the prescribed Air Quality Objectives are not likely to be met by, or at any point beyond the relevant deadline, as AQMAs. This applies only to those locations where members of the public might reasonably be exposed. Under section 83(1) of the 1995 Act, local authorities have to designate these AQMAs 'by means of an order' (see chapter 2 for further details).

1.71 If at any time throughout the LAQM process, it becomes apparent to the local authority that there are likely to be exceedances in any part of their borough or district through collecting monitoring data, they should submit the monitoring data and proposals for designating any AQMAs to the relevant Government Department (Defra,

National Assembly for Wales) and the Mayor of London as appropriate. They should not await subsequent rounds of reviews and assessments before designating an AQMA.

1.72 Local authorities should aim to designate their AQMAs as soon as possible after they have formally identified the need for them. In practice, authorities should aim to make the necessary orders within 4 months following recognition of the need to declare and subsequent approval from Defra, the Mayor of London or National Assembly for Wales that an AQMA is needed.

Further assessments of air quality within AQMAs

1.73 Section 84(1) of the Act requires local authorities to carry out a further assessment of existing and likely future air quality in an AQMA. This further assessment is intended to supplement information the authority already has. For more details on these further assessments see chapter 2.

Air quality action plans

1.74 Where local authorities have designated any AQMAs, they have a duty under section 84(2) of the Act to produce an action plan. This plan must set out what measures the authority intends to introduce **in pursuit of the Air Quality Objectives**. It should also include timescales to indicate by when the measures will be implemented. Local authorities are not obliged to meet the objectives but they must show that they are working towards them. Further information and guidance on the preparation and implementation of action plans can be found in chapter 3.

1.75 The Environment Act 1995 does not prescribe any timescale for preparing an action plan but the Government, Mayor of London and the National Assembly for Wales expect them to be completed between 12-18 months following the designation of any AQMAs.

1.76 **Local authorities should note the need to submit an action planning Progress Report following completion of the final action plan.** Once a local authority has produced its final action plan, it will generally need to submit a first Progress Report by the end of the following April. In some cases, where this Progress Report would only cover a period of a few months, the requirement to produce a first Progress Report may be waived. Thereafter, Progress Reports will need to be submitted by end of April every year. These reports are to be submitted to Defra, the Mayor of London and the National Assembly for Wales to update them on progress on implementing the measures (see paragraph 3.36 in chapter 3 and Appendix B).

2.01 Local authorities have a duty under section 83(1) of the 1995 Act to designate those areas, where the Air Quality Objectives are **unlikely** to be met on time (or beyond the deadline), as air quality management areas (AQMAs). These areas have to be designated officially by means of an 'order'.

Setting the boundaries of AQMAs

2.02 There are no hard or fast rules in determining the boundaries of an AQMA. Whilst the legislation requires authorities to designate as AQMAs only areas where Air Quality Objectives are not being achieved, or are not likely to be achieved within the relevant period, drawing boundaries on the latter basis necessarily involves an element of judgement. In some cases this has resulted in whole borough designations (for example some of the London local authorities). Other local authorities have designated isolated buildings, single streets, road networks or parts of motorway or trunk road junctions. A number of authorities have chosen to designate more than one individual AQMA in their areas – some have designated two, three or four separate areas, with over 10 and even 20 individual AQMAs in some local authorities.

2.03 In deciding where to draw the boundaries of an AQMA, local authorities might wish to consider some of the following points:

- It may be administratively much simpler to designate a wider area, based on existing boundaries and natural features. This avoids the need to draw artificially precise lines on maps;
- Wherever the boundaries of the AQMA are drawn, the action plan is likely to need to cover a wider area;
- Designating a number of smaller AQMAs, rather than one single large area, can allow an authority to demonstrate progress by 'ticking off' individual areas as air quality improves there;
- Declaring smaller, individual AQMAs may provide a clear focus on the hot spot locations within a local authority. This may prove particularly important for informing local authority planning processes as to where the more sensitive planning proposals may need to avoid; and
- A more focussed approach to declaring AQMAs may provide a better indication of where resources need to be allocated in terms of equipment and overall effort.

2.04 The ultimate decision for defining the boundaries of an AQMA is entirely up to each individual local authority either working on its own or in partnership with other authorities, where a joint AQMA is proposed. They will need to explain and justify their proposed boundaries to Defra, the Mayor of London or the National Assembly for Wales.

2.05 Local authorities may also wish to take into account the advice in the National Society for Clean Air and Environmental Protection's (NSCA's) informal practical guidance: 'Air Quality Management Areas: Turning Reviews into Action' which provides a toolkit for authorities to help them define and declare AQMAs. This guidance can be found on the NSCA web site at www.nasca.org.uk

Designation of air quality management areas

What should an AQMA order look like?

2.06 The exact wording to be included in an order is at the discretion of the individual local authority, although a model example of an order can be found in appendix A. It is recommended that local authorities include a map showing the area to be designated and to include a description of the area. For example, a larger AQMA may be described according to its boundaries near to major roads/motorways (i.e. bordered by M25 to the south, etc). A smaller AQMA may need a more detailed description listing individual streets or other physical features. In some cases, it may be appropriate to list the individual properties affected but there is no legal requirement to do this.

2.07 It is also recommended that the order should include the date on which it is intended that the AQMA should come into force, a list of the pollutants and the actual objective/s for which the AQMA has been designated. Local authorities should notify Defra, the Mayor of London or the National Assembly for Wales as appropriate that an AQMA has been designated by submitting a copy of the order.

AQMAs and local land searches

2.08 Information on AQMAs is not currently included in local land searches but may be in the future. In the meantime, local authorities should ensure that the information is readily accessible to enquirers. Some local authorities have chosen to include AQMAs within local land searches.

Duties in an Air Quality Management Area

Further assessment of air quality within an AQMA

2.09 Section 84(1) of the Act requires local authorities to carry out a further assessment of existing and likely future air quality in an AQMA. Local authorities are required under section 84(2)(a) to report on the further assessment within 12 months of designating the AQMA. They must also consult on it and make it available to the public.

2.10 At the time of publication, some local authorities have already undertaken their further assessments within those AQMAs that were designated following the first round of reviews and assessments. Other authorities are still carrying out their further assessments.

2.11 **For those authorities that have designated AQMAs, once they have completed their further assessment within that AQMA, they will not need to undertake a further assessment for that AQMA in the future, unless circumstances change (see below).** Instead, they will keep the AQMA under review on a continuous basis and monitor progress following subsequent rounds of reviews and assessments.

Designation of air quality management areas

2.12 Local authorities will only have to undertake further assessments under section 84(1), if:

- they have to designate a new AQMA within their area – either as the result of undertaking subsequent rounds of reviews and assessments or where the evidence has come to light from continuous monitoring that an AQMA needs to be designated;
- they extend the boundaries of an existing AQMA;
- the predicted pollution levels within an existing AQMA have increased significantly; or
- the AQMA stayed the same or became smaller but the pollution sources changed significantly (in the latter two cases, it might be appropriate for further source apportionment).

2.13 The further assessment is intended to ‘supplement such information as [the authority] has in relation to the designated area in question’. The degree of thoroughness of the further assessment will therefore depend upon the information the authority has already accrued about the area to be designated/extended or about the pollution levels/sources within the AQMA.

2.14 If there is only to be a minor extension to an existing AQMA order, such as the encompassing of a few further buildings or inclusion of a road junction, as long as the authority has access to substantial information about the area of the extension or can reliably extrapolate from information it has about the area originally designated, Defra, the Mayor of London and the National Assembly for Wales would not expect that authority to have to undertake an extensive further assessment.

2.15 In the case of an extension to an existing AQMA, where an order is varied by a more substantial change, such as going from a few streets to a whole borough designation, the authority would be expected to undertake a more comprehensive further assessment.

2.16 Local authorities will have to consult the statutory consultees on the findings of any additional further assessment. Where necessary, local authorities should consult the Review and Assessment Helpdesk for specific advice on how extensive their further assessment should be in each case.

2.17 Defra, the Mayor of London and the National Assembly for Wales provided guidance on the further assessment (formerly known as Stage 4). This can be found on Defra’s web site at www.defra.gov.uk/environment/airquality/index.htm Defra, the Mayor of London and the National Assembly for Wales will consider the need to update this guidance for future rounds.

Amendments and revocations of AQMAs

2.18 Local authorities are able to amend or revoke an existing AQMA order at any time as set out under section 83 (2) of the 1995 Act.

2.19 Where a local authority considers it necessary to amend or revoke an AQMA, Defra, the Mayor of London and the National Assembly for Wales expect the authority to consult all the relevant statutory consultees, local stakeholders, businesses and members of the public. Those local authorities should submit their further reports for appraisal showing the monitoring results and other evidence to justify their decision to take action. Where it is accepted by Defra, the Mayor of London and the National Assembly for Wales that the revocation or amendment is justified, local authorities will be expected to take the relevant action within 4 months following receipt of comments from Defra, the Mayor of London or the National Assembly for Wales.

2.20 In the future, Defra, the Mayor of London and the National Assembly for Wales expect local authorities to undertake any amendments or revocations of existing AQMA orders within 4 months following submission of the Detailed Assessments or the further assessments within AQMAs where new AQMAs have been designated **(provided there is sufficient evidence to justify the proposed amendment or revocation of an AQMA)**.

2.21 However, where a local authority feels that it has sufficient evidence to justify the need to amend or revoke an AQMA **at any time**, it should submit that evidence to Defra, the Mayor of London and the National Assembly for Wales for appraisal. For those authorities that have continuous monitoring, Defra, the Mayor of London and the National Assembly for Wales would expect them to keep the AQMA under regular review, and to take action, where necessary, sooner rather than await the next round of reviews and assessments.

2.22 Where an AQMA is revoked, local authorities should consider drawing up a local air quality strategy for the affected area(s) to ensure air quality issues maintain a high profile locally and to respond to any public expectations.

Notification of amendment or revocation of an AQMA order

2.23 Once an amendment or revocation has taken place, the local authority should submit the amended or revocation order to Defra, the Mayor of London or the National Assembly for Wales for information. Local authorities should also notify other statutory consultees and publicise the amendment or revocation widely through the local media, so as to ensure that the public and local businesses are fully aware of the situation.

3.01 Action planning is the most important and significant aspect of the LAQM process, providing the practical opportunity for improving local air quality in an area where the assessment has shown that national measures will be insufficient to meet the relevant Air Quality Objectives. Action taken at the local level can often be the most cost-effective way of tackling localised air quality problems. These action plans will also play a key role in helping the UK Government deliver the EU limit values for some pollutants.

3.02 An air quality action plan must include the following:

- quantification of the source contributions to the predicted exceedances of the objectives; this will allow the action plan measures to be effectively targeted;
- evidence that all available options have been considered on the grounds of cost – effectiveness and feasibility;
- how the local authority will use its powers and also work in conjunction with other organisations in **pursuit** of the Air Quality Objectives;
- clear timescales in which the authority and other organisations and agencies propose to implement the measures within its plan;
- quantification of the expected impacts of the proposed measures and, where possible, an indication as to whether the measures will be sufficient to meet the Air Quality Objectives; and
- how the local authority intends to monitor and evaluate the effectiveness of the plan.

3.03 Local authorities first began to finalise and submit their action plans late in 2001. Some authorities have submitted action plans as stand alone documents or as a joint document with their further review and assessment.

3.04 The Environment Act 1995 does not prescribe any timescale for preparing an action plan. However, the Government, the Mayor of London and the National Assembly for Wales expect them to be completed between 12-18 months following the designation of any AQMAs.

3.05 Local authorities should be aware of the NSCA's guidance: 'Air Quality Action Plans: Interim Guidance for Local Authorities' and 'Air Quality: Planning for Action' published in June 2001, which set out practical guidance on drawing up an air quality action plan and a local air quality strategy. Copies are available from NSCA tel: 01273 878770 and are on their web site at www.nasca.org.uk

3.06 Local authorities should note the similarities in drawing up action plans with taking forward the development of local air quality strategies (see also chapter 5 on local air quality strategies).

How to make an action plan effective?

3.07 Local authorities should take the following points into account:

- The further assessment work within an AQMA (see paragraphs 2.09-2.17, chapter 2) should have helped to identify the main sources of the air pollution, such as road transport, industry, domestic sources, etc. The major contribution to areas of poor local air quality across the UK to date has been from road transport. The further assessment should consider the main types of vehicles that are causing the problem i.e. HGVs, buses, taxis and cars, as this may differ between local authorities.
- Once the main sources of the pollution have been identified, the local authority should carefully assess the options and measures available to it to improve the air quality locally. Local authorities should ensure that the measures to be included in the plan should be cost-effective and proportionate taking into account the contribution of pollution from the different sources. They should also make sure they strike the right balance between the use of regulatory powers and other non-regulatory measures (such as travel plans, public information campaigns, 'walk to school' initiatives, etc.) Examples of local transport measures can be found in chapter 6.
- Local authorities should appraise and where possible quantify the wider environmental, economic and social consequences of each option and package of options. It is important that action plans do not unduly or unfairly penalise local residents and businesses. In many cases, measures that local authorities take to improve air quality will have a positive impact in other ways – for example, introducing a 'clear zone' may improve air quality, reduce noise and benefit pedestrians. In other cases, there may be negative impacts associated with some air quality measures – re-routing traffic away from an AQMA, for example, might increase congestion and pollution elsewhere. Local authorities might wish to refer to NSCA's guidance: 'Air Quality Action Plans: Interim Guidance for Local Authorities' which sets out in Appendix D of the guidance a list of potential options to be included in an action plan and their likely non-air quality impacts.
- Equally importantly, local authorities should assess the cost-effectiveness of each individual measure proposed. Defra, the Mayor of London and the National Assembly for Wales do not expect authorities to carry out a full cost-effectiveness assessment (or indeed a cost-benefit analysis – this was undertaken as part of the work in establishing the national Air Quality Objectives), as this would be too onerous. The appraisal of cost-effectiveness should simply show that the authority has considered the costs of implementing various options before reaching a decision as to whether it is cost-effective for the local authority to implement any particular measure.

Corporate approach

3.08 The Government, the Mayor of London and the National Assembly for Wales expect air quality issues to be dealt with in a corporate and multi-disciplinary way. Local authorities need to ensure that the measures within the action plan enjoy the support of, and wherever possible are actively endorsed by, all parts of the council, not just the Environmental Health or equivalent departments and teams.

Set up a steering group

3.09 Local authorities may wish to set up a steering group to take forward the development of an action plan. The members of the steering group should include local authority officers across the different local authority departments and may include officers from different local authorities, where a regional-level action plan is being drawn up. The steering group would decide on engaging support from other outside bodies, businesses and local community groups to take the process forward.

3.10 An action plan must have the support of many local authority departments in order for it to work effectively, including in particular:

- transport planning;
- land use planning, town centre management;
- environmental protection and energy management;
- waste management;
- economic development, regeneration and tourism; and
- corporate policy and resources.

3.11 Committee meetings or their equivalent (given the differences in local governance across the Administrations) may be held across departments to discuss how the action plan can be taken into account in many authority plans such as the Local Transport Plan, Unitary Development Plan, Local Community or Agenda 21 Strategy. **The involvement of the local authority Chief Executive, or equivalent, with these meetings would help ensure a fully corporate approach.**

3.12 A number of commercially available models exist to help local authorities to develop integrated action plans. Details of these are held by the relevant helpdesks, who can advise on their applicability and relevance to authorities' individual circumstances.

Lead by example

3.13 Central to an air quality action plan should be an authority's own contribution to improving air quality. Local authorities as major institutions, employers, regulators and service providers, have the opportunity to improve air quality through their own behaviour and actions. In that way, they can prompt others to act positively to improve air quality. Please also see paragraphs 5.06-5.08 in chapter 5.

Co-operation between local authorities

3.14 Air quality within AQMAs is likely to be influenced by factors beyond local authority boundaries and action plans should reflect this. Local authorities must in any case consult neighbouring authorities on their action plans. In many cases, action plans will need to complement those of adjoining authorities, whilst in some cases, they may

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need to complement the action plans of other more distant authorities, due to the fact that some measures might have a knock-on effect elsewhere. Some local authorities have recognised this fact and have chosen to develop regional air quality action plans. Defra, the Mayor of London and the National Assembly for Wales welcome this approach and recommend that local authorities should consider drawing up regional air quality action plans, where appropriate.

Engaging the public

3.15 Effective consultation and interaction with the general public is extremely important in preparing an action plan. Local residents, community groups and local businesses must be involved from the start when the action plan is being drawn up. Local authorities must explain fully why such measures have to be introduced and should seek innovative ways to engage the local stakeholders. The action plan will not work or be effective unless it has support from the local community. This also applies to developing a local air quality strategy. **More detailed information on consulting and engaging the public can be found in chapter 4.**

Actions outside a local authority's control

3.16 Some of the actions needed to improve air quality may well be outside the local authority's remit. This is the case where, for example, an industrial process regulated by the Environment Agency is contributing to air quality exceedances, or where high levels of pollutants exist as a result of motorways or trunk roads, regulated by the Highways Agency or in Wales, the National Assembly for Wales.

3.17 Both the Highways and the Environment Agencies are committed to the local air quality management process and both are required to help local authorities develop their action plans. Both Agencies have produced papers setting out their responsibilities which are available on the Defra web site at www.defra.gov.uk/environment/airquality/index.htm (see chapter 4 for further details on consulting the Agencies). The Highways Agency is in the process of updating its LAQM paper and will provide an updated version in early 2003.

3.18 Some local authorities also have air quality problems around airports located within or close to their authority. As well as tackling pollution from the traffic flowing to and from an airport, in some cases, there may be a need to address pollution from the airport itself. Local authorities in this situation will have to liaise closely with the airport operators in considering solutions and measures in pursuit of the Air Quality Objectives. Further details on airports can be found in chapter 6.

3.19 Local authorities should make clear any limitations in their action plans and show the extent to which they rely on actions by others (i.e the Agencies, other local authorities, the Mayor of London, the Government and the National Assembly for Wales) to work towards meeting the objectives. The plan should show how other agencies have been involved in its development.

3.20 Some local authorities may feel that further action at the national level or new legislative powers will be required to tackle localised air quality problems. Local authorities may wish to make this case to central Government, the Mayor of London and the National Assembly for Wales. They may wish to take this forward through their Regional Groups or Local Government Associations or other professional organisations, including the National Society for Clean Air and Environmental Protection. These organisations might then act as co-ordinators on the local authorities' behalf.

Format of an air quality action plan

3.21 The key points to include are as follows:

- Introductory chapter should explain what the local authority's duties are under Part IV of the 1995 Act and identify the main sources of pollution that need to be tackled to bring about improvements to air quality within the AQMA;
- List the measures that have been considered to tackle the poor air quality and identify those to be implemented following a basic cost-effective analysis of the different measures [**see following section for more details on cost-effectiveness analysis**];
- The measures within the plan should indicate, **where possible**, what the anticipated air quality improvements are likely to be;
- Each of the measures should set out, **where possible**, what the wider improvements or impacts might be following their implementation. Examples include the impact on local noise levels, impacts on road safety and whether traffic congestion is increased or reduced elsewhere in the trunk road network;
- The action plan should indicate what action is expected from the local authority and where the actions are outside the local authority's remit. The plan should indicate who else is responsible for helping to work towards achieving the objectives, for example, the Highways Agency or airport operators. Such agencies, bodies or individuals must give details to the local authority for inclusion within the Action Plan as to what they are to undertake in pursuing air quality improvements.
- A timetable should be included showing by when each of the measures will be implemented.

3.22 Local authorities should also be aware of the checklist used by Casella Stanger to appraise the action plans. This may help authorities in developing and revising their action plans. The checklist is available from the Casella Stanger web site at **www.stanger.co.uk/actionplan**

Cost-effectiveness analysis

3.23 Defra, the Mayor of London and the National Assembly for Wales do not expect authorities to undertake a full cost and benefit analysis, or to attempt to calculate for themselves the monetary value of lives lost. The objectives included in the Air Quality Strategy for England, Scotland, Wales and Northern Ireland already take full account of the relevant costs and benefits⁸, and local authorities should not attempt to redo these calculations.

3.24 It is, however, important that authorities consider all the costs (direct and indirect), although there is no need to attempt to quantify all the indirect costs. They should also look at the feasibility of different abatement options.

3.25 Defra, the Mayor of London and the National Assembly for Wales do not expect a detailed analysis of the cost-effectiveness of every conceivable policy option for improving air quality within an AQMA. This would take too long and prove far too costly for local authorities to undertake. For some policy options (such as, improving public air quality information provision through the local media, or encouraging local employers to adopt transport plans for their staff) it will be all but impossible to estimate the cost-effectiveness in any quantifiable way.

3.26 Defra, the Mayor of London, National Assembly for Wales and other statutory consultees anticipate, however, an indication that an authority has considered a range of options and has tried to quantify, in however crude a way, their relative cost-effectiveness. Where a particular option is not considered to be cost-effective or feasible (for example, imposing such tight constraints on an industrial process that it has to close down, or restricting traffic access to a town centre to such an extent that the local economy suffers), a local authority is under no obligation to implement it. Section 84(2)(b) of the 1995 Act makes clear that authorities are required to act 'in pursuit of the achievement of air quality...objectives in the designated area'. They are not under a legal obligation to achieve the objectives.

3.27 The main purpose of the cost-effectiveness evaluation is to ensure that an authority is pursuing a balanced and realistic approach in pursuit of achieving the objectives. Examples of questions the local authority might consider are as follows:

- Is an authority, for example, imposing heavy costs on the operator of a small industrial process in order to secure reduced emissions of NO_x when in practice this will have very little impact on NO₂ concentrations?
- Where abatement options are likely to be expensive, has consideration been given to minimising the costs for the operator?
- Have different possible traffic control strategies been assessed to see which is likely to deliver the greatest reduction in emissions for the lowest cost?

⁸ See too 'An economic analysis of the National Air Quality Strategy objectives (the interim report of the Interdepartmental Group on Costs and Benefits), published in January 1999.

3.28 The estimate of costs should include not only direct costs (such as the costs to the local highways authority of pedestrianising a particular high street, or the costs to an operator of fitting emissions reduction kit to an industrial process), but also indirect costs. This might include the potential reduction in income for a retail outlet on a newly pedestrianised street for example. This process should allow authorities to reach an informed decision on the most cost-effective package of measures to deliver the necessary local air quality improvements.

3.29 Precise estimates will not be possible, nor do Defra, nor the Mayor of London, nor the National Assembly for Wales intend to prescribe exactly how the calculation should be undertaken. The key aspects the authority should consider are:

- How much of an improvement in ambient air quality is likely to result from a particular action or policy measure;
- How much the implementation of a particular action or policy measure is likely to cost, both directly and indirectly, and on whom the costs are likely to fall;
- Whether there might have been other policy options for delivering the same result, and, if so, why they were considered to be less cost-effective (if there were no real alternatives that could have been considered, this should be explained within the action plan);
- Doing nothing is not always a cost-free option, as there might be indirect costs involved, such as health impacts on the local community;
- Local authorities should make use of the advice on cost-effectiveness available on the action planning help desk at <http://www.stanger.co.uk/actionplan>.

Links with local transport plans

3.30 The Local Government White Paper, 'Strong Local Leadership – Quality Public Services' sets out proposals to reform council services and enhance local democracy and community leadership in England only. Paragraph 4.30 of the White Paper, which was published in December 2001, states that 'We (i.e. Her Majesty's Government) will no longer require the production of a separate air quality management action plan where an air quality problem arises because of transport pollution. Instead, councils will be free to address this through their local transport plan (LTP)'.

3.31 Where the AQMA designation arises primarily because of transport pollution, local authorities in England will have the freedom to integrate their action plans into their Local Transport Plans (LTPs). In such cases, the Government will no longer require the production of a separate action plan. Therefore, in preparing their action plans now, authorities can look towards integrating them within their LTP at its next substantial review, which is due to take place by 2005⁹ (this does not mean that local authorities should delay producing their action plans). This approach will support closer alignment of councils' transport and air quality policies and the involvement of all relevant expertise in tackling the problems. If authorities adopt this approach, they will nonetheless need to ensure that non-transport sources of emissions are also accounted for.

⁹ The timetable for completing action plans described elsewhere in this document should not be affected by possible future integration of AQMA action plans into LTP.

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3.32 It is up to local authorities to decide how best to integrate their air quality action plans (AQAPs) into their LTPs. In some cases, it may be that the AQAP can serve as a separate chapter within, or as an annex to, the LTP. Further guidance on the production of LTPs will be produced in due course. In areas where the county council is responsible for the LTP, and district councils are responsible for any AQAPs, a fully joined-up approach involving all affected authorities will be essential. It will also be important to ensure that air quality issues are addressed in annual LTP Progress Reports, on which separate guidance has been issued by the Department for Transport (for details see <http://www.local-transport.dft.gov.uk/index.htm>). Authorities should note that annual AQAP Progress Reports will still be needed whether or not the AQAP has been (or is due to be) subsumed into the LTP. In these cases, however, the annual AQAP Progress Report may be very short, provided that details of progress against individual transport measures are set out in the LTP Progress Report.

3.33 Local authorities in England are reminded that they may make a bid through their Local Transport Plans (or in London, through the Borough Spending Plans) for resources to implement local transport measures to tackle air pollution problems (see chapter 6 for more details).

3.34 In Wales, the Local Government White Paper 'Freedom and Responsibility in Local Government' was published in March 2002 and does not refer specifically to air quality management plans. Consequently there is no equivalent in Wales to the funding arrangements described in paragraph 3.33 above.

Keeping the action plan under review

3.35 Local authorities have a duty to keep their action plans up to date. Section 84(4) of the Act states that a local authority may from time to time revise an action plan. Whenever an action plan is revised, local authorities must consult the Secretary of State, the National Assembly for Wales, the Mayor of London and other statutory consultees (see Schedule 11(1)(c) of the 1995 Act as referred to in paragraph 4.02).

3.36 In order to ensure that local authorities implement the measures within an action plan by the timescales indicated within that plan, Defra, the Mayor of London and the National Assembly for Wales expect authorities to submit annual action planning Progress Reports once the final action plan has been drawn up. These Progress Reports would simply list the measures within the action plan and include the timescales by when they are/were due to be implemented and give an update on progress in terms of implementing them (see Appendix B for the recommended format for these reports). These action planning Progress Reports should be submitted by the end of April each year (see paragraph 1.76, chapter 1), and where possible, be submitted in parallel with the review and assessment Progress Reports referred to in chapter 1. Local authorities with air quality action plans may wish to incorporate the two Progress Reports into one document at that stage.

Examples of local authority measures to improve air quality

3.37 Local authorities can implement a number of measures to improve air quality. The most significant measures are likely to be transport and land use planning measures and advice on these is set out in chapters 6 and 7. In addition to these, however, the following are some examples of legislative controls within the environmental protection regime of local government that may assist in improving local air quality.

Regulation of industrial emissions – Local Air Pollution Control

3.38 Local authorities can control emissions from certain industrial processes under the Local Air Pollution Control regime. This regime was introduced under Part 1 of the Environmental Protection Act 1990 and covers emission to atmosphere from approximately 17,000 individual processes. Local authorities may grant an 'authorisation' for a process to operate subject to certain conditions, reflecting those set out in the Process Guidance Notes issued by the government to ensure consistency across the country, whilst also including site specific conditions. Operators must use the best available techniques not entailing excessive cost (BATNEEC) to ensure pollution is minimised. Breaching conditions of an authorisation is an offence and authorities may serve Enforcement, Prohibition or Revocation notices on operators, preventing further pollution.

3.39 This regime allows local authorities and operators to work together over the long term to reduce atmospheric pollution to a minimum.

3.40 LAPC is gradually to be subsumed by:

Local Authority Integrated Pollution Prevention and Control (**LA-IPPC**) which covers installations known as **A(2) installations**;

Local Authority Pollution Prevention and Control (**LAPPC**), which covers installations known as **Part B installations**.

3.41 These systems require the operators of specified industrial and other installations to obtain a permit to operate. An application must be made and the regulator then decides whether to issue or refuse a permit. If a permit is issued, it will include conditions aimed at minimising pollution.

3.42 The system of Local Authority Integrated Pollution Prevention and Control (LA-IPPC) applies an integrated environmental approach to the regulation of certain industrial activities (**A(2) installations**). It involves determining the appropriate controls for industry to protect the environment through a single permitting process. This means that emissions to air, water (including discharges to sewer) and land, plus a range of other environmental effects, must be considered together. It also means that local authorities must set permit conditions so as to achieve a high level of protection for the environment as a whole. These conditions are based on the use of the 'Best Available Techniques' (BAT), which balance the costs to the operator against the benefits to the environment.

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3.43 LA-IPPC aims to prevent emissions and waste production and where that is not practicable, reduce them to acceptable levels. Local authorities will be enforcing LA-IPPC to protect the environment as a whole, promote the use of clean technology, minimise waste at source, encourage innovation by leaving significant responsibility for developing satisfactory solutions to environmental issues with industry operators and to provide a one stop shop for administering permits. LA-IPPC also takes the integrated approach beyond the initial task of permitting, including compliance monitoring, permit reviews, variations, transfers, through to the restoration of sites when industrial activities cease. A Practical Guide (Edition 2) on IPPC was issued for consultation in June 2002 which sets out how environmental quality standards are to be met under IPPC. Copies are available on the Defra website <http://www.defra.gov.uk> and the Defra publications line **08459 556 000**.

3.44 Installations regulated under LA-IPPC are largely those whose air emissions have been regulated by local authorities under the Environmental Protection Act 1990 and which come within the scope of the IPPC directive.

3.45 The installations regulated under LAPPC (**Part B installations**) are those whose air emissions have been regulated by local authorities under the Environmental Protection Act 1990 which do not come under the scope of the IPPC directive and will remain subject to air-only regulation.

Industrial smoke control – Clean Air Act 1993

3.46 Local authorities can also control emissions from certain industrial processes which fall outside the provisions of LAPC using provisions of the Clean Air Act 1993. This Act, which consolidated the Clean Air Acts of 1956 and 1968, includes powers to:

- prohibit dark smoke from a chimney of any building (subject to certain permitted periods and exemptions);
- prohibit dark smoke from industrial or trade premises (subject to certain exemptions);
- require notification of installation of industrial furnaces and approve grit and dust assessment plant; and
- approve chimney heights of certain furnaces.

Domestic smoke control – Clean Air Act 1993

3.47 The provisions for domestic smoke control have helped to reduce and regulate smoke and ground level sulphur dioxide from domestic sources effectively since 1956. Local authorities may declare a smoke control area by making a smoke control order. Its effect is to:

- require people to adapt their fireplaces to burn smokeless fuel;
- restrict the burning of unauthorised fuels except in exempted fireplaces; and
- restrict the sale of unauthorised fuels.

3.48 In a smoke control area, it is an offence to emit smoke from any chimney. It is also an offence to acquire for use or to sell for delivery any fuel, other than an authorised smokeless fuel, unless it is to be burned on a fireplace exempted from the smoke control order.

Statutory nuisance – Part III Environmental Protection Act 1990

3.49 Section 79 of the Environmental Protection Act 1990 lists categories of statutory nuisance. If a local authority is satisfied that a nuisance exists, or is likely to recur, it should serve an abatement notice. Subject to certain exemptions, the following can constitute a statutory nuisance when prejudicial to health or a nuisance:

- smoke and dust emitted from premises;
- fumes or gases emitted from private dwellings; and
- dust, steam, smell or other effluvia arising on industrial, trade or business premises.

3.50 The nuisance regime complements the more specific industrial pollution control regimes of the Clean Air Act 1993, the Environmental Protection Act 1990 and the Prevention Pollution Control Act 1999. Local authorities use it to deal with emissions that, by definition, are prejudicial to health or constitute a nuisance. It is not a standards-based approach.

Background and statutory requirements

4.01 The 1995 Act provides the statutory basis for consultation and liaison in respect of local air quality management. The Government, the Mayor of London and the National Assembly for Wales expect local authorities to continue to work closely with other local authorities, agencies, businesses and the local community to improve local air quality. Local authorities need to exchange data with other agencies and neighbouring local authorities.

4.02 Schedule 11 of the Act requires local authorities to consult:

- the Secretary of State;
- the National Assembly for Wales for local authorities in Wales;
- the Environment Agency;
- the highways authority (for English authorities only);
- in London, the Mayor (for London authorities only);
- all neighbouring local authorities;
- the county council (if applicable to English local authorities);
- any National Park authority;
- other public authorities as appropriate; and
- bodies representing local business interests and other organisations as appropriate.

4.03 For the purposes of the Act, authorities must consult on their:

- air quality review and assessment;
- further air quality assessment in an AQMA; and
- preparation or revision of an AQMA action plan.

Local authorities are also expected to consult on the declaration, amendment or revocation of any AQMAs.

Consultation on reviews and assessments

4.04 In terms of consultation on the new approach to reviews and assessments, Defra, the Mayor of London and the National Assembly for Wales recommend the following: On the Updating and Screening Assessments, local authorities will need to consult the Secretary of State, the Mayor of London and the National Assembly for Wales, and other statutory consultees as set out in Schedule 11 (see paragraph 4.02 above). It is at the discretion of the local authority as to how wide the consultation should be at this stage, and there may not be a need for a full public consultation. Local authorities will still wish to make these assessments available to the public.

Consultation and liaison

4.05 On the Detailed Assessments, local authorities will need to consult the Secretary of State, the Mayor of London, the National Assembly for Wales, and the other statutory consultees. They should also consult the public, local businesses and other appropriate stakeholders more fully at this stage. Defra recommends that those authorities in England should consider copying the Detailed Assessments to the relevant Government Office and the relevant Regional Development Agency for information. They may also choose to disseminate copies within the other local authority departments for information.

4.06 On the review and assessment Progress Reports, local authorities will need to submit these to the Secretary of State, the Mayor of London and the National Assembly for Wales for consideration. Local authorities may choose how wide they wish to circulate these reports but it would be good practice to make copies available to the public, local stakeholders, the Agencies and the other local authority departments for information. For those authorities with AQMAs, they may wish, where possible, to submit the review and assessment Progress Reports at the same time as the action planning Progress Reports. **Similarly, with the review and assessment Progress Reports, local authorities might wish to make the action planning Progress Reports available to local stakeholders and the general public for information.**

Consultation on further assessments of air quality inside AQMAs

4.07 If a new AQMA is needed or there is an extension to an existing AQMA, or where further source apportionment is needed, local authorities must assess air quality within the proposed area once again. At this stage, consultation is likely to be most meaningful if it is carried out when the authority has completed its further review and assessment, as this information will drive or feed into an action plan. Local authorities should, where necessary, produce a report containing any relevant data collected at different stages of the review and assessment. It should also explain the methodologies it used and the conclusions it reached. Following consultation, the authority should take account of consultees' comments.

Consultation on air quality action plans

4.08 Local authorities must consult on their preparation of an AQMA action plan. Consultees should be able to make known their preliminary views about what the plan should include. This opportunity should come when the local authority consults on completion of the further assessment of air quality in the designated area. It would be sensible for local authorities to consult at the same time on a draft action plan. This would allow them to finalise the plan in the light of consultees' comments. Action plans may operate over long timescales and authorities may only be able to specify broad proposals in the first draft. It is an important principle, therefore, that they carry out a further consultation if they revise their initial proposals while carrying out the plan.

4.09 Consultation on a draft action plan should include:

- details of which pollutants the authority are to consider and an indication of the pollutant emission source/s;
- what other local authorities are doing or will need to do to meet the action plan's objectives;
- in England, the county council's proposals, if applicable;
- the timescales for implementing each proposed measure; and
- details of other individuals, bodies or agencies whose involvement is needed to meet the plan's objectives and what the authority is doing to encourage their co-operation.

4.10 Local authorities should decide the timescale for consultation. The Government and the National Assembly for Wales recommend, however, that no consultation exercise should last for less than eight to twelve weeks.

4.11 Exchanging information is important throughout the local air quality management process. Many local authorities have successfully established local steering groups to oversee the process. Some authorities have built on existing inter-authority pollution groupings. These steering groups should include:

- local authorities' representatives;
- the Highways Agency;
- the Environment Agency;
- representatives of local businesses and community groups;
- representatives of Primary Care Trusts (In Wales, Local Health Boards); and
- any other local interest groups and local residents.

Consultation and liaison across local authority departments

4.12 Defra, the Mayor of London and the National Assembly for Wales cannot stress enough the importance of ensuring there is effective consultation and liaison across local authority departments (see paragraphs 3.09-3.12 in chapter 3 and paragraph 5.05 in chapter 5). Steering groups and committee meetings should have the support of the Chief Executive or equivalent. This is to ensure that air quality is dealt with consistently across the departments.

Co-operation between authorities

4.13 Co-operation between authorities has been greatly helped with the setting up of the regional air quality groupings. These groupings can assist with the sharing of experiences and good practice in carrying out the LAQM duties. Some authorities have designated a joint AQMA and others have worked together on regional action plans and regional air quality strategies.

Consultation with county councils in England

4.14 The Strategy and Part IV of the Act recognise the importance of the inter-relationship between England's district and county councils. The 1995 Act makes special provision for county council input to the review and assessment process and the preparation of any action plan. It recognises the crucial role of county councils as highways authorities and the importance of traffic management and transport planning in achieving the Strategy's objectives. It is particularly important, for example, that air quality action plans are properly co-ordinated with Local Transport Plans (see chapter 6 on air quality and transport). Indeed, where the AQMA designation arises primarily because of transport pollution, local authorities in England will have the freedom to integrate their action plans into their Local Transport Plans – see paragraph 3.32. Section 86 (2) requires district councils to take into account the county council's recommendations on reviewing and assessing air quality. County councils should be involved in reviewing air quality at all stages of the process. District and county councils should agree the scope and format of the review at the outset. Schedule 11 also imposes a duty on district and county councils to exchange information. County councils should also ensure that they take into account the outcome of the reviews and assessments before they publish their structure plans and transport plans.

4.15 Once AQMAs have been designated, there is a further requirement in the Act within section 86(3). Within the relevant period, county councils should submit details of whatever actions they propose to the district council, for inclusion in an action plan. The relevant period is prescribed in the Air Quality Regulations as **nine months starting from when the district council first consults the county council under paragraph 1 of Schedule 11 of the Act**. In practice, the Government hopes that county councils will usually be able to submit their proposals much more quickly, particularly if they have been involved in LAQM from the start. District councils should make special arrangements to consult county councils as soon as possible.

4.16 In practice, this means that district councils should consult county councils **immediately after they designate an AQMA**. In other words, before they have completed the further assessment of air quality inside the AQMA and at the same time as the district itself is starting to think about its own contribution to the action plan. This should provide county councils with sufficient time to work up their proposals. District councils should then have long enough to consult more widely on a complete first draft and finalise the plan soon after the further assessment of air quality in the AQMA.

4.17 Unitary authorities (including metropolitan authorities and the London boroughs) bordering county councils will also want to involve their neighbouring county councils from the earliest stage possible in the LAQM process. This will be particularly important where input from the county will be a necessary part of the unitary authority's action plan.

Consultation with the Highways Agency in England

4.18 The Highways Agency is committed to the LAQM process and appreciates fully the importance of working with local authorities. The Highways Agency operates from ten offices and is divided into a number of business areas. The three of interest to local authorities are Operations Directorate (OD), Network Strategy (NS) and Standards Safety and Reliability (SSR). OD is the delivery arm of the Highways Agency. It manages day-to-day operations and customer services relating to implementing maintenance, road improvements and technology projects. Network Strategy is the main focal point in the Agency for regional planning, liaising with the Government Offices for the Regions and local authorities. It develops a forward looking strategy for the network with at least a three year time horizon. SSR has air quality specialists that are responsible for the provision of technical advice.

4.19 When consulting the Highways Agency (HA) on air quality management issues, local authorities should continue liaising with established contacts made during the first phase of review and assessment if the same route is affected or seek advice for new contacts. For new contacts, an email should be sent to **ha_info@highways.gsi.gov.uk** stating the road and geographic area and requesting that a contact name for the route manager in the Operations Directorate is provided that could assist with local air quality management.

4.20 Where local authorities experience difficulties in engaging the local regional Highway Agency Offices in the action planning process, they should contact the HA air quality specialist (Simon Price on the national switchboard number 08459 55 65 75 or **email airquality@highways.gsi.gov.uk**). Where local authorities still have concerns, they should notify Defra.

4.21 In Wales, the duties undertaken by the Highways Agency rest with the Transport Directorate of the National Assembly for Wales. The views of the Directorate will be sought as appropriate on air quality management issues submitted to the National Assembly under Schedule 11 of the 1995 Act.

Consultation with the Environment Agency

4.22 The Environment Agency (EA) continues to provide a range of support to local authorities. Local authorities may find it useful to have a look at the EA paper which sets out how the Agency can help authorities with their LAQM duties. This paper is on the Defra web site at **www.defra.gov.uk/environment/airquality/laqm.htm**

4.23 Local authorities can contact the Environment Agency for data, information, advice and consultation by phoning **08459 333111** and asking for Customer Contact (or Customer Services). This is a national number and calls will be automatically directed to the caller's local Environment Agency offices.

Consultation and liaison

4.24 During the first round of reviews and assessments the Environment Agency undertook a number of air quality assessments to look at the combined effect of industrial sources in particular areas (Zones of Industrial Pollution Sources (ZIPS). These studies are periodically reviewed and local authorities may wish to contact the Agency to identify whether more up to date information is available.

4.25 From time to time the Environment Agency also undertakes short air quality monitoring campaigns in the vicinity of industrial sources and further monitoring data may be available from the Environment Agency for some locations.

Consultation with the public, local business and other stakeholders

4.26 Local authorities might wish to look for innovative ways of engaging local stakeholders, including local resident and community groups, as well as local businesses. If people feel personally involved in air quality issues, they are more likely to change their behaviour and support proposed measures to improve air quality locally.

4.27 Effective consultation generally involves the following:

- Providing user-friendly information so the recipients can fully understand the situation and how they can become involved with the process;
- Involving the local stakeholders at an early stage in the whole process;
- Making full use of existing networks or local community groups and, where possible, extending those networks to capture a diverse range of stakeholders; and
- Setting up participative workshops or forums to make the stakeholders feel part of the consultation process.

4.28 It is important that local authorities provide information on local air quality in a clear and accessible way. Local authorities are ideally placed to inform the public about the causes and effects of air pollution. Many local authorities have experience of health education and they should consider exploring links with Primary Care Trusts (or in Wales, the Local Health Boards). They should use their local contacts, such as local newspapers, radio and libraries, etc. to reach as wide an audience as possible. Some local authorities have already developed local air quality information strategies and provide regular information. They publish and make monitoring reports available to the public or publish data in local newspapers.

4.29 Day to day information on local air pollution levels and advice to the public when pollution is high can be important catalysts for changes in behaviour. The adjectives used to describe levels of air pollution should be consistent nationally, to avoid confusion. The Government, the Mayor of London and the National Assembly for Wales advise local authorities to adopt the banding system they use, i.e. the pollution bands are described against a numerical index as follows: 1-3 (low), 4-6 (moderate), 7-9 (high) and 10 (very high). Defra and the Devolved Administrations published an updated leaflet explaining the system and how air pollution affects health in May 2002.

Copies are available from Defra publications – telephone: **08459 556 000** and fax: **020 8957 5012**. The bilingual publication produced by the National Assembly for Wales can be obtained from the Environmental Protection Division telephone **02920 823499**; fax **02920 823658**; or e-mail **environmental.protection.division@wales.gsi.gov.uk**.

4.30 Local authorities may consider providing these leaflets and their own leaflets on air quality in public places, such as local supermarkets, doctors' surgeries, churches, libraries, etc. They may also set up local residents meetings through their Local Agenda 21 or community plan contacts. Local authorities could also involve local schools and even local universities through local campaigns, by, for example, promoting more sustainable transport behaviour.

4.31 Involving schools in local campaigns can be an effective way of highlighting the issue among parents and children. Pupils, parents and staff can work together to develop school transport plans. The National Society for Clean Air and Environmental Protection has produced a school information pack on air quality issues and local authorities could encourage schools to obtain copies. Contact the NSCA for further details on telephone **01273 878770**.

4.32 It is essentially up to local authorities as to what methods they wish to use to engage the local stakeholders in the consultation process. In general, holding workshops which allow the delegates to take part in simple exercises and also allow them to offer their opinions on specific issues tend to work well. This is because the delegates will feel they are part of the process. Examples and case studies relating to local authority consultation techniques, looking at the techniques used and the people involved, can be found on the Review and Assessment web site at **www.uwe.ac.uk/aqm/review/initiatives.html**.

4.33 An informal guidance note prepared by the NSCA contains some practical suggestions for successful consultation during the LAQM process (*Consultation: the 'how to' guide*, NSCA, August 1999). It recommends that consensus based, participative techniques can, among other things, potentially:

- introduce local skills, knowledge, experience, resources, values and attitudes;
- engage this with similar input from other experts, professionals and groups (other than just the local authority);
- help to build (even rebuild) trust and confidence between different groups;
- highlight, address and hopefully resolve conflicts between parties;
- speed the **overall** timetable;
- save resources **overall**;
- introduce the sort of creativity that will make for better decision-making;
- ensure that all key parties feel a sense of ownership and commitment;
- provide mutual education and information exchange; and
- engage people during potentially difficult implementation stages.

Public access to information

4.34 The information which the local authority holds on air quality is covered by the Environmental Information regime (i.e. the Environmental Information Regulations 1992 (SI 3240), as amended by the Environmental Information (Amendment) Regulations 1998, and later replaced by the new Environmental Information Regulations 2003). The new Regulations are expected to be laid in April 2003 and to come into force July 2003.

4.35 The 2003 Environmental Information Regulations oblige public authorities to make all reasonable efforts to organise the environmental information which is relevant to their functions with a view to its active and systematic dissemination to the public, in particular by means of computer telecommunications or electronic technology (or by both means).

4.36 The regulations require proactive dissemination of:

- a) texts of national, regional or local legislation on the environment or relating to it;
- b) policies, plans and programmes relating to the environment;
- c) Progress Reports on implementation of the items referred to in a) and b) when prepared by public authorities;
- d) reports on the state of the environment; and
- e) data or summaries of data derived from the monitoring of activities affecting, or likely to affect the environment.

4.37 They also oblige public authorities, subject to limited exceptions, to make any environmental information they hold available on request.

4.38 Within the Environment Act 1995 there is also provision for public access to information. As well as the review and assessment reports on which they are required to consult, local authorities should proactively make available copies of:

- Orders designating an AQMA;
- Action plans;
- County council proposals for measures to be included in the action plan; and
- Any directions given to the authority by the Secretary of State or the National Assembly for Wales.

4.39 Local authorities should consider the most appropriate targeting of information and how best to make it easily accessible and widely available and should consider including them in their Publication Scheme.

5.01 Local authorities do not have a statutory obligation to prepare or adopt a local air quality strategy. The Government, the Mayor of London and the National Assembly for Wales, however, strongly recommend that all authorities, **particularly those that have not had to designate AQMAs or do not need to designate an AQMA in future, but have areas close to the exceedance levels**, should consider drawing up a local air quality strategy. The Government, the Mayor of London and the National Assembly for Wales believe that it is important that all authorities commit themselves to improving local air quality to ensure that air pollution remains below prescribed levels. Even local authorities with very good air quality may wish to develop local air quality strategies setting out how they intend to maintain or improve the present situation.

Why adopt a local air quality strategy?

5.02 There are many advantages and reasons for developing a local air quality strategy. These include the following:

- It can highlight the main reasons for tackling poor air quality, i.e. the link between air quality and the quality of life and the need to minimise the risk to human health;
- It can emphasise the local authority's role in delivering cleaner air and lead others to deliver cleaner air by setting an example;
- It can raise the profile of air quality within a local authority and keep air quality high on the local agenda; thus keeping Councillors/Members interested in these issues;
- It can help authorities handle air quality in a corporate and multi-disciplinary way – allowing authorities to take air quality considerations properly into account in all their wider policy areas, such as land use planning, transport planning, energy efficiency, waste management, economic development, and regeneration;
- It can also raise the profile of air quality in the local community and remind them of the main reasons for tackling poor air quality;
- It can be linked to other local initiatives such as community plans and Local Agenda 21, or local inventories of greenhouse gas emissions and measures to achieve local emissions reduction targets;
- It can help authorities build partnerships with local businesses, industry and the community;
- It can encourage people to do their bit to improve the local air quality;
- It can lead to greater co-operation with neighbouring authorities and strengthen the role of regional groupings; some local authorities have drawn up **regional air quality strategies**;
- It can support and feed into any action plans that might be needed in future; and
- It can provide a framework to help ensure that Air Quality Objectives are continued to be met over the long-term.

How to develop a local air quality strategy?

5.03 In developing a local air quality strategy, local authorities should follow the same principles for developing an air quality action plan. **This chapter should therefore be read in conjunction with chapter 3 on action plans.** Local authorities may also find it helpful to refer to NSCA's Action Planning guidance which incorporates information on area-based and local air quality strategies.

Setting up a steering group

5.04 As with developing an action plan, Defra, the Mayor of London and the National Assembly for Wales recommend that local authorities should set up a steering group to take forward the process of drawing up a local air quality strategy. This group should consist of local authority officers from relevant departments and may include officers from other local authorities (where a regional air quality strategy is being drawn up) and other key stakeholders, where appropriate.

Co-operation and liaison within an authority

5.05 As referred to earlier in chapter 3, the Government, the Mayor of London and the National Assembly for Wales expect air quality to be dealt with in a corporate and multi-disciplinary way. There should be effective links between all the relevant local authority departments, in particular environmental health, planning and transport planning. Collaboration with other departments, such as economic development and regeneration, will also be important.

Local authority's own contributions to improving air quality

5.06 The Government, the Mayor of London and the National Assembly for Wales are keen that local authorities should continue to communicate their commitment to delivering cleaner air in their local air quality strategy and thus act as a catalyst in this way. This will be the basis for encouraging businesses in the community to develop their own strategies to bring about improvements in air quality.

5.07 Many local authorities already run their own vehicles or those of their contractors on alternative fuels. Local authorities have also led the way in developing travel plans for their staff by encouraging them to use public transport, where possible, instead of travelling to work by car.

5.08 Local authorities can use their 'green' purchasing policies to stipulate the use of low-solvent products and to use products from local sources, where available, thereby reducing transport requirements. Local authorities should also increase their energy efficiency by reducing emissions from large boiler plants in their buildings (for example offices, schools, etc). Local authorities can also set environmental conditions in their service contracts with outside contractors.

Co-operation between local authorities

5.09 Air pollution does not respect local authority boundaries. Even where the effects of pollution are localised, the solution may involve several local authorities. Where strategic planning or traffic management is the answer to an air quality problem, different departments of local authorities will need to co-operate. There will also be cases where the activities of one local authority (for example, in traffic management or land-use planning) may have air quality implications not just for neighbouring authorities but also for other ones situated further away.

5.10 It is therefore important when developing a local air quality strategy to discuss it with neighbouring authorities or those within the regional grouping. Other authorities in the region may have already drawn up an air quality strategy and it would be useful to share good practice in drawing one up. Some authorities have drawn up a regional air quality strategy and some others have drawn up a regional strategy framework which the authorities will use to develop their own local strategies. This level of co-operation can help strengthen links between authorities in regional groupings. **The Government, the Mayor of London and the National Assembly for Wales recommend that local authorities should look for support from neighbouring authorities in drawing up their local air quality strategies and should consider developing joint air quality strategies (area-based or regional strategies), where appropriate.**

Co-operation with outside bodies

5.11 Local air quality problems cannot be solved by local authority action alone. The success of a local strategy depends upon co-operation with other sectors. Local authorities may wish to include in their strategies a framework for co-operation with: the Government, the Mayor of London or the National Assembly for Wales; the various Agencies, and other stakeholders as they see fit.

Building partnerships

5.12 Local authorities should also set up air quality partnerships with local business, industry, the Environment Agency, the Highways Agency, primary care trusts (in Wales, the Local Health Boards) and the community. Local authorities could use existing partnership arrangements, for example, cycling and public transport liaison groups, town centre management groups and neighbourhood committees and local resident groups. Local authorities could also seek support from local schools and universities. Local authorities should have experience of building partnerships within various departments, such as community planning, neighbourhood renewal, and bus quality partnerships.

Format of a local air quality strategy

5.13 The structure and format of a local air quality strategy is entirely up to the local authority. Air quality strategies can address all of the pollutants and not just those where exceedances are forecast. Local authorities could include other pollutants such as ozone or look to tackle pollutants peculiar to their area, such as emissions from particular industrial or domestic sources through an air quality strategy.

5.14 The air quality strategy should begin by establishing the problems associated with air pollution and its impact on human health, ecosystems, vegetation and buildings. This provides a focus on the risks and actions necessary to improve local air quality. It might also be useful to explain what work local authorities have been doing as part of their reviews and assessments and point out what the main pollution sources are for the area.

5.15 The local authority should set out its intentions in the strategy of what actions need to be taken to reduce levels of air pollution, such as greater use of public transport, implement information campaigns to bring about changes in behaviour, etc. It might also be useful to explain how the actions will be carried out and if possible include any timescales. It is important to explain what actions the local authority is already undertaking itself, such as using alternatively fuelled vehicles in its own fleet, or reducing emissions from its own boilers.

5.16 The strategy should show how local authorities will take air quality into account in wider policy areas, for example, land use planning and traffic management. It should also be linked to other plans, such as the Local Transport Plan, Unitary Development Plan and where the authority has an AQMA, the strategy could feed into the air quality action plan.

5.17 Local authorities should also indicate within the strategy the co-operation needed or secured from others, such as neighbouring authorities, the Environment and Highways Agencies, local businesses and community groups.

Keeping the local air quality strategy up to date

5.18 Local authorities should keep their air quality strategy under regular review and revise it from time to time to take account of developments, changes and proposals with respect to local, regional and central Government relevant responsibilities.

6.01 Road transport is a major source of local air pollution, particularly in towns and cities. In urban areas, road traffic accounts for over half of the total emissions of oxides of nitrogen and particles (PM₁₀) – the pollutants for which targets are the hardest to meet. This is demonstrated by the significant number of AQMAs that have been designated in respect of NO₂ and PM₁₀.

6.02 Between 1986 and 2000 the number of cars on the road increased from 16.9m to 23.1m. This continuing increase in car ownership has led to a fundamental change in the travelling patterns of ordinary households: 82% of journeys by mileage are made by car. The car's flexibility and convenience has also enabled more people to travel further, with a corresponding increase in vehicle usage.

6.03 Cutting road transport emissions is therefore a key part of local air quality management. Local authority officers dealing with air quality duties will need to liaise fully with transport planners, land use planning authorities, county councils (where applicable) and the Highways Agency, Transport for London or Transport Directorate of the National Assembly for Wales as appropriate, where the pollution arises from trunk roads, and motorways.

6.04 Defra, the Mayor of London and the National Assembly for Wales look to the Chief Executive, or equivalent to ensure that the guidance in this chapter is taken into account by all relevant departments and in particular the Environmental Health, and Transport Planning departments.

National context

6.05 The national policy framework has already led to significant improvements in local air quality policy and will continue to lead to further improvements. Key transport initiatives include:

- Regulatory measures and standards to reduce vehicle emissions and improve fuels;
- Tax-based measures that encourage people to supply and use cleaner fuels and also encourage them to buy more environmentally-friendly vehicles; and
- The development of an integrated transport strategy that supports sustainable development.

Regulatory measures to cut vehicle emissions

6.06 The vehicles on our roads are becoming progressively cleaner due to the successively tighter EURO standards on both vehicles and fuels imposed by the European Union's Auto-Oil programme, which was set up in partnership with the oil and motor industries. These standards alone helped reduce emissions of PM₁₀ and NO_x from road transport by 50% between 1990 and 2000 and are expected to lead to a further reduction of some 30% by 2010. Although not primarily concerned with reducing emissions of NO_x and PM₁₀, the EU's voluntary agreements with car manufacturers may also lead to improved local air quality. The voluntary agreements will improve by 25% against 1995 levels the CO₂ emissions from new cars sold in the

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EU by 2008. This will be achieved in three main ways; switching from petrol to diesel engines, downsizing of cars and the introduction of new efficient technology. Although the first method may be detrimental to local air quality, downsizing and new technology should reduce the emissions of NO_x and PM₁₀. The trend of declining emissions is expected to slow down considerably from about 2010 as engine and fuel improvements are offset by continuing traffic growth (see page 88 of the Air Quality Strategy).

6.07 To make sure that vehicles do not produce excessive emissions when in use, new vehicle standards are backed up by emissions tests as part of the MOT. The Department for Transport arranges for the Vehicle Inspectorate to carry out vehicle emissions checks each year in addition to their roadworthiness enforcement check programme. To improve emissions performance still further, all new vehicles will be required to be fitted with on board diagnostic systems from 2005, which will immediately alert the driver to any irregularities in the vehicle's emissions.

6.08 The Government has introduced the Road Traffic (Vehicle Emissions)(Fixed Penalty) Regulations 2002 to allow local authorities in England with air quality management areas to adopt the powers for undertaking vehicle emissions testing at the roadside. Further details on this can be found under the section on 'Local Transport Measures'. In Wales, the National Assembly for Wales has consulted on proposals for the introduction of similar arrangements from 2003.

Tax-based measures

6.09 The Government continues to use tax-based measures to reduce vehicle emissions. They include:

- Fuel duty differentials to encourage people to use cleaner fuels, including alternative fuels such as bio diesel, liquefied petroleum gas (LPG), and natural gas.

6.10 Since 1 April 2001, Vehicle Excise Duty (VED) for cars has been graduated according to the level of carbon dioxide (CO₂) emissions, with the least polluting paying less in road tax.

6.11 A similar CO₂-based system for taxing company cars has been in place since April 2002, linking the tax charge on the benefit of a company car to the level of its CO₂ emissions. This is intended to incentivise the purchase of more efficient vehicles.

6.12 In December 2001 the Government implemented a new structure of Vehicle Excise Duty for goods vehicles, reflecting more closely the environmental impacts and road wear that different types of goods vehicle cause. The Reduced Pollution Certificate, under which goods vehicles and buses meeting stringent standards for particulate emissions pay a lower rate of VED, continues in force. Further discounts under both the Company Car Tax and VED regimes are available for alternatively powered vehicles, such as electric, hybrid and LPG/natural gas.

6.13 The majority of these measures have been aimed primarily at tackling emissions of CO₂, one of the major greenhouse gases contributing towards climate change. However, air quality considerations have also been taken into account and it is expected that these changes will also have a beneficial effect on local air quality by encouraging the purchase of cleaner, more efficient vehicles.

10 year plan for transport

6.14 The Government published its 10 Year Plan for transport in July 2000. The Plan covers all surface transport in England and railways in Great Britain. It is designed to deliver the Government's transport priorities: reduced congestion, better integrated transport system, and wider choice of quicker, safer, more reliable travel on road, rail and other public transport.

6.15 The Government is committed to providing the sustained investment that will deliver the outcomes set out in the 10 Year Plan. The development of an integrated transport system requires the following:

- stronger partnerships with the private sector;
- greatly increased resources;
- closer relationships with local government;
- more integrated and strategic approaches to policy-making; and
- better services to meet the needs of the customers.

6.16 The Transport White Paper, *A New Deal for Transport – Better for Everyone*, introduced Local Transport Plans, and they were placed on a statutory footing by the Transport Act 2000, which received Royal Assent in November of that year. The Local Transport Plan system is built around 5-year integrated transport strategies, drawn up at the local level in partnership with the community. See paragraphs 6.42-6.44 for further details.

6.17 The Government committed itself to monitor the progress made against the objectives and outcomes set out in the 10 Year Plan. The Department for Transport (DfT) published a report (*Delivering Better Transport*) in December 2002 on the progress being made towards the aims set out in the Government's ten year plan for transport.

6.18 The National Assembly for Wales issued its Transport Framework for Wales in November 2001. This also seeks to create minimum standards for accessibility to transport, the quality of public transport and information services. It seeks to achieve a change in the way people choose to travel, particularly when commuting to work and to encourage people, wherever possible, to take the more sustainable option.

Road Traffic Reduction Act 1997

6.19 The Road Traffic Reduction Act (RTRA) 1997 requires local traffic authorities to review and report on existing and forecast levels of traffic on local roads. For English authorities (outside London), and Welsh authorities, the preparation of RTRA reports was an integral part of the process of preparing LTPs. Guidance on preparation of RTRA reports formed part of the Guidance on Full Local Transport Plans (DETR March 2000; National Assembly for Wales September 1999). English authorities were required to submit their first RTRA reports as part of their full LTPs in July 2000. In Wales, the reports were submitted to the National Assembly for Wales as part of local authority LTPs in August 2001.

Transport Act 2000

6.20 The provisions of the Act are arranged in five Parts¹⁰:

- *Part I – Air Traffic* provides powers to establish a Public Private Partnership to deliver air traffic services in the UK.
- *Part II – Local Transport* places Local Transport Plans on a statutory footing. It also contains measures to improve local bus services including the introduction of mandatory half-fares for pensioners and disabled people.
- *Part III – Road User Charging and Workplace Parking Levy* provides local authorities with powers to introduce road user charging and workplace parking levy schemes where these will help reduce road congestion and pollution.
- *Part IV – Railways* establishes the Strategic Rail Authority and makes provision for better regulation of the railway industry.
- *Part V – Miscellaneous and Supplementary* contains a number of supplementary measures not related to the other main Parts of the Act, and also contains the usual supplementary provisions including the territorial extent, and short title of the Act.

6.21 The sections of the Act most relevant to local authorities when devising their air quality action plan or local air quality strategy are contained in Parts II & III of the Act.

Promoting cleaner fuels: PowerShift and CleanUp programmes

6.22 The Department for Transport sponsors the Energy Saving Trust's TransportEnergy programmes PowerShift and CleanUp.

6.23 **PowerShift's** main aim is to develop a sustainable market for gas (LPG and natural gas) and electric vehicles by providing grants towards the additional cost of buying such vehicles. Without PowerShift grants, the economic case for these cleaner vehicles becomes difficult to make, except for very high mileage fleets.

¹⁰ In Wales, for Parts II and III of the Act, the powers of the Secretary of State are exercisable by the National Assembly for Wales.

6.24 Under the current system, gas vehicles or conversions only qualify for grants if their emissions performance is better than the equivalent petrol or diesel vehicle. The highest grants go to those that offer the greatest emissions benefits. So in addition to stimulating demand for gas vehicles, PowerShift helps ensure that gas vehicles coming on to the market provide real emissions benefits.

6.25 PowerShift is also providing grant support towards the additional cost of hybrid cars which combine a petrol or diesel engine with an electric motor to propel the vehicle. These vehicles can offer substantial fuel economy benefits compared to conventional vehicles, particularly in stop-start traffic in, for example, city centres. Some hybrid vehicles can also operate purely on battery power for limited distances which can have an air quality benefit in more polluted areas.

6.26 CleanUp provides grants to support the fitment of pollution reducing equipment such as catalytic converters and particulate traps to existing vehicles, in particular heavy diesel vehicles such as buses, trucks and taxis responsible for significant emissions of particulates and oxides of nitrogen. CleanUp only supports technologies that have demonstrated significant emissions reductions.

6.27 Further information on the support available through PowerShift and CleanUp is available at: **www.transportenergy.org.uk**, or from the telephone helpline on **0845 6021425**. PowerShift and CleanUp Haulage programmes in Wales are delivered through Energy Savings Trust Wales.

Transport information and guidance programmes

6.28 The Motorvate scheme, which is sponsored by DfT and managed by Momenta (part of AEA Technology), helps organisations cut their fleet travel costs and at the same time helps the environment.

6.29 Motorvate sets simple targets for improving fuel efficiency and environmental performance. The core target is a reduction of 12% in the fleet's CO₂ emissions over a 3-year period, 3% of which must be achieved through reduced business mileage. The scheme is based on annual assessment of companies' vehicle inventory, mileage patterns and fuel use, and progress towards meeting the 3-year targets. The scheme also uses an expert panel of consultants to advise organisations on what they can do to reduce vehicle fuel consumption.

6.30 Although the main focus of the scheme is on cutting CO₂ emissions, there should also be consequential air quality benefits through fleets reducing their vehicle use and by procuring cleaner, more efficient vehicles.

6.31 Further information on Motorvate can be found at: **www.greenerfleet.org.uk**.

6.32 The Energy Efficiency Best Practice Programme – 'also managed by Momenta' helps organisations improve the environmental performance and cost-effectiveness of their transport operations. Information is available in three key areas:

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- **Travel plans:** a package of measures to reduce dependency on single-occupancy car travel for business and commuter travel and to schools;
- **Car and van fleets:** 'green fleet management' – improving fuel-efficiency and minimising vehicle use;
- **Road haulage:** best practice guides, videos addressing fuel management and improved logistics efficiency.

6.33 **Free** assistance in all these areas is available from the ActionEnergy Helpline on **0800 585794**, which can arrange telephone consultations with specialists or site visits where appropriate. Advice is also available at: **www.energy-efficiency.gov.uk/transport/**.

Air transport white paper

6.34 The White Paper, *A New Deal for Transport: Better for Everyone*, published in July 1998, announced the Government's intention to produce a new UK airports policy that would look 30 years ahead and referred to the need to bring forward new policies on civil aviation. This work will be brought together in a new air transport White Paper which is due to be published in 2003. The White Paper will set out policies on a range of aviation matters, including decisions on what additional airport capacity may be needed to meet demand, and where it should be located.

6.35 Following an earlier consultation on the general policy issues, the DfT is currently consulting on capacity options for air transport in UK up to 2030 on the basis of a series of regional documents. (A further document in the series will be published in the next few weeks and the consultation will formally close four months thereafter). From an air quality perspective, each option has been assessed for its impact on NO₂ and PM₁₀, key pollutants to which aviation contributes that will be subject to the forthcoming mandatory EU limit values. Details of the consultation can be found on **www.airconsult.gov.uk** or by phoning 0845 100 5554. In addition, the Government will be discussing with stakeholders, including representatives of local government, the effective use of economic instruments to encourage the sector *inter alia* to limit its contribution to local air pollution. The results of these consultations and discussions will be taken into account in reaching decisions on the future of air transport in UK which the Government expects to announce in a White Paper later in 2003.

Emissions from shipping

6.36 Emissions from shipping can be a significant issue for local authorities with major ports. At least one local authority has identified emissions from shipping as contributing to AQMAs within the authority. Also, as emissions from other sources decline, global emissions from shipping are becoming more and more significant, with shipping expected to account for up to 75% of total SO₂ emissions in the EU by 2010.

6.37 Currently only marine gas oils used for voyages within the EU are regulated by the sulphur content of liquid fuels Directive 99/32/EC. The maximum limit for these fuels since 1 July 2000 is 0.2% sulphur, this will be reduced to 0.1% from 1 January 2008.

6.38 Shipping is a global industry, therefore efforts to make a significant reduction in emissions from seagoing ships are most effective when agreed and implemented at an international level. Annex VI to MARPOL 73/78 is an International Maritime Organisation (IMO) agreement which aims to prevent and reduce air pollution from ships. It was adopted in September 1997. The agreement, when it comes into force, will set limits on sulphur oxide (SO_x) and nitrogen oxide (NO_x) emissions from ship exhausts and prohibit deliberate emissions of ozone depleting substances. The agreement will set a global sulphur cap of 4.5% by mass for all heavy marine bunker fuels and a 1.5% sulphur content by mass limit for fuels burnt in special 'SO_x Emission Control Areas'. Alternatively, ships must fit an exhaust gas cleaning system or use any other technological method to limit SO_x emissions in these areas. The Baltic Sea is such a designated area.

6.39 The agreement also sets limits on emissions of nitrogen oxides (NO_x) from diesel engines. As NO_x emissions from shipping are primarily caused by engine function, the Annex VI provides a mandatory technical specification for ship engines manufactured from 1 January 2000. To date only five countries have ratified – Sweden, Norway, Singapore, the Bahamas and Malawi, representing approximately 12% of world tonnage. The Annex VI enters into force internationally one year after it has been ratified by at least 15 countries representing 50% of the gross tonnage of the world's merchant shipping.

6.40 The failure of Member States to ratify Annex VI and the potential impact of SO₂ and particulate emissions on local air quality in port areas has caused concern at an EU level. In response, a proposal to reduce the sulphur content of all marine fuels used in the Baltic and North Seas, and prohibit the use of high sulphur fuel in port areas was received from the Commission late 2002.

Local transport measures

6.41 Traffic management and other local transport schemes are likely to be key elements in any air quality action plan or local air quality strategy. This section summarises some of the measures available to local authorities.

Local transport plans

6.42 English local transport authorities, outside London, and Welsh local authorities are required to submit 5 year plans setting out their objectives and targets for transport and their strategies for achieving them in a local transport plan (LTP).

6.43 LTPs in England provide the basis for allocating to local authorities the transport capital resources for the implementation of their plans. In Wales, the LTPs are not directly related to funding. The plans have to cover all forms of local transport and establish coherent strategies to tackle problems such as congestion and poor air quality. Those local authorities that have designated AQMAs primarily because of transport pollution have the freedom to integrate their action plans into their LTPs. Local authorities are also advised to co-ordinate their LTPs closely with their local air quality strategies.

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6.44 Local authorities in England submitted their first full LTPs covering the period 2001/2 – 2005/6, in July 2000. Progress in implementing LTPs is reported through Annual Progress Reports. The second reports were submitted in August 2002. These covered progress made in 2001/02 against the targets and objectives established in the first 'full' LTPs. Local authorities are due to submit their second full LTPs, covering the period 2006/7-2010/11, to the Department for Transport in the summer of 2005. Those authorities with primarily transport-related AQMAs can look towards integrating their action plans into their LTPs at its next substantial review, which is due to take place by 2005, and others will be able to feed information on air quality issues from their next round of reviews and assessments into the development of the second 5-year LTPs. In Wales, the date for submission of the next round of LTPs will be determined by the National Assembly for Wales.

Centres of excellence for integrated transport planning

6.45 DfT set up the Centres of Excellence (COEs) for an Integrated Transport Planning initiative in March 2001. The initiative aims to highlight good practice in integrated local transport planning as well as encouraging the sharing of good practice and experiences. The authorities responsible for 17 local transport plans across England have been designated as COEs on the basis of the quality of their plans and their willingness to share their work and disseminate good practice. The dissemination of good practice on local transport planning will have considerable benefits for those authorities drawing up air quality action plans and local air quality strategies.

6.46 A brochure was published in March 2002 which provides a brief introduction to the work of each COE and details of how they intend to share their experiences with others. The brochure is available on the DfT website at **www.local-transport.dft.gov.uk**.

Road user charging and the workplace parking levy

6.47 Reducing the adverse effects of traffic is likely to be a key objective in LTPs. To assist local authorities to achieve this objective, the Transport Act 2000 gave authorities new discretionary powers to introduce either road user charging or workplace parking levy schemes. The Act guarantees all the revenue raised by charging or levy schemes must be recycled to improve local transport for at least ten years. These powers will therefore create a new, additional source of income to fund such improvements.

6.48 Local authorities will have considerable flexibility to decide whether schemes are appropriate to their local circumstances and, if so, the form that schemes will take. The Government will approve all schemes before they can be introduced, and as part of this process local authorities will need to demonstrate that they have made some transport improvements in advance to ensure that people have good alternatives to car use.

6.49 In Wales, the National Assembly for Wales will need to approve any scheme before it can be introduced. Regulations for the making of the work place parking levy or road user charging schemes have not been made in Wales. The National Assembly for Wales will make regulations when notified by an authority of their intention to make a charging or levy scheme.

6.50 Durham County Council introduced a small-scale scheme, the first to be brought forward under the Transport Act powers, based around the historic core of the city in October 2002. The scheme is strongly focussed on protecting the World Heritage Site and on improving the quality of the local environment.

6.51 In London, central London congestion charging is scheduled to be introduced in early 2003 while Bristol and Nottingham are promoting schemes which could be introduced from 2005. Authorities are considering possible schemes in the light of events in London, and thus other major schemes are unlikely for some 4-5 years.

Traffic regulation

6.52 Sections 1, 6 and 9 of the Road Traffic Regulation Act 1984 (RTRA) give traffic authorities extensive powers to make traffic regulation orders (TROs). These can prohibit, restrict or regulate traffic or particular types of vehicle. They may apply to part of a road, a single road, or a number of roads. They may be in force all the time or only for specified periods. Traffic authorities may exempt some classes of vehicle or permit holders.

6.53 Under paragraph 36 of Schedule 22 to the Environment Act 1995 traffic authorities can include pursuit of the Air Quality Objectives in Part IV of the 1995 Act in TROs. TROs made on air quality grounds cannot normally restrict access to premises for more than eight hours in any 24-hour period. The Road Traffic Regulation Act 1984 draws a distinction between the powers for making TROs on roads inside and outside Greater London. Schedule 22 also adds the national air quality strategy to the list of elements in section 122 of the RTRA that authorities must take explicit account of when using their traffic regulatory powers.

6.54 Authorities need to plan restrictions carefully and they should be fully and accurately signed, preferably indicating suitable alternative routes. Otherwise restrictions may generate congestion and pollution elsewhere on the network. Authorities may need to begin signing alternative routes well before the restriction comes into effect, depending on road layout. Signs should give advance notice of a restriction where prohibited vehicles can divert with minimal inconvenience. They may also need to be supplemented by physical barriers or someone to enforce the restriction, particularly if there is no suitable alternative route.

6.55 A TRAMAQ report, *Traffic Management During High Pollution Episodes* was completed in 2001. A summary report was published in January 2002 and the full report is available from TTR. The conclusions of this project were that the legal and practical aspects of introducing pollution responsive techniques do not present significant hurdles for local authorities, although the staff resources, costs and political

acceptability are likely to. Whilst some theoretical improvements in air quality are likely to be achieved with the most restrictive episode-response measures, the effort and costs involved in ensuring that the plan would work are likely to outweigh these benefits. However, some of the measures featured in the main report could usefully and economically be used as more permanent measures to help improve local air quality. A list of other TRAMAQ projects can be found in paragraph 6.70.

Testing cars at the roadside

6.56 Regulations¹¹ came into force in July 2002 that allow English local authorities with air quality management areas to apply to the Secretary of State for Transport for the power to conduct roadside vehicle emissions tests.

6.57 Participating local authorities can issue fixed penalties (£60) to drivers whose vehicles are found exceeding current emissions limits. The wish to avoid the penalty should encourage all motorists to have their vehicles properly and regularly serviced and maintained.

Stationary vehicles with engines running

6.58 The Road Traffic (Vehicle Emissions)(Fixed Penalty) (England) Regulations 2002 also permit all English local authorities to take action against drivers who leave their vehicle engines running unnecessarily when parked.

6.59 The local authority can issue a fixed penalty (£20) to any driver blatantly running their engine unnecessarily and who refuses all reasonable requests to switch off. The wish to avoid the fixed penalty should encourage everyone to co-operate and it is likely that very few fixed penalties will need to be issued.

Low emission zones

6.60 A low emission zone would ensure only vehicles meeting minimum emission standards would be allowed to enter pollution hot spots in towns or cities. The main purpose of the zone would be to improve air quality, though it may deliver additional 'liveability' and congestion benefits by reducing traffic noise and overall traffic volumes. Local authorities should be aware that the more polluting vehicles may be diverted elsewhere.

6.61 Whilst no low emission zones have yet been introduced, several local authorities have expressed interest in the concept. In particular, London through the GLA and Association of London Government is investigating the use of an LEZ as a way to improve the capital's air quality.

¹¹ The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 (No 1808).

6.62 The National Society for Clean Air's Cleaner Transport Forum has proposed a national LEZ entry standard based on established European emission standards. The aim of such a standard would be to:

- encourage local authorities to implement LEZs in a consistent way, so that transport operators would not be faced with a great assortment of different standards in different areas;
- enable operators to plan new vehicle orders with greater confidence; and
- allow operators to use their vehicles across the country without having to apply for numerous passes or permits.

6.63 The Forum is planning to consult widely with stakeholder groups on a national emissions standard.

Home zones

6.64 Home Zones are streets in which the road space is shared between motor vehicles and other road users, with the needs of pedestrians and cyclists a priority. They help to strike a better balance between the needs of drivers and those of other users. They are particularly suited to improving neighbourhood environments for children and older people. They focus on the introduction of pedestrian-friendly measures such as very low speeds, improved signing, traffic calming, seating and other street furniture.

6.65 61 projects from 57 local authorities are being supported by the £30 million Home Zones Challenge Fund. These have the capacity to improve the local environments of around 18,000 households. They will help to spread good practice in design and implementation, and encourage the development of many more Home Zones. Further information on the progress of these projects can be found at www.homezoneschallenge.com.

6.66 The Institute of Highway Incorporated Engineers issued *Home Zone Design Guidelines* in June 2002. These guidelines provide practical advice to those involved in the design, planning and implementation of home zones, drawing together good practice on Home Zones in the UK and abroad. Copies are available from IHIE, 20 Queensbury Place, London, SW7 2DR, priced £30.70 including postage and packing.

Clear zones

6.67 The Government supports the Clear Zones initiative, which is designed to encourage solutions to traffic problems in towns and cities while making sure town centres retain their accessibility, vitality and economic viability.

6.68 Nine Clear Zones 'Trailblazers', covering a wide variety of towns and cities, have been chosen to demonstrate what can be achieved within existing traffic, urban design and management practices and by use of innovative technology. A clear focus of the initiative is to reduce congestion and improve air quality by developing an integrated

transport policy to meet local needs. Steps being used or considered by Trailblazers include bus priority measures and integrated ticketing, development of guided buses, establishment of access control restrictions, establishment of Low Emission Zones and air quality management measures, parking controls in city centres, greater pedestrianisation and general environmental improvements to city centres. The progress of the Trailblazers is being monitored, as they develop, to form the basis of published advice available to all local authorities looking to improve the quality of life in their urban sectors.

Traffic calming

6.69 The Highways (Traffic Calming) Regulations 1999 and the Highways (Road Humps) Regulations 1999 allow authorities to introduce a wide range of physical measures to control traffic at low speeds. Traffic calming schemes not only have the direct effect of slowing vehicles, they may also have the indirect effect of deterring traffic from using roads as a short cut. It is important that traffic authorities design schemes to encourage a smooth driving style that avoids repeated acceleration and deceleration. The spacing between each calming feature, whether vertical or horizontal deflections, will greatly influence driving style. Spacing of around 50m-60m will encourage the smoothest driving styles.

Traffic management and air quality (TRAMAQ)

6.70 The effect of traffic calming on air quality and vehicle emissions is still not fully understood. As a result, the Department for Transport is currently managing the TRAMAQ programme of research to improve understanding in this area. It is a six year programme of research due for completion in 2004/5. The programme includes work on traffic management, driver behaviour, vehicle operations, emissions and air quality.

List of TRAMAQ projects:

- UG211 Preparation of specification and overall review (ongoing).
- UG212 Traffic Management during high pollution episodes (completed).
- UG213 Low emission driving styles (not started).
- UG214 Vehicle operating profiles (ongoing).
- UG215 Emission measurements – Review and project design for UG216 (completed).
- UG216 Emission measurements (ongoing).
- UG216a Assisting supervision of UG216 (ongoing).
- UG217 Traffic composition (completed).
- UG218 Emission modelling and traffic management (ongoing).
- UG219 Cold start emissions (completed).
- UG250 Sources of particulate matter (completed).
- UG294 Primary NO₂ emissions (completed).

A TRAMAQ webpage is due to be launched shortly on the DfT website. The url is **www.local-transport.dft.gov.uk/tramaq/index.htm**.

Reallocation of road space

6.71 Authorities may also make TROs to introduce bus or cycle lanes. Conventional with-flow bus lanes, with set-backs at signal-controlled junctions, will normally have less of an effect on junction capacity than contra-flow lanes. Reallocating space to buses and cycles can make these forms of transport more attractive. Authorities can also create advisory cycle lanes (which would not require TROs), but these might not be as effective. Authorities must be careful not to increase congestion and pollution when reducing capacity, particularly during the short term while travel patterns adjust.

High occupancy vehicle lanes

6.72 A significant proportion of vehicles contain only one occupant. This is particularly so during peak periods. High occupancy vehicle (HOV) lanes are, in principle, a means of using the road network more efficiently and encouraging car sharing. Traffic authorities can make a TRO to authorise them. They can introduce HOV lanes by creating an additional lane or by converting an existing one. HOVs might, in some circumstances, be able to share bus lanes. There is limited experience of the use of HOV lanes in UK but they may be an appropriate measure to reduce traffic levels, with a consequent reduction in emissions, on some road networks. It should also be noted that the enforcement of HOV lanes will require careful consideration.

Vehicle restricted areas

6.73 An authority can introduce a TRO to restrict access to a road or area to some or all vehicles at different times of the day. Where there are objections to an order which would have the effect of restricting or prohibiting access outside peak hours, the local authority would first need to hold a public inquiry. Outside London, the Secretary of State's consent may also be required if access would be prohibited for more than 8-hours in any period of 24-hours.

6.74 The vehicle restricted area may be to create a pedestrianised area. Typically pedestrianised areas allow access to some vehicles for all or some parts of the day. These may include delivery vehicles and buses.

6.75 Restricting access to town centres has been shown to improve the local environment. There are plenty of examples of pedestrianisation schemes that have maintained or improved local economic activity. But this does not happen automatically – people must still be able to get to the area by other means. These could include:

- good public transport, perhaps with park and ride;
- facilities for cyclists and pedestrians;
- peripheral car parking;
- access for people with limited mobility; and
- access for taxis, where appropriate.

Authorities will also need to make sure that delivery and service vehicles have access.

6.76 Traffic restricted areas will be implemented by suitable traffic signs. If obedience of the access restrictions is an issue then physical measures may be required. Increasingly, rising bollards are being used to enforce selective vehicle access areas. Some guidance on the use of rising bollards is given in Traffic Advisory Leaflet 4/97, Rising Bollards.

Parking controls

6.77 A significant influence on whether people drive into towns is whether they can park. The RTRA 1997 permits local authorities to determine where motorists can park and how much it will cost them. They may also restrict parking in other ways. Residents' parking schemes, for example, can be an effective way of encouraging non-residents to find other ways of travelling into town centres.

6.78 Authorities can use the planning process to regulate the amount of private non-residential parking (PNR) associated with a new development. They can make Discontinuance Orders under the Town and Country Planning Act 1990 to end existing PNR spaces (subject to the Secretary of State's confirmation). The Government has given local authorities discretionary powers to levy a charge on workplace parking (see paragraph 6.47).

6.79 Parking restrictions need the right level of enforcement otherwise they will simply be abused. Effective enforcement of parking restrictions allows more efficient use of existing parking provision and can improve parking flow as drivers have to spend less time finding a parking space. The Road Traffic Act 1991 provided for the decriminalisation of most non-endorsable parking offences in London, and permitted local traffic authorities elsewhere to apply for decriminalised parking enforcement (DPE) powers. Decriminalisation transfers responsibility for enforcing most parking restrictions from the police and traffic wardens to parking attendants employed by the local authority and funded out of revenue received from penalty charges and from paid parking. This gives local authorities control over enforcement of parking and waiting restrictions to ensure their parking strategies are effective in practice. Research in areas where DPE has been introduced indicates that both enforcement and compliance levels have increased and traffic flow has improved.

6.80 Enforcement of parking and waiting restrictions in London was decriminalised in 1994, except on the red route network, where it remains with the police. A growing number of authorities outside London are using DPE powers with the number reaching over 60 by mid-2002. The Department for Transport has consulted on the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2002 which will enable authorities with decriminalized parking enforcement powers to also undertake civil enforcement against cars and other vehicles driven illegally in bus lanes.

6.81 Local authorities might wish to be aware of a TRAMAQ project , UG219 on 'Cold Start Emissions'. This project developed a model, based on the thermal condition of a vehicle, to predict the excess emissions caused by the cold running of vehicles. The model has been developed as a tool for helping local authorities evaluate the effect of traffic management (**particularly parking**) schemes on air quality. The model, user guide and report are all available at the following web address:
<http://www.aeat.co.uk/netcen/airqual/reports/tramaq/>.

Traffic control systems

6.82 Improving traffic flow may be to increase the capacity of the highway to deal with congested conditions or to release capacity for other road users, normally buses, cyclists and pedestrians.

6.83 Where co-ordinated signal operation is required to provide improved flow across a network of junctions, a SCOOT¹² traffic control system, which responds automatically to changing conditions, will give better traffic flow than an older fixed-time Urban Traffic Control system.

6.84 SCOOT systems can hold queues outside an area when congestion exceeds a pre-set threshold. Overall journey times might well remain similar, but drivers would queue for longer while approaching the area, then make faster progress through it. This method may be appropriate if the queue is where relatively few people are exposed to any increased emissions.

6.85 When a SCOOT system detects buses, either through an accurate automatic vehicle location system, or by transponders and special vehicle detection loops, it can give them priority. This cuts delay to buses and makes bus journey times more predictable, although it does not help as much as dedicated bus lanes.

6.86 More information on the above is given in Traffic Advisory Leaflets¹³: 7/99 The 'SCOOT' Urban Traffic Control System; 7/00 SCOOT Gating; 8/00, Bus Priority in SCOOT; and 9/00 SCOOT Estimates of Emissions from Vehicles.

6.87 Where co-ordinated traffic signal operation is not required, traffic signals will operate in an isolated control mode. Isolated operation can provide quicker responses to rapidly changing traffic conditions and reduce unnecessary delays, particularly at quiet times. A SCOOT/UTC system may revert to isolated operation at night time. If the signals are to operate efficiently, it is important that the relevant vehicle detectors are installed and working correctly. Traffic signal controllers incorporating the MOVA¹⁴ control strategy can improve flows and reduce delays at traffic signal controlled junctions. This is described in Traffic Advisory Leaflet 3/97 The 'MOVA' Signal Control System.

¹² The SCOOT ('Split Cycle and Offset Optimisation Technique') urban traffic control system.

¹³ Traffic Advisory leaflets are available from the DfT, telephone 020 7944 2478.

¹⁴ 'MOVA' – Microprocessor Optimised Vehicle Actuation.

Air quality and transport

6.88 Other traffic management measures may also help improve traffic flow at junctions such as Traffic Regulation Orders (TROs, as mentioned previously) to ban right turns with traffic signs reinforced in some cases by physical measures. Introducing parking restrictions can reduce exit blocking at junctions.

Speed limits

6.89 Local authorities can set speed limits by making Orders under the RTRA 1997. Reducing maximum speeds is likely to do more to improve flow and capacity on congested roads outside towns and cities, particularly on motorways, than in urban areas, but it may still have some benefit. Some authorities have piloted experimental variable mandatory speed limits in urban areas on road safety grounds, but without complementary enforcement or engineering measures there has been limited effect. Much greater safety benefit is achieved with permanent 20 mph zones and speed limits, which rely on engineering measures or the constraints of an existing road layout to ensure compliance with the lower limit. The resulting lower traffic speeds are unlikely to reduce emissions significantly, however, and may actually increase emissions of some pollutants. The Government takes the view that speed limits below 30mph generally have to be self-enforcing to be effective, and to achieve this some form of traffic calming is usually necessary. Local highway authorities no longer require the consent of the Secretary of State (or, in Wales, the National Assembly for Wales) to introduce 20mph zones or 20 mph speed limits. For further advice about the relevant Regulations, see Traffic Advisory Leaflet 9/99 ('20mph Speed Limits and Zones').

Public transport

Rail

6.90 Within urban areas, heavy rail and light rapid transit systems are likely to be limited to radial services in the larger conurbations. They may be well suited to serving outlying residential areas, or to substituting for the private car for the final leg of the journey into the town centre through park and ride arrangements. Rail-based park and ride depends on there being enough secure off-street parking at the station. Highway authorities will also have to consider the capacity of the road network around the station. Informal rail-based park and ride, common in outer London, has led to conflict between commuters and residents and increased illegal or inconsiderate parking. Local authorities may need to boost enforcement efforts to deal with these side-effects.

Buses

6.91 As the most important public transport option for most local journeys, buses are essential to integrated transport. The Government has demonstrated the importance it attaches to improving bus services through its Transport White Paper commitments and subsequent legislation in the Transport Act 2000; these measures now provide a strategic framework for improving bus services. But effective local traffic management measures may also be necessary to encourage people to use them and to cut bus

emissions by reducing stop-start driving. Where possible, these will reallocate road space to buses and give them priority in congested areas. Other measures such as better interchange and waiting facilities are important too, and in rural areas can be more significant than traffic management.

6.92 Bus quality partnerships between local authorities and bus operators may also help to improve local air quality. Informal partnerships were established in the metropolitan areas and many larger urban centres in the late 1990s and have been developed and refined to the point where some of them have achieved significant increases in patronage. The Transport Act 2000 provides for the introduction of statutory quality partnerships (QP) schemes, under which local authorities provide facilities to assist buses for example bus lanes, other bus priority measures, high quality shelters perhaps with real time information, and bus operators agree to meet standards specified in the QP scheme when using those facilities for example new, accessible low emission bus services. In Wales, the QP schemes (Existing Facilities) (Wales) Regulations 2002 came into force on 20 December 2002. Local authorities might also wish to talk to the local police force about enforcement of the bus lanes.

Taxis

6.93 Taxis and private hire vehicles (PHVs – minicabs) also have an important role to play in an integrated transport system, especially when or where buses and trains are not available. Whilst central Government is responsible for the regulatory framework, the licensing function is devolved to local Government (district/borough councils, unitary authorities or Transport *for* London) because they are best placed to judge local needs and circumstances. It is for each licensing authority to decide which vehicles are suitable to be licensed as taxis or PHVs in their area, including whether to set standards for vehicle emissions in accordance with any local air quality management strategies.

Park and ride

6.94 Local authorities need to design park and ride schemes carefully and should see them as just one measure in developing an integrated transport policy. To be most effective, park and ride schemes should be complemented by measures such as reductions in town centre parking, bus priority measures or pedestrianisation. Park and ride is unlikely to affect town centre traffic levels, and may simply add to the amount of traffic entering the town.

6.95 The provision of well sited park and ride sites using high quality, clean low emission buses encourages greater use of the service by motorists. Essential factors to address in devising a successful park and ride scheme include:

- Well sited, quality sites some distance from the town centre, ideally where radial and orbital routes intersect;
- Bus priority measures and traffic restraint measures to complement park and ride services;

Air quality and transport

- Clear and conspicuous signing;
- Ease of access to the sites;
- Competitive bus-based park and ride tariffs compared to central parking area tariffs;
- Provision of a high quality frequent and reliable transit service;
- Journey time advantages over the car;
- Site facilities such as shelter, passenger information and security measures.

6.96 The English Historic Tourist Forum, with support from the Department for Transport, published the good practice guide for bus-based park and ride. The Traffic Advisory Leaflet 2/01 provides further details about the guide.

Heavy goods vehicles (HGVs)

6.97 HGVs are also required to meet Euro standards and their emissions are regularly tested. In many areas, HGVs can account for a high percentage of total road transport emissions and authorities may wish to consider measures such as freight quality partnerships to tackle this. Authorities can also encourage local HGV operators to apply for Government grants to retrofit pollution reduction devices or to convert their vehicles to cleaner fuels such as natural gas (see earlier section on PowerShift and CleanUp programmes).

Airports

6.98 All operators of airports in England and Wales with 1,000 or more scheduled and charter passenger air transport movements a year are responsible for setting up Airport Transport Forums (ATFs), whose objective is to improve public transport access to airports. They are also responsible for preparing airport surface access strategies (ASAS), which feed into the Local Transport Plan. ASAS should include challenging short and long-term targets for increasing the proportion of journeys made to airports by public transport; strategies to achieve these targets; and a system to oversee implementation of the strategy. ATFs should include representatives from local authorities, transport operators, local people and other interested parties.

Travel plans

6.99 The Government is encouraging businesses, schools, hospitals, local authorities and other organisations to develop and implement travel plans in order to cut car use for journeys to and from their sites and reduce congestion. Travel plans are packages of measures designed to reduce car dependency by supporting more sustainable forms of travel and, particularly in the case of schools, improving safety; they can help local authorities to meet their obligations to improve local air quality. In England, the Department for Transport has funded 111 travel plan co-ordinators working in 84 local authorities across England, at a cost of £9m over three years. In addition best practice has been disseminated through a programme of free site-specific consultancy advice, regional seminars, a helpline and a range of publications. In Wales, the National Assembly for Wales is funding 5 travel plan co-ordinators to work with local authorities over the next three years to support the preparation of school and work based travel plans.

6.100 *Making Travel Plans Work: lessons from UK case studies* (DfT – July 2002) is based on the experience of 20 UK organisations that have on average reduced car driver travel to work by 18 per cent and nearly doubled the proportion of staff commuting by bus, train, cycling and walking; it identifies key success factors and good practice for setting up an effective travel plan. *Using the Planning System to Secure Travel Plans* (DfT – July 2002) helps local authorities and developers to identify the most efficient and effective ways to meet planning requirements for travel plans.

6.101 As well as tackling the congestion caused by the school run, school travel plans, which almost invariably include safe routes to school are important for the promotion of healthier lifestyles for children. A successful school travel plan needs to demonstrate co-operation between schools, parents, teachers and local authorities so that a strategic approach to reducing car journeys to school can be developed. By showing children from an early age that alternatives to the car such as walking and cycling are attractive and fun, they can be encouraged to take regular exercise and develop healthy travel habits for the future. In England (but not in London) the local transport plan system funds capital items such as crossings and traffic calming measures including improved school entrances, construction of cycle and footpaths, secure cycle facilities, lockers and changing facilities. In England, over 1000 schools now have school travel plans and there are safe routes to over 1,700 schools. 800 safe routes to school schemes were funded under the LTP settlement for England in December 2001. In Wales, to date £7.6 million has been allocated to a range of projects through the safe routes to schools scheme.

Walking and cycling

6.102 Those who choose cycling and walking as a means of travel can contribute many environmental and health benefits to the local transport mix, as well as having a positive impact in terms of helping to reduce traffic congestion, pollution and noise. Cycling and walking are both a strong option for short local journeys, either on their own or in combination with public transport.

6.103 The Government is committed to seeing an increase in cycling and walking in this country. It is supporting the National Cycling Strategy target of quadrupling the number of cycle trips by 2012 (based on 1996 figures) and has also set an interim target of trebling cycle trips by 2010 (based on 2000 figures).

6.104 To help achieve these objectives, all local highways authorities have been asked to develop a local cycling strategy and a local walking strategy as part of their local transport plans (LTPs). These should identify gaps in the local infrastructure and improvements needed in cycling and footway networks.

6.105 A national strategy to improve conditions for pedestrians in England will be published early in 2003. It will set out a range of measures aimed at reversing the current decline in walking, and making walking a more pleasurable experience.

6.106 The National Assembly for Wales has issued a consultation document on Walking and Cycling Strategy for Wales to encourage non-motorised forms of travel that are healthy and sustainable. The report on the Consultation will be available in February 2003.

Motorcycling

6.107 Mopeds and motorcycles can be an alternative means of getting about when public transport is limited and walking unrealistic. They have some air quality advantages over cars, as they help cut congestion, and their engines are small and usually fuel-efficient. However, emissions from motorcycles are currently less tightly regulated than cars and motorcycles do not usually have catalytic converters. Stricter minimum emissions standards for motorcycles have been agreed to come into force by 1 July 2004, but only for new bikes.

6.108 When considering policy on motorcycles, it should be remembered that they can only carry one or at most two people and their emissions and fuel consumption per passenger may not match the most fuel-efficient cars. There are also concerns about noise and safety.

6.109 Traffic authorities should consider motorcycles alongside other alternatives to the private car. Potential motorcyclists are often discouraged by the perceived lack of secure parking. Local authorities may wish to provide dedicated motorcycle spaces in car parks.

6.110 The Welsh Transport Forum is currently preparing a consultation document on motorcycling to encourage a balanced and sustainable approach to this mode.

7.01 The land use planning system is integral to improving air quality. Local authorities need to appreciate and understand fully the links between air quality and land use planning policies if the planning system is to contribute to securing the Air Quality Objectives set out in the Air Quality Regulations (England) (Wales) 2000. This chapter should be read in conjunction with Planning Policy Guidance Note 23: Planning and Pollution Control (PPG23 was originally published in July 1994 and is currently being revised. A consultation draft of PPG23 was issued in July 2002 and a final revised PPG23 should be issued in Spring 2003) and in Wales, Planning Policy Wales (PPW). Both advise on the policies and practices that should be adopted by local planning authorities and others involved in planning new development and redevelopment.

7.02 Defra, the Mayor of London and the National Assembly for Wales expects the Chief Executive or equivalent to ensure that the guidance in this chapter and respective planning guidance is taken into account by all relevant departments and in particular the land use planning, environmental health, economic development and transport planning departments. It is designed to help planning departments within local authorities to carry out their functions and may be material in preparing development plans and in determining planning applications. It will also help businesses, the Environment Agency and the public, and others involved in the planning process.

7.03 Some local planning authority departments have developed supplementary planning guidance notes on planning and air quality, or individual authority protocols which are intended to help them take air quality considerations into account. Examples of supplementary planning guidance will be made available on the review and assessment web site at www.uwe.ac.uk/aqm/review.

The land use planning context

7.04 Local authorities should integrate air quality considerations within the planning process at the earliest possible stage. Although the land use planning system does not offer any quick-fix solutions to areas of poor air quality, it can do much to improve local air quality in the longer term in terms of strategic and development control planning.

7.05 Planning policies relevant to local authorities' air quality responsibilities are set out in Planning Policy Guidance (PPG) notes, Planning Policy Wales (PPW) and Technical Advice Notes (Wales) (TAN(W)). These notes:

- Set out the Government's and National Assembly for Wales's policies on land use planning;
- Explain how the planning system can help meet the objectives of sustainable development;
- Are regularly reviewed and updated;
- Should be applied to development plans; and
- May also be a material consideration in individual planning applications.

Air quality and land use planning

7.06 Among the most relevant to local air quality management are:

- PPG23 Planning and Pollution Control – a revised version is due to be published in Spring 2003 and PPW in Wales;
- PPG13 Transport (published March 2001). In Wales, TAN(W) 18 and PPW in Wales;
- PPG6 Town centres and Retail Developments. In Wales, TAN(W) 4 Retailing and Town Centres and PPW in Wales;
- PPG3 Housing and PPW in Wales;
- PPG4 Industrial and Commercial Development and Small Firms and PPW in Wales;
- Planning policies relevant to London local authorities' air quality responsibilities are also set out in the Mayor of London's draft London Plan. The London Plan is due to be published in 2003.

7.07 A consolidated list of statements of national planning policy, including details of all extant PPG notes, Minerals Policy Guidance notes and Regional Planning Guidance notes, is available via the Office of the Deputy Prime Minister's web site at www.planning.odpm.gov.uk/policy.htm and in Wales at the Assembly's web site www.wales.gov.uk. In the Deputy Prime Minister's policy paper of 18 July, *Sustainable Communities – Delivering through Planning*, it was announced that the Government will review all PPGs and MPGs over the space of the next three years in England. They will be replaced by national planning policy statements (PPSs) which aim to be clearer and more concise.

7.08 Local planning authorities should also be aware of the good practice guide on air quality and land use planning, published by the Royal Town Planning Institute (RTPI) in April 1999. This sets out in general terms the relationship between air quality issues and planning decisions. It also tries to establish how far the planning process itself can contribute to achieving Air Quality Objectives. Copies of the guide can be ordered from the RTPI, 41 Botolph Lane, London EC3R 8DL (telephone: **0207 636 9107**).

Planning and pollution control

7.09 PPG23 Planning and Pollution Control and PPW explain the relationship between the land use planning and pollution control systems. The latest PPG23 to be published in Spring 2003 will complement the new pollution control framework under the Pollution Prevention and Control Act 1999 and the Pollution Prevention and Control Regulations 2000.

7.10 PPG23 will also take into account the setting up of the Environment Agency under the Environment Act 1995, the National Air Quality Strategy and the system of local air quality management under Part IV of the 1995 Act, and developments on the control of discharges to water, and climate change.

7.11 PPG23 will have and Planning Policy Wales (PPW) has the following key messages:

- Any air quality consideration that relates to land use and its development is capable of being a material consideration;
- The planning system has an important role to play in determining the location of development which may give rise to pollution, and in ensuring that other developments are, as far as possible, not affected by major existing, or potential sources of pollution;
- The controls under the planning and pollution control regimes should complement rather than duplicate each other;
- Developers will find it helpful to hold early discussions with both the relevant local planning authority and the relevant pollution control authority and other relevant bodies on the proposed development; and
- Where possible *parallel* submissions of applications under planning and pollution control procedures should be encouraged.

7.12 The key industrial pollution control regime in Great Britain, which will be phased in over the next few years, is the system of pollution prevention and control introduced by the Pollution Prevention and Control (PPC) Act 1999 and the PPC Regulations 2000. This will progressively replace the Integrated Pollution Control (IPC) and the Local Air Pollution Control (LAPC) systems established under Part I of the Environmental Protection Act 1990.

7.13 For sites listed under Part A of the PPC system, the integrated element of the PPC regime covers not only emissions to air and water but also other environmental impacts associated with industrial processes, including noise, waste, energy use and land contamination. Some processes regulated under LAPC will come under the full provisions of PPC as Part A (2) installations. The PPC replacement for the LAPC regime will continue to regulate only air pollution. In order for implementation to be truly integrated, however, and to take account of cross-media impacts, it is necessary to consider PPG23 along with other PPG notes covering other environmental effects.

7.14 The planning and pollution control systems are separate but complementary. Close co-ordination between planning authorities and pollution control regulators can help ensure that the common objective of sustainable development is met effectively and efficiently, and with a minimum of unnecessary duplication and conflicts of interest.

7.15 If a proposed source of emissions does not require a pollution control permit (for example if the source is not regulated under PPC or if only some of its emissions are regulated under the Clean Air Act 1993) then local planning authorities might, in some circumstances, consider adding conditions to the planning permission, to tackle the source's possible effect on land use or amenity. These conditions might require a scheme of monitoring and mitigation, covering planning concerns to be approved by local planning authorities before any development went ahead¹⁵. In these cases, local planning authorities should work closely with the Environment Agency and/or local environmental health department, as appropriate.

¹⁵ See also paragraph 77 of Annex to DOE Circular 11/95 (WO 35/95): The Use of Conditions in Planning Permissions.

Air quality and land use planning

7.16 Where it is not appropriate to use planning conditions to address the impact of a proposed development, or where a development is planned in or near to an area of existing sources of pollution, it may be appropriate for the parties to agree a 'planning obligation'. Section 106(1) of the Town and Country Planning Act 1990 (as substituted by the Planning and Compensation Act 1991) enables any person interested in land in the area of a local planning authority to enter into a planning obligation. This is a legal agreement with the local authority. Local planning authorities, should, however, avoid unnecessary conditions or obligations that duplicate the effects of other controls. Also, conditions that conflict with other controls would be ultra vires (beyond the authority's powers) because they are unreasonable.

7.17 Planning decisions can have a significant impact on air quality. For example, planning permission for a new factory or power station in an area where levels of air pollutants are already high, or other such development which might give rise to a significant increase in transport emissions also. Planning and environmental health departments of local authorities should ensure there is an effective mechanism for working closely together:

- in carrying out the reviews and assessments of air quality;
- in drawing up any air quality action plans;
- in the preparation of development plans (planning responsibility) and
- in any development control decisions which may have a direct or indirect bearing on air quality (planning responsibility).

Development plans

7.18 The following are some of the issues that should be considered in the preparation of development plans and may also be material in the consideration of individual planning applications:

- ensure that the land use planning system makes an appropriate contribution to the achievement of national Air Quality Objectives including:
 - policies on the appropriate location for new development, reducing the need to travel and promoting public transport;
 - the need to identify land, or establish criteria, for the location of potentially polluting developments and the availability of alternative sites;
 - the need to separate potentially polluting and other land uses to reduce conflicts, for example, by identifying where necessary areas around existing sources of pollution (including roads) in which other developments should be carefully considered.
- existing, and likely future, air quality in an area, including any AQMAs or other areas where air quality is likely to be relatively poor. The findings of air quality reviews and assessments will be important in the consideration of local air pollution problems and the siting of certain types of development; and
- air quality action plans.

Under *Sustainable Communities – Delivering through Planning*, development plans are to be replaced by Local Development Frameworks (LDFs) in England. Detailed guidance on their preparation will be issued by the Office of the Deputy Prime Minister in due course.

Transport

7.19 Land use planning is an important part of the overall transport policy package and can help in promoting more sustainable transport choices and reducing the need to travel. PPG13 (Transport) provides guidance on the integration of planning and transport at the national, regional, strategic and local level to:

- promote more sustainable transport choices for both people and for moving freight;
- promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and
- reduce the need to travel, especially by car.

Town centres and retail developments

7.20 PPG6 and in Wales, Planning Policy Wales and TAN 4 complement the aims of PPG13. They recognise the need to cut pollution in congested town centres, while promoting their vitality, attractiveness and viability. The guidance advises local authorities to ensure good access to and movement within town centres, while at the same time minimising congestion, pollution and parking problems. This will not be straightforward, but it is essential that authorities aim to strike the right sort of balance between these different objectives. One of the things that authorities might wish to consider is a comprehensive car parking strategy.

Housing

7.21 PPG3 on Housing promotes more sustainable patterns of development and the need to make better use of previously-developed land. The focus for additional housing should be existing towns and cities. PPG3 requires local planning authorities to build in ways which exploit and deliver accessibility by public transport to jobs, education and health facilities, shopping, leisure and local services. PPG3 also requires local authorities to place the needs of people before ease of traffic movement in designing the layout of residential developments, and to seek to reduce car dependence by facilitating more walking and cycling, by improving linkages by public transport between housing, jobs, local services and local amenity, and by planning for mixed use.

Industrial and commercial developments and small firms

7.22 PPG4 and Planning Policy Wales (March 2002), together with PPG6, advises local planning authorities to promote mixed-use developments. They suggest that, where feasible and where environmental standards can be maintained, homes and businesses should be juxtaposed. This has implications for air quality and needs to be complemented by car parking policies and other transport measures.

7.23 Local authorities will have to take a balanced approach when developing their brownfield sites. Local planning authorities will have to liaise closely with their colleagues in the environmental health, economic development and traffic management departments, when deciding planning cases.

Regional planning guidance

7.24 Planning Policy Guidance Note 11 – PPG11: Regional Planning (October 2000) advises that regional planning guidance (RPG) should take account of regional air quality considerations. Under *Sustainable Communities – Delivering through Planning*, RPG will be replaced by Regional Spatial Strategies (RSS). Detailed guidance on content will be issued by the Office of the Deputy Prime Minister in due course.

7.25 Regional Planning Bodies should take account of regional air quality considerations in reviewing RPG. The reviews and assessments of air quality, which local authorities have a duty to carry out under Part IV of the Environment Act 1995, can help inform the sustainability appraisal of RPG, and can highlight any regional air quality issues which need to be considered. RPG can assist in addressing these issues and help meet the Air Quality Objectives through advising on the location of regionally significant development, reducing the need to travel and promoting public transport.

7.26 Regional Planning Bodies should take account of regional or area-based air quality strategies where they exist. Local air quality strategies provide a framework for ensuring air quality is considered across wide policy frameworks at the local authority level. Regional strategies provide a higher-level framework for ensuring air quality considerations are taken into account within planning and other frameworks beyond the individual local authority. Such strategies are not a statutory requirement (see chapter 5), but are being developed in a number of local authority areas across Great Britain.

7.27 It is therefore important that when reviewing and revising the RPG (or in preparing the RSS), regional planning bodies should work closely with the regional or sub-regional air quality management groups, which local authorities have established. This will ensure that air quality and other environmental considerations are taken into account at an early stage of plan-making.

Environmental impact assessment and the planning process

7.28 Environmental impact assessment (EIA) is an important procedure for ensuring that the likely significant environmental effects (both direct and indirect) of a proposed development are fully understood and taken into account before development is allowed to go ahead. It is a matter of judgment of fact and degree when an environmental effect becomes 'significant'. What is significant in environmental terms will vary from one project to another, depending on a range of factors. General guidance on how to assess 'significance' is contained in DETR Circular 2/99 (Welsh Office Circular 11/99) The types of development for which EIA may be required are listed in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. DETR Circular 2/99 provides guidance on the procedures to be followed.

7.29 These Regulations required the developer of any project which is subject to EIA to prepare an environmental statement describing the likely environmental effects of the project. The local planning authority has to take account of this information before deciding the application for planning permission. The information to be included in the environmental statement is described in Schedule 4 to the Regulations. It must include a description of the development, the likely significant environmental effects (including air quality before and after the proposed development), mitigating measures envisaged, an outline of the main alternatives studied by the applicant and the reasons for his/her choice, and a non-technical summary.

Strategic Environmental Assessment

7.30 Directive 2001/42/EC on assessment of the effects of certain plans and programmes on the environment (known as the 'Strategic Environmental Assessment' or SEA Directive), which comes into effect in July 2004, may be relevant to air quality management. Broadly speaking the Directive will apply to plans or programmes which:

- set the framework (in a broad sense) for future development consent of projects listed in the EIA Directive;
- set the framework for future development consent of projects other than those in the EIA Directive which might cause the plan as a whole to have significant environmental effects;
- have any effects on special areas of conservation designated under the Habitats Directive 92/43/EEC (Natura 2000 sites) which would make them subject to assessment under that Directive.

7.31 There will however be provisions for exempting some plans and programmes which are concerned with small areas at local level, or which are minor modifications, where these are determined not to have significant environmental effects.

7.32 The SEA Directive also requires monitoring the environmental effects of implementing plans and programmes which have been assessed. Air quality action plans may have a part to play in monitoring the effects of plans or programmes on air.

Air quality as a material consideration

7.33 Any air quality consideration is capable of being a material planning consideration, in so far as it affects land use. Whether it actually is and how much weight should be attached to it will depend upon the facts of each individual case. Over the last three years this has been tested through the English courts in a number of cases.

7.34 Wherever a proposed development is likely to have significant air quality impacts, close co-operation between local planning authorities and those with responsibilities for air quality and pollution control will be essential. The impact on ambient air quality is likely to be particularly important, however:

- where the development is proposed within, or adjacent to, an AQMA;
- where the development could in itself result in the designation of an AQMA or extension of an existing AQMA;
- where the development, or associated traffic, is likely to result in predicted levels of air pollutants close to a breach (i.e. leaving little headroom for future developments) of the Air Quality Objectives; or
- where to grant planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan.

7.35 It is not the case that all planning applications for developments within or adjacent to AQMAs should be refused if the developments result in a deterioration of local air quality. Such an approach could sterilise development, particularly where authorities have designated their entire areas as AQMAs.

7.36 Local planning authorities may be faced with numerous individual, small planning applications which separately might not be considered to have a significant impact on air quality but which cumulatively would have a significant impact. Each planning application should be determined on its individual merits in accordance with the development plan unless material considerations indicate otherwise. In practice, this should mean that individual small-scale applications that accord with the development plan may well continue to receive approval until there is a danger an Air Quality Objective may be breached.

7.37 All planning applications should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area. It may be appropriate in some circumstances for the developer to fund mitigating measures elsewhere within the AQMA to offset any increase in local pollutant emissions as a consequence of the proposed development, such as funding of better public transport links.

7.38 In considering whether a site within an AQMA is an appropriate location for new housing, local authorities should consider where, within the AQMA, likely exceedances have been identified and by how great a margin the Air Quality Objective levels are currently exceeded, as well as when they are forecast to be achieved. Housing developments might in some cases best be delayed until the relevant Air Quality Objective levels have been achieved or the layout modified to avoid the area of the exceedance.

Summary

7.39 This chapter is intended to serve only as a brief summary of some of the main ways in which land use planning can help deliver Air Quality Objectives. It builds upon the detailed advice contained in the relevant Planning Policy Guidance notes (in England) and Technical Advice Notes (in Wales), but is not intended to serve as a substitute for them. For further information and advice on a range of planning issues, authorities may wish to visit the relevant Office of the Deputy Prime Minister's website (**www.planning.odpm.gov.uk**) and in Wales, the Assembly's web site at **www.wales.gov.uk**.

Environment Act 1995 Part IV Section 83(1)

[Name of Council]
AQMA Order

[Name of Council], in exercise of the powers conferred upon it by Section 83(1) of the Environment Act 1995, hereby makes the following Order.

This Order may be cited/referred to as the **[name of Council]** Air Quality Management Area **[No1, 2,3 if more than one is being designated]** and shall come into effect on **[date]**.

The area shown on the attached map in red is to be designated as an air quality management area (the designated area). The designated area incorporates [the whole borough of said Council] or **[name of street/trunk road]** or **[stretch of road between junction X and junction Y]**. The map may be viewed at the Council Offices.

This Area is designated in relation to a likely breach of the nitrogen dioxide (annual mean) objective as specified in the Air Quality Regulations (England) (Wales) 2000.

This Order shall remain in force until it is varied or revoked by a subsequent order.

The Common Seal of **[Name of Council]** was hereto affixed on **[date]** and signed in the presence of/on behalf of said Council.

English local authorities should send all correspondence (review and assessment reports, AQMA orders, etc) to:

Defra
Zone 4/E12
Ashdown House
123 Victoria Street
London
SW1E 6DE

London local authorities should also send all correspondence to:

Greater London Authority
Environment Team
City Hall
The Queen's Walk
London
SE1 2AA

Welsh local authorities should send all correspondence to:

Environmental Protection Division
The National Assembly For Wales
Cathays Park
Cardiff
CF10 3NQ

PB7516

**Nobel House
17 Smith Square
London SW1P 3JR**

**About Defra
www.defra.gov.uk**

**National Assembly for Wales
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