



Department
for Environment
Food & Rural Affairs

Review of Local Air Quality Management

Consultation on regulatory and guidance changes

December 2014



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Introduction

1. This consultation is the second in a series of three consultations covering the review of the Local Air Quality Management (LAQM) system. This review was undertaken in part to address proposals under the Government's Red Tape Challenge to reduce burdens to businesses and local authorities and in part to ensure that the LAQM system is targeted at helping local authorities to take action on the ground to address local and national air quality issues.

Purpose of consultation

2. This consultation seeks views on regulatory changes proposed as part of the LAQM Review as well as the Government's Red Tape Challenge and following Defra's initial consultation on LAQM in July 2013. A summary report of those views and Government Response was published in December 2013¹. This document also provides further information on proposed changes to guidance that will be taken forward as a result of the views received from the consultation and a further stakeholder workshop held in September 2014. The actual changes to guidance will be consulted on after the regulatory changes are implemented.
3. Based on the feedback received, which included 232 substantive responses and 18,000 campaign e-mails, the Government Response indicated that we would take forward the following:
 - Review the range of air quality objectives that apply to local authorities, taking into account the relevance of these objectives for health protection and levels assessed in recent years – see paragraphs 13 and 28 onwards.
 - Make proposals to introduce annual reporting on air quality for local authorities based on a streamlining of the current reporting process – see paragraph 21.
 - Make improvements to the LAQM policy and technical guidance in order to update it in line with current policy and to:
 - further clarify the roles and responsibilities of those involved in tackling air quality, particularly in two-tier authorities – see paragraph 43.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/265819/laqm-sum-resp-20131213.pdf

- identify and provide access to information about evidence based measures to improve air quality - see paragraph 45.

4. Following further discussions with stakeholders it was decided not to pursue the consolidation of the Air Quality (England) Regulations 2000 with the Air Quality Standards Regulations 2010.

Table 1: Summary of proposals

1	The following objectives will be removed from the 2000 (2002 as amended) Air Quality (England) Regulations Benzene 1,3 Butadiene Carbon Monoxide Lead
2	The following role will be developed with a view to placing it in statutory guidance: Local authorities to work towards reducing emissions of PM _{2.5}
3	The LAQM reporting process will be streamlined. Local authorities will no longer be required to carry out separate: Further Assessments (to be rescinded via the Deregulation Bill); Updating and Screening Assessments, Progress Reports and Detailed Assessments. These will be replaced by a single, annual Improvement 'Status' report, the details of which will be consulted upon after the regulatory changes are completed.
4	Policy and technical guidance will be revised to: Provide further clarity on roles and responsibilities Update on good practice and provide further examples and case studies on effective actions local authorities can take to address air quality.

Geographical extent

5. This consultation applies to England only. Scotland held a consultation in 2013 on its own proposals for change, and Wales and Northern Ireland are considering what changes may be needed in their administrations.

How to respond to this consultation

6. A wide variety of views were received as part of the 2013 consultation. It is not the intention of this consultation to solicit a repeat of that information but rather obtain confirmation and final views on the draft Statutory Instrument and Impact Assessment which form the basis of this regulatory consultation. It is our intention

to lay the Statutory Instrument in early 2015, with a 'coming into force' date later to allow time for revised guidance in line with the proposals.

7. The consultation will run for 6 weeks from 19th December 2014 to 30th January 2015. All comments should be submitted on the Citizen Space website.

Background to the LAQM review

8. The background to LAQM was set out in detail in our initial consultation of July 2013. The LAQM system has been in place for over a decade and was introduced to require local authorities to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives are likely to be achieved. Where exceedances are considered likely, the local authority must then declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives.
9. LAQM was reviewed independently in 2009/10² and found to be working well in terms of diagnosis and reporting on air quality but to be less effective in achieving improvements in air quality. They identified a number of reasons including lack of evidence on or access to information on good measures; over emphasis on monitoring and reporting; and lack of priority given at a local level.
10. Further reviews under the Government's Red Tape Challenge³ and also the significant challenges the UK faces in meeting Nitrogen Dioxide (NO₂) limit values highlighted other issues which suggested the need for review and improvement. These included:
 - Opportunities to reduce administrative burdens;
 - Difficulties in identifying effective measures to improve air quality
 - Poor joined up working between local authority tiers and departments.
11. A review of the Clean Air Act (CAA)⁴ was also conducted in 2013 as part of the Red Tape Challenge with the objective of reducing burdens on business and local authorities.

² <http://archive.defra.gov.uk/environment/quality/air/airquality/local/documents/laqm-report.pdf>

³ <http://www.redtapechallenge.cabinetoffice.gov.uk/home/index/>

⁴ <https://www.gov.uk/government/policies/protecting-and-enhancing-our-urban-and-natural-environment-to-improve-public-health-and-wellbeing/supporting-pages/reviewing-the-clean-air-act>

Impact Assessment

12. The Impact Assessment to accompany this consultation is attached as a separate document. This is a refinement of the Impact Assessment that accompanied the initial consultation in 2013. It has been revised to take account of the outcome of that consultation and the views submitted. This latest Impact Assessment reflects a business as usual approach (baseline) and the preferred option of reforming LAQM by removing unnecessary pollutants, reducing reporting burdens for local authorities, focusing action on improving air quality locally and nationally, as well as helping deliver on our EU obligations. We would welcome any further views of the costs and benefits associated with the measures set out in the Impact Assessment.

Part 1: LAQM – Regulatory Changes

Review of LAQM pollutant objectives

Preferred Option: The following objectives will be removed, for local authority reporting purposes, from the 2000 (2002 as amended) Air Quality (England) Regulations:

- 1,3 Butadiene
- Benzene
- Carbon Monoxide
- Lead

13. As part of the Red Tape Challenge, Defra committed to look at local air quality regulations to see what could be done to help focus requirements on problem areas including those that are essential for meeting EU compliance. The 2013 consultation provided an opportunity to review those national objectives⁵ that are not found in EU standards and those that were being met well within relevant limit values/targets, often for many years. The aim being to reduce reporting burdens on local authorities to help focus on those areas that required action without reducing levels of protection to human health or the environment. Monitoring at the national level would remain, enabling Government to take action if necessary. Responses to

⁵ An objective is a policy target often expressed as a maximum ambient concentration not to be exceeded, either without exception or with a permitted number of exceedances, within a specified timescale (Source: Air Quality Strategy 2007).

the consultation gave a very firm steer on those objectives that were felt needed to be retained and those that could be removed.

14. A 15 minute objective for Sulphur Dioxide (SO₂) and an objective for 1, 3 – butadiene were introduced in the original Air Quality Strategy 1997 following the recommendation of the Expert Panel on Air Quality Standards (EPAQS)⁶ and have remained in subsequent iterations of the Strategy, the most recent being 2007. It was put to stakeholders that these additional objectives could be seen as an embellishment of EU requirements as they do not appear (in that time frame) in the EU Directive. No AQMAs have been declared for 1, 3-butadiene since the objective was introduced. However, there are currently several AQMAs declared for the 15 minute objective for SO₂ and the Air Quality Strategy 2007 also identified continuing evidence of potential adverse health impacts if the 15 minute SO₂ objective were removed. We have decided therefore to retain the 15 minute SO₂ objective but remove the objective for 1, 3 - butadiene.
15. Feedback from the first consultation⁷ also showed wide support for the removal of benzene, carbon monoxide and lead from the Local Air Quality regulations for LA reporting purposes. It was recognised that the UK currently meets targets for the above pollutants, and has done so for up to 10 years or more, as in the case of 1,3 Butadiene. Moreover, there has only ever been one AQMA declared for these pollutants (Benzene) which was revoked in 2010.

Costs and Benefits

16. As there are no AQMAs declared for these pollutants, removal from regulations should not result in any significant savings for local authorities. However, there is a potential non-monetised benefit of helping local authorities by releasing them from the duty to periodically review and assess these four pollutants, helping them to focus their resources on reducing current air quality problems.

⁶<http://webarchive.nationalarchives.gov.uk/20060715141954/http://www.defra.gov.uk/environment/airquality/aqs/13butad/index.htm>

<http://webarchive.nationalarchives.gov.uk/20060715141954/http://www.defra.gov.uk/environment/airquality/aqs/so2/index.htm>

⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/265819/laqm-sum-resp-20131213.pdf - pages 6-8

Making the changes to the regulations: Draft Statutory Instrument

17. The draft statutory instrument required to make the proposed regulatory change to the 2000 Air Quality Regulations (2002 as amended) is included as a separate attachment. The intended effect of this statutory instrument is to remove the requirement on local authorities to report on the presence of these pollutants as part of the LAQM reporting cycle. It will not have any effect on national requirements.

Question 1: Does the draft statutory instrument achieve its stated purpose of removing the four pollutant objectives for LA reporting purposes?

Question 2: Do you have any final comments regarding the decision to remove the four pollutants and in particular on the assessment of costs and benefits?

Part 2: Non regulatory changes to LAQM

18. The Government response to the 2013 LAQM consultation confirmed that a number of changes would be made to the statutory policy and technical guidance that underpins LAQM. Some of these changes will simply be an updating of text or clarification of the current position, while some will reflect changes to policy since the guidance documents were published in 2009. This section sets out briefly the main proposed changes and a further consultation on the actual revised guidance will be held after the completion of the regulatory changes.

Streamlining of reporting requirements

Proposal: The Local Air Quality Management System reporting process will be streamlined and replaced with an Annual Improvement Report. The process to create or revoke Air Quality Improvement Areas will not be changed.

19. Defra's statutory guidance on LAQM recommends that local authorities carry out a review of local air quality every three years and publish their findings in an Updating and Screening Assessment report (or USA).⁸ In intervening years it is

⁸ Part IV of the Environment Act 1995 requires local authorities to review the quality of air within their area from 'time to time' and sets out the key steps towards declaring an AQMA and developing an action plan where pollutant exceedances are identified or predicted. Full details of the reporting processes and timescales involved

recommended that they publish a Progress Report covering changes affecting air quality outside the periodic review and detailing progress with the implementation of action plans where these exist. The Secretary of State is a statutory consultee to these reports and Defra appraises and provides comments to local authorities on all local air quality management reports and assessments.

20. Since LAQM was introduced in 1995 (commencing proper in 1997) there have been five rounds (each round = 3 years) of updating and screening assessments and the later rounds especially have only made small differences to the number of AQMAs identified or understanding of local air quality sources/concerns. Arguably the resources used in preparing these reports could be better focused on developing and implementing measures to improve air quality.
21. Simplifying the current LAQM assessment and reporting expectations for local authorities also helps meet our commitment under the Government's Red Tape Challenge - to remove unnecessary regulatory and administrative burdens and give more time to concentrate on actions to improve air quality and public health. There was strong support in the 2013 consultation to remove much of the reporting burden so that action could be more readily applied to introducing measures to improve air quality. The Government response confirmed that we would be taking this recommendation forward.
22. The removal of Further Assessment reports from the Environment Act 1995 is being enabled via the De-Regulation Bill⁹ (as part of the Red Tape Challenge) and technically sits outside of this review but reflects the need to reduce unnecessary reporting. Defra research and feedback from local authorities made it clear that very few authorities saw the Further Assessment as helpful in preparing plans to improve air quality and if necessary this assessment could be rolled into the preparation of detailed assessments or their equivalent where these were carried out.
23. As a result of this proposal, the following individual reports will no longer be required but relevant information (see table [2](#)) that was previously contained within them will form part of the annual single report, where appropriate:
 - Updating and Screening Assessment (USA)
 - Detailed Assessment
 - Further Assessments (currently being removed via the De-Regulation Bill¹⁰)

are contained in the relevant policy and technical guidance (PG09 & TG09 respectively) and Air Quality (England) Regulations.2000 (and 2002 as amended)

⁹ <http://services.parliament.uk/bills/2014-15/deregulation.html>

¹⁰ <https://www.gov.uk/government/collections/one-in-two-out-statement-of-new-regulation>

- Progress Report
- Air Quality Action Plan Progress Report

24. As part of the work to develop the content of the revised statutory policy and technical guidance, Defra will engage with local authorities and others to develop a template for the new report. This will be consulted on as part of the wider guidance consultation in the second half of 2015.

Costs and Benefits

25. An important benefit of this change will be to ensure the reports are more outward facing and informative to members of the public and local stakeholders. The Impact Assessment estimates that while there will be some initial small costs to local authorities as they adjust to the new report, there will be annual cost savings to local authorities from the reduced reporting burden. These cost savings were assessed following discussions with local authorities and technical experts.

Air Quality Management Areas & Action Plans

26. There was strong stakeholder support to retain the current, official process for declaration or revocation of AQMAs. It will remain a statutory duty upon local authorities that where any objective is or is likely to be, exceeded, an assessment should be made to confirm the exceedance. If the findings of the assessment result in the declaration of an AQMA, the authority will then move immediately to producing an AQAP within 12-18 months.

27. AQAPs will remain as stand-alone documents, but progress reports pertaining to the Plan will be incorporated into the Annual Improvement Report rather than being provided in a separate document. The single annual report will also still allow for any risk of an air quality exceedance to be identified and if necessary, for assessment to take place to inform whether an AQMA should be established or not. This assessment will also be reported as part of the annual Progress Report rather than as another separate document.

Table 2: Reports to be removed and subsumed into a single, annual report

Report	Function of report	What the report covers
Updating & Screening Assessments	To identify those matters that have changed since the last Review and Assessment, which might lead to a risk of an air quality objective being exceeded.	New monitoring data New objectives New sources or significant changes to existing sources
Detailed Assessments	To provide an accurate assessment of the likelihood of an air quality objective being exceeded at locations with relevant exposure.	Quality-assured data to determine likelihood of an exceedance
Further Assessments	To supplement and confirm the information provided in the Detailed Assessment and, by providing further information on source contributions help in the development of the AQAP.	Quality-assured data to confirm the exceedance of the objective(s) Improvements in air quality and corresponding reduction in emissions required to attain the objective(s) Information on source contributions
Progress Reports	To maintain continuity in the LAQM process and fill in the gaps between the three-yearly cycle of Review and Assessment.	Progress on the implementation of AQAPs and/or air quality strategies An early alert system (similar to USA) to identify further measures that may be needed to improve air quality
Air Quality Action Plan Progress Reports	To update annually on progress with AQAPs. Advice given in Technical Guidance 09 is that Action Plan Progress Reports be submitted as part of the regular Progress Report, not as a separate report.	Impact of measures Progress made during the year and how it compares with the original plan Forward look to the next year, including implementation plan

Local authorities and PM_{2.5}

Proposal: Local authorities will be given a role in statutory guidance to work towards reducing emissions of PM_{2.5}. In doing so they will not be required, though they may choose, to carry out local monitoring and modelling but will be able to use national modelling and monitoring.

28. The review of pollutant [objectives](#) also provided an opportunity to consider whether there were any omissions within the LAQM framework. There was significant support in the 2013 consultation for LAQM to reflect the local public health requirement around PM_{2.5}.¹¹
29. PM_{2.5} is particulate matter with a diameter less than 2.5 µm in diameter. Advice from the World Health Organisation is that there is no recognised safe level for exposure to these fine particles which can penetrate deep into the human respiratory system. Impacts on human health can include allergic reactions, cardiovascular diseases and premature mortality¹².
30. The EU Air Quality Directive (Directive 2008/50/EC)¹³ sets annual and daily limits on concentrations of PM₁₀ which applied from 2010. It also includes controls on PM_{2.5} including a target value to be met by 2010 and a two stage limit value to be met by 2015 and 2020: an exposure concentration obligation to be met by 2015 and a national exposure reduction target to be met by 2020. The UK currently meets the limit values for PM₁₀ and in 2013 all zones met the target value for PM_{2.5} as well as the Stage 1 limit value for PM_{2.5}. After subtraction of natural sources, all but one zone (Greater London Urban Area) met the Stage 2 limit value. However, reducing PM continues to be a challenge.

¹¹ An Air Quality Indicator has been included in the Public Health Outcomes Framework (PHOF) based on PM_{2.5} (i.e. life years lost from air pollution as measured by fine particulate matter)

¹² The Mortality Effects of Long-Term Exposure to Particulate Air Pollution in the United Kingdom (COMEAP, 2010)

¹³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:152:0001:0044:EN:PDF>. This sets an annual PM_{2.5} target value of 25µg /m³ to be met by 1 January 2010 and an annual PM_{2.5} Stage 1 limit value of 25 µg /m³ to be met by 1 January 2015 and PM_{2.5} Stage 2 limit value of 20µg /m³ to be met by 1 January 2020. It also sets an annual mean PM_{2.5} exposure concentration obligation of 20 µg /m³ to be met by 2015 and a national exposure reduction target of 15% to be met by 2020.

31. Local authorities are not currently required to work towards the achievement of these PM_{2.5} objectives as part of their air quality management role. Local public health authorities however now have a Public Health Outcome Indicator for air quality and public health based on the impact of particulate matter (PM_{2.5}) on mortality¹⁴. This means that Local Directors of Public Health will be able to prioritise action on air quality in their local area to help reduce the health burden from air pollution.

Challenges in addressing PM_{2.5} at the local level

32. The feedback from the 2013 consultation (reiterated in the follow-up workshop on 10th Sep 2014) showed that most local authorities wanted a PM_{2.5} role to feature in Local Air Quality Management. There was no clear consensus on how this could best be achieved in light of its non-threshold nature and concerns over potential additional costs any new role might bring.
33. Due to its fine nature PM_{2.5} can travel for long distances in the air and it is estimated that as much as 40 - 50% of the levels found in any given area can be from outside of a local authority's direct boundaries.¹⁵ Like PM₁₀, local sources of PM_{2.5} can include road transport (emissions and tyre and break wear) and industrial processes. Therefore, while it is recognised that local authorities can take actions to help towards reducing PM_{2.5} concentrations in their areas, the overall effect of measures may not always be as significant as hoped due to external factors.
34. Up until now the principal focus of local authorities has been on addressing other air quality pollutants, including PM₁₀, and as a result many local authorities have indicated that they are less clear about what actions can be taken to address PM_{2.5}. Many consultees indicated that they would welcome more information and case studies on effective measures (see table 3).
35. Monitoring and modelling of PM_{2.5} is mainly carried out at the national level. Very few local authorities carry out their own monitoring of this particulate fraction. To avoid local authorities feeling obliged to carry out additional local monitoring, stakeholders indicated that it will be important that this national data can be readily accessed and applied by local authorities. This will need to be addressed in any revised technical guidance.

¹⁴ The indicator relates to the mortality effect of man-made particulate air pollution expressed as the percentage mortality fraction attributable to particulate matter (PM_{2.5}) for an upper tier local authority.

¹⁵ Air Quality Expert Group report: Fine Particulate Matter (PM_{2.5}) in the United Kingdom (2012)

Benefits of addressing PM_{2.5} through LAQM

36. As already noted, stakeholders agreed that adding a PM_{2.5} role to LAQM will help local authorities meet their new public health responsibilities¹⁶, allowing also for better collaboration with Directors of Public Health and between upper and lower tier authorities. It should also ensure a consistent message from Government to local authorities regarding the treatment of this pollutant, removing any ambiguity on the need to address PM_{2.5} as both an air quality and public health issue.
37. Many of the measures to tackle PM_{2.5} are measures that are already available to tackle PM₁₀ or NO_x – therefore the introduction of PM_{2.5} to LAQM may not result in different action being taken just to address that particulate, but from a strategic perspective, can support and strengthen the local authority business case for taking action overall and in making decisions on what specific measures to use.

Table 3: Examples of measures that local authorities can take to address PM_{2.5}

Measures that address PM₁₀ - either exposure or emissions – will typically also address PM_{2.5}. The appropriate measures to take will vary by circumstances, but examples of measures include:

- Retrofitting diesel engines with Diesel Particulate Filters (DPF).
- Promotion of anti-idling (engine switch off) schemes and smoother driving.
- Traffic calming and congestion reduction schemes such as 20 mph zones, traffic flow management and park and ride schemes.
- Tackling high levels of dust from construction sites: wheel wash on vehicles leaving the site; mechanical sweeping of access roads, deep cleaning of the road (often done at weekends when site traffic is reduced).

38. In addition, including PM_{2.5} in LAQM will engage local authorities in helping the UK Government meet its obligations for PM_{2.5} under the EU Ambient Air Quality Directive 2008.

Preferred approach to including PM_{2.5} in LAQM

39. Following the consultation in 2013 and further workshop in September 2014, Defra's preferred approach to including PM_{2.5} in LAQM is **through adding a requirement in statutory guidance to have regard to PM_{2.5}** in carrying out their air quality functions. In doing so they will not be required, though they may choose, to carry out local monitoring and modelling but will be able to use national modelling and monitoring. The inclusion of this role in policy guidance will be supplemented

by information on effectiveness of measures and the application of national monitoring and modelling within the updated technical guidance.

40. A general role in guidance is preferred to regulation for a number of reasons:

- It gives local authorities greater flexibility to decide how to tackle PM_{2.5} based on their local circumstances and public health priorities. The transboundary nature of PM_{2.5} means that there will be limits to the actions that individual local authorities can take which would make placing a role in regulations appear overly burdensome;
- It helps local authorities focus on the actions that they can take to tackle PM_{2.5} alongside other air pollutants, and understand and communicate the impact on PM_{2.5} to others (e.g. residents), rather than adding the burden of detailed local assessment and monitoring that would likely precede action arising from more prescriptive regulation. PM_{2.5} is a no threshold pollutant – any action to reduce it will be beneficial and a central focus of this review and the Red Tape Challenge measures is to make it easier for local authorities to act.
- There is already a requirement on local authorities to have regard to PM_{2.5} through the Public Health Outcomes Framework so adding a further requirement in regulations seems unnecessary particularly as the LAQM guidance is statutory, meaning that local authorities must have regard to it when carrying out their air quality duties.
- Any approach to regulation would need to include a target/objective in line with those in the Air Quality Directive 2008 – e.g. an annual mean target value of 25 µg and an achievement date for it to reflect good legal practice. However, we have met the 2010 EU annual mean target of 25 µg and are making good progress in complying with the 2015 Stage 1 & 2020 Stage 2 limit values of 25 µg and 20 µg respectively. Applying any other optional EU target(s) could be seen as gold-plating. Moreover, the setting of targets misses the point of this particular pollutant – its presence at any level is a health risk, therefore we want all local authorities to think about taking action as appropriate rather than only if they think they are in breach of an EU value limit. Of course, if a local authority finds itself moving towards a breach of the limit, as this also raises public health concerns, they will want to take additional action. Decisions on whether it is a priority to take action will be based in conjunction with local public health officials.

Costs and benefits

41. Further detail is set out in the Impact Assessment. Many of the actions that LAs can take to address PM_{2.5} are also those that can be used to address PM₁₀ and

other AQ issues, therefore while there will be some additional air quality benefits from this proposal, it is not possible to quantify them. This also means that costs to address PM_{2.5} are not considered significant as they are likely to involve measures that LAs are already taking to address other air quality problems. The proposal also helps strengthen the overall case for taking action to address local air quality. By enabling local authorities to make use of national monitoring and modelling information, we do not intend for local authorities to incur new costs relating to local modelling and monitoring.

42. Local authorities already have the scope to address PM_{2.5} through the Public Health Outcomes Framework, therefore this move should help improve clarity on how PM_{2.5} can be tackled, resulting in improved engagement between officials and the different tiers of local authorities. Improved information on the measures to tackle PM_{2.5} should also lead to better and more efficient decision making.

Improvements to guidance

Proposal: Policy and technical guidance will be revised to:

- Provide further clarity on roles and responsibilities
- Update on good practice and provide further examples and case studies on effective actions local authorities can take to address air quality.

Clarification of roles and responsibilities

43. Approaches to tackling air quality at the local level are at their most effective when measures across the environmental health, planning, transport and other local authority functions such as communication are considered together. Discussions with local authorities and other stakeholders have highlighted that there can sometimes be tensions between stakeholders in achieving air quality delivery locally, especially where there is perceived conflict with other priorities. This can be made more challenging in two-tier authorities where responsibilities are spread between the different levels e.g. transport at County and environmental health at District level. Lack of understanding of the respective responsibilities amongst the various teams can result in the relevant powers or opportunities for action or funding that are already available not being used to best effect.
44. Regulation and guidance already sets out the roles and responsibilities with regard to air quality delivery. Consistent with the localism agenda and recognising that the nature of the air quality challenge will differ from area to area, we do not propose to regulate around these roles further. However, we do recognise the need to provide

further clarity within the statutory guidance on the respective roles and responsibilities for air quality including within local authorities. There are exemplars of different departments within unitary and between county and district level two-tier authorities working well together and as part of our guidance update, we will look to highlight this best practice.

Improving Best Practice and evidence based measures

45. A frequent request from local authorities as part of the consultation in 2013 and the workshop in September 2014 was the need for more information on the effectiveness of measures to tackle the different types of air pollutants. This was both in terms of cost-benefit of measures and impact on pollutant levels. Local authorities recognise that the effectiveness of particular measures will be dependent on local conditions but the more information they have, the better the case they can make for taking action and the greater the confidence they will have in the outcome.
46. Government has supported a number of projects to draw together evidence, best practice and case studies on various measures (transport, infrastructure etc.) to tackle air pollution and is actively developing new tools, including the recent 'Air Quality in the City Regions - A Transport Toolkit'¹⁷, with a particular focus on improving the evidence base for measures. Defra also funds an annual air quality grant scheme that has enabled a number of local authorities to test out various approaches to managing air quality either through taking action on the ground or the development of feasibility studies or low emission strategies. In recent years the programme has focused on measures to help tackle NOx emissions and it is important that the lessons learned from these grant projects are included within the guidance where relevant.
47. Consistent with the Red Tape Challenge the guidance will be updated in line with Defra's Smarter Guidance Review.

Costs and Benefits

48. The Impact Assessment identifies some small costs as a result of local authorities assimilating new guidance. Non-monetised impacts include benefits arising from improved service as a result of clearer guidance, enhanced relationships and more clearly defined roles and responsibilities.

¹⁷ <http://www.pteg.net/resources/types/reports/air-quality-city-regions-transport-toolkit>

Next steps

49. This consultation will run for 6 weeks and we will consider views and publish a summary response shortly afterwards. Subject to any changes as a result of this consultation, we will move forward with the process to lay the Statutory Instrument before Parliament. We will feed views and comments into the process to develop the revised statutory policy and technical guidance and engage with stakeholders in the development of this new guidance in advance of a further, final consultation on its precise content once the regulatory changes have been made.

Question 3: Do you have any evidence on the costs or benefits of our proposals under Part 2 to help us finalise the preferred options and develop the detailed guidance for final consultation in 2015?