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| <b>Subject:</b>           | Consultation on draft revised UK Air Quality Plan for tackling nitrogen dioxide.  |
| <b>Date:</b>              | 13 June 2017  |
| <b>Reporting Officer:</b> | Nigel Grimshaw, Director City & Neighbourhood Services Department   |
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| <b>Restricted Reports</b>                                |   |
| <b>Is this report restricted?</b>                        | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| <b>If Yes, when will the report become unrestricted?</b> |   |
| <b>After Committee Decision</b>                          | <input type="checkbox"/>  |
| <b>After Council Decision</b>                            | <input type="checkbox"/>  |
| <b>Some time in the future</b>                           | <input type="checkbox"/>  |
| <b>Never</b>   | <input type="checkbox"/>  |

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| <b>Call-in</b>                               |   |
| <b>Is the decision eligible for Call-in?</b> | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

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| <b>1.0</b> | <b>Purpose of Report or Summary of main Issues</b>   |
| 1.1        | On 20 <sup>th</sup> February 2014, the European Commission launched legal proceedings against the UK for its failure to meet Limit Values for NO <sub>2</sub> . Although the original deadline for meeting the limit values was 1 <sup>st</sup> January 2010, extensions were agreed with Member States, which had a credible and workable plan for meeting air quality standards within five years of the original deadline, i.e. by January 2015. The 2015 Plan was withdrawn after it was deemed too optimistic in its modelling of future nitrogen dioxide emissions by the High Court following a challenge by ClientEarth. The UK High Court Judge ruled that the Department for Environment, Food and Rural Affairs in England (Defra) had taken 'minimum' steps to |

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| <p>1.2</p> <p>1.3</p> | <p>achieve compliance with EU-set limits on NO<sub>2</sub> by 2020.</p> <p>The UK has now completed a draft revised air quality plan for tackling nitrogen dioxide to be submitted to the European Commission. The Department for Environment, Food and Rural Affairs in England, the Department for Transport, the Welsh Government, the Scottish Government and the Department for Agriculture, Environment and Rural Affairs in Northern Ireland have written to relevant organisations inviting their views on the draft document. This consultation seeks views on the key elements from this plan and the UK's approach for meeting NO<sub>2</sub> limit values.</p> <p>The consultation on the draft document closes on 15<sup>th</sup> June 2017 and the Government are seeking to publish the final plan by July 2017. A copy of the consultation documentation can be accessed via <a href="https://consult.defra.gov.uk/airquality/air-quality-plan-for-tackling-nitrogen-dioxide">https://consult.defra.gov.uk/airquality/air-quality-plan-for-tackling-nitrogen-dioxide</a></p>  |
| <p><b>2.0</b></p>     | <p><b>Recommendations</b></p>   |
| <p>2.1</p>            | <p>The Committee is asked to:</p> <ul style="list-style-type: none"> <li>▪ endorse the draft response (Appendix One). The deadline for receipt of this consultation by Defra is 15 June 2017. Accordingly, it is proposed to submit this response to Defra subject to council approval at its meeting on 3 July 2017.</li> </ul>  |
| <p><b>3.0</b></p>     | <p><b>Key Issues</b></p>  |
| <p>3.1</p> <p>3.2</p> | <p>The Draft UK Plan acknowledges that the problem of NO<sub>2</sub> is specific to local areas and that key actions need to be developed and implemented locally. The UK Government will also take steps at national level to enable and support local progress. Specific to Northern Ireland, it is proposed that the NI Executive will improve air quality and increase sustainable transport through the following measures:</p> <ul style="list-style-type: none"> <li>▪ Revising Northern Ireland's air quality policy and legislation;</li> <li>▪ Devise an Air Quality Action Plan with a range of actions.</li> </ul> <p>The Council's draft consultation response is attached as Appendix 1 and includes the following main points to be considered for Northern Ireland and Belfast.</p> <ul style="list-style-type: none"> <li>▪ We would recommend that Northern Ireland specific Air Quality Strategy (update to air quality policy and legislation) and Action Plan documents are developed and brought forward as soon as practicable by the Department of Agriculture, Environment and Rural Affairs (DAERA). Full engagement with councils and other relevant organisations should be sought throughout the process.</li> </ul> |

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|            | <ul style="list-style-type: none"> <li>▪ Future documents should have a clear focus on both regional and local issues.</li> <li>▪ From 2015, the Department has imposed cuts on councils to the overall budget allocated to air quality management. The draft response highlights the need to ensure funding allocated to councils remains sufficient to allow them to plan for and carry out all current and future legislative duties placed upon them.</li> <li>▪ The response places an emphasis on the need for continuation of good quality monitoring data rather than relying solely upon modelling for predictions. Monitoring confirms actual ambient concentrations allowing measures to be prioritised and to have quantifiable direct air quality benefits.</li> <li>▪ We recommend that any future Northern Ireland Air Quality Strategy should consider not only actions to meet legal limits but also the link between air quality improvements and long term wider benefits to human health and the Public Health Service. While legal limits (EU Limits and UK Objectives) are in place to protect human health, continued reductions in background concentrations of air quality should be an important target for any future strategy. A Northern Ireland Air Quality Strategy should consider not only actions to meet legal limits, but also include assessment and quantification of how wider air quality improvements can benefit public health. This should include research in the relationship between air quality and public health, to establish if a reduction in air pollution will have long-term health benefits and potential savings to the Northern Ireland Health Service.</li> </ul> |
| 3.3        | <p><u>Financial &amp; Resource Implications</u></p> <p>There are no financial implications to the Council associated with delivery of the UK Air Quality Plan. Resource implications may be incurred by officer time supporting the Department with development of the NI actions. Provisions are accounted for within existing budget estimates relative to staff time.</p>  |
| 3.4        | <p><u>Equality or Good Relations Implications</u></p> <p>There are no relevant equality considerations associated with the delivery of the Plan.</p>  |
| <b>4.0</b> | <b>Appendices – Documents Attached</b>  |
|            | Appendix 1 – BCC Draft Consultation response to the DEFRA draft revised UK Air Quality Plan for tackling nitrogen dioxide   |