

CABINET**Tuesday, 2nd June, 2015**

Present:-

Councillor Burrows (Chair)

Councillors	T Gilby	Huckle
	T Murphy	Ludlow
	Blank	Serjeant

Non Voting	Bagley	Brown
Members	J Innes	Wall

*Matters dealt with under Executive Powers

**1 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Hollingworth and A. Diouf.

3 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 21 April, 2015 be approved as a correct record and signed by the Chair.

4 FORWARD PLAN

The Forward Plan for the four month period June to September 2015 was reported for information.

*** RESOLVED –**

That the Forward Plan be noted.

5 DELEGATION REPORT

Decisions taken by Executive Members during April 2015 were reported.

*** RESOLVED –**

That the Delegation Report be noted.

6 PROPOSED AIR QUALITY MANAGEMENT ORDER

The Environmental Health Manager submitted a report to inform Cabinet of the findings of the Updating and Screening Assessment Report 2015 and to recommend the actions to be taken as a consequence.

The Council was required to review and assess air quality within the Borough under Part IV of the Environment Act 1995, under a process called Local Air Quality Management (LAQM).

The report outlined the impact of the quality of air on public health and detailed the air quality objectives (AQO) set by the Government.

To complete the Updating and Screening Assessment Report information was gathered from real-time air quality stations to assess known air quality 'hotspots' in the Borough.

Intensive monitoring was carried out at four specific locations: Whittington Hill; Sheffield Road; Duke Street, Staveley and Church Street, Brimington. Monitoring at the first three of these sites had demonstrated that they were below AQO levels. Church Street, Brimington had, however, continued to be monitored as the level was close to the objective. The most recent monitoring results had confirmed an ongoing marginal breach of the AQO for nitrogen dioxide.

Based on these findings, the Council was statutorily bound to declare an Air Quality Management Area (AQMA) and to take action towards meeting the air quality objective, along a short section of Church Street, Brimington.

Derbyshire County Council as Highways Authority also had a duty to address air quality in the preparation of transport strategies and plans. It was therefore proposed to work with the County Council to produce a robust Action Plan to effectively tackle the issue.

The declaration of an AQMA would also impact on the planning functions of the Council as the National Planning Policy Framework set out that planning policies should take into account the AQMA and planning decisions should be consistent with the Local Air Quality Action Plan.

The stakeholders to be consulted were detailed in the report and it was agreed that Brimington Parish Council would also be consulted.

It was also proposed that the Council's Air Quality Strategy be revised in light of the Updating and Screening Assessment Report 2015 and in response to changes in the regulations and best practice.

***RESOLVED –**

- 1) That the findings and recommendations of the Updating and Screening Assessment Report 2015 be noted.
- 2) That an Air Quality Management Order be granted, creating an Air Quality Management Area in Brimington as shown in Appendix 3 to the report.
- 3) That the Air Quality Management Order be subject to consultation, as set out in paragraph 8.2 of the report, and that consideration of any responses received and approval of any required amendment to the order be delegated to the Cabinet Member for Health and Wellbeing.
- 4) That the Air Quality Strategy be revised and approved in principle for consultation purposes, and that other stakeholders be invited to comment on it.
- 5) That an 'Air Quality Action Plan' be produced in consultation with Derbyshire County Council.
- 6) That a further report regarding the draft action plan for the AQMA be prepared later in the year.

REASON FOR DECISIONS

To ensure the Council fulfils its statutory duty under Sections 82 to 84 of the Environment Act 1995, in such a way as to protect the health of residents within the Borough.