

# Environment Overview and Scrutiny Committee



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



Tuesday, 13 February 2024 at 10.00 am  
Council Chamber - South Kesteven House,  
St. Peter's Hill, Grantham. NG31 6PZ

**Committee Members:** Councillor Ian Selby (Chairman)  
Councillor Emma Baker (Vice-Chairman)  
Councillor Gloria Johnson, Councillor Bridget Ley, Councillor Charmaine Morgan,  
Councillor Murray Turner, Councillor Paul Wood, Councillor Paul Martin and  
SK Coalition Group Vacancy

## Agenda

This meeting can be watched as a live stream, or at a later date, [via the SKDC Public-1 Channel](#)

### 1. Public Speaking

The Council welcomes engagement from members of the public.  
To speak at this meeting please register no later than 24 hours prior to the date of the meeting via [democracy@southkesteven.gov.uk](mailto:democracy@southkesteven.gov.uk)

### 2. Apologies for absence

### 3. Disclosure of Interests

Members are asked to disclose any interests in matters for consideration at the meeting.

### 4. Minutes from the meeting held on 12 December 2023 (Pages 3 - 24)

### 5. Updates from the previous meeting (Page 25)

To consider actions agreed at the meeting held on 12 December 2023.

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01476 406080

**Karen Bradford, Chief Executive**  
[www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)

6. **Announcements or updates from the Leader of the Council, Cabinet Members or the Head of Paid Service**
7. **Animal Welfare Policy - Post Public Consultation** (Pages 27 - 78)

This report proposes a new Animal Licensing Policy for approval by this Committee, following the 4-week consultation with the public, local businesses, partner agencies and other organisations.
8. **Annual Air Quality Status Report and an Update on Clean Air Lincolnshire project** (Pages 79 - 141)

To provide an overview of the Annual Air Quality Status Report (ASR 2023) for awareness and noting.

To update the Committee on the Clean Air Lincolnshire, which is a county wide project.
9. **Draft Air Quality Action Plan** (Pages 143 - 189)

To provide an overview of the Air Quality Action Plan (AQAP) for awareness and noting.
10. **Update on Environment Act 2021** (Pages 191 - 234)

To provide a further update on the implementation timescales of the Environment Act 2021, in respect of:

  - **Extended Producer Responsibility (EPR)** for packaging,
  - **Deposit Return Scheme (DRS)** for drinks containers,
  - New requirements on local authorities to implement greater **Consistency in Household Recycling, now 'Simpler Recycling'** (including, separate collections of waste materials, establishing separate weekly food waste collections and providing free fortnightly garden waste collections).
11. **Recycling of mobile phones** (Pages 235 - 241)

This report provides preliminary exploratory information for a domestic kerbside mobile phone recycling collection service.
12. **Work Programme 2023 – 2024** (Pages 243 - 245)

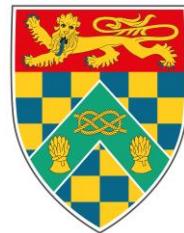
To consider the Committee's Work Programme for 2023-24.
13. **Any other business which the Chairman, by reason of special circumstances, decides is urgent**

## Minutes

### Environment Overview and Scrutiny Committee

Tuesday, 12 December 2023, 10.00 am

Council Chamber – South Kesteven House, St. Peter's Hill, Grantham.  
NG31 6PZ



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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#### Committee Members present

Councillor Ian Selby (Chairman)  
Councillor Emma Baker (Vice-Chairman)

Councillor Gloria Johnson  
Councillor Bridget Ley  
Councillor Charmaine Morgan  
Councillor Murray Turner  
Councillor Paul Wood  
Councillor Paul Martin  
Councillor Graham Jeal

#### Cabinet Members present

Councillor Ashley Baxter (Deputy Leader of the Council)  
Councillor Rhys Baker (Cabinet Member for Environment and Waste)  
Councillor Patsy Ellis (Cabinet Member for Environment and Waste)

#### Officers

Richard Wyles (Deputy Chief Executive and S151 Officer)  
Debbie Roberts (Head of Corporate Projects, Policy and Performance)  
Ayeisha Kirkham (Head of Service – Public Protection)  
George Chase (Waste and Recycling Manager)  
James Welbourn (Democratic Services Manager, Deputy Monitoring Officer)  
Serena Brown (Sustainability and Climate Change Officer)  
Alice Atkins (Corporate Policy Officer)  
Sarah Downs (Democratic Services Officer)

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#### 28. Public Speaking

Anne Gayfer – question to the Environment Overview and Scrutiny Committee:

*At the end of the year two key air quality regulations are due to drop off the statute book under the Retained EU Law (REUL) Act. One sets legally binding emission reduction commitments for five key air pollutants; the other*

*requires public consultation before revising air pollution plans.*

*The Guardian and the Ends Report have found that Ministers ignored officials' advice on the scrapping of these regulations. It means that we will no longer have a national air pollution control programme to limit pollutants in accordance with national emission reduction commitments. This has brought strong criticism from the Government's own watchdog, the Office for Environmental Protection because it "weakens accountability and transparency and – in the absence of an alternative, comprehensive plan – it has the potential to weaken environmental protection".*

*My question is, given that our government shows no interest in our health or that of the planet, will SKDC:*

- write to the Secretary of State for the Environment and ask for a rethink?*
- Will SKDC review its smokeless zones (it is clear from the maps that this has not happened for some decades)?*
- What can SKDC do to improve air quality in its area? It is sometimes impossible to walk through Grantham in the early evening without wearing a mask.*

*The United Nations has recently stated that air pollution is a bigger public health catastrophe than climate change<sup>2</sup>. It is a public health emergency and is associated with the equivalent of up to 40,000 deaths a year in the UK.*

The Cabinet Member for Environment and Waste thanked Ms Gayfer for the question and agreed that air quality was a huge issue in the developed world and there was a lot that needed to be done. It was clarified that the Head of Public Protection would be requested to look into the matter of smokeless zones. The Cabinet Member confirmed he was to write to the Secretary of State to request an urgent 'rethink' of the application of the laws and would notify the public speaker of the response when received.

## **29. Apologies for absence**

There were no apologies for absence received, all Members were present as expected.

Councillor Graham Jeal represented the South Kesteven Coalition Group vacancy.

## **30. Disclosure of Interests**

Councillor Paul Wood disclosed an interest, confirming he was currently a Director of EnvironmentSK Ltd.

The Chairman clarified that Councillor Wood would need to leave the Council Chamber during the report on the company's final accounts.

Councillor Charmaine Morgan informed the Committee that she was a lifetime member of the Woodland Trust, an organisation that was mentioned within the agenda for today's meeting.

The Chairman informed Members that the agenda item on A1 litter would be moved to the final item of the meeting.

**31. Minutes from the meeting held on 3 October 2023**

The minutes of the meeting held on 3 October 2023 were proposed, seconded, and **AGREED** as a correct record.

**32. Updates from the previous meeting**

The Chairman confirmed that there was one action from the meeting on 3 October 2023 in reference to the Animal Welfare Policy. The public consultation period was currently underway.

**33. Announcements or updates from the Leader of the Council, Cabinet Members or the Head of Paid Service**

There were no updates.

**34. Notice of motion deferred from Full Council on 23 November 2023**

The Vice-Chairman read a statement out on behalf of Councillor Vanessa Smith:

*I would very much like to thank this committee for considering this motion as was put to Full Council last month, and for doing so in such a timely fashion. I think it is important that this Council supports the Climate and Ecology Bill. As you may recall this Bill was originally introduced into Parliament by Caroline Lucas in 2020.*

*Whilst it has currently lapsed, it is being reintroduced in the new year without any change in the most recent wording so will retain previous support. As explained, this is a cross party Bill which has received the support of 132 MPs from the Labour, Green, Liberal Democratic and Conservative Parties. It has also received the support of 312 Councils and numerous large non-government organisations.*

*The Bill seeks to address climate change by limiting the rise in global temperature to 1.5 degrees, as per the Paris Agreement which the UK signed up to in 2015. It also seeks to prioritise nature and reverse its decline.*

*The UK is currently working towards achieving net zero carbon emissions by 2050. This target was set in 2019 to try to limit the rise in temperature. The target of 1.5 degrees is important because it is at this temperature rise that there is potentially an irreversible effect on climate change and catastrophic climate changes will be seen. But the science tells us that even if we meet net zero by 2050 there is still an approximately 50:50 chance that temperature rise will exceed 1.5 degrees. And not only might this net zero target be inadequate but that the government's own scientific advisors on climate change (the Climate Change Committee) have published a report this year stating that we are no longer on track to meet this target. This is why the Climate and Ecology Bill is calling on the government to do more.*

*This Bill has been written by numerous climate scientist and unlike current targets it requires the UK to take account of its entire carbon footprint, including those from imports and overseas; at the moment this is being ignored but currently accounts for about 40% of this country's carbon footprint. This Bill would also take greater account of other greenhouse gases, not just carbon dioxide. With regard to nature, protecting this is intertwined with limiting the global temperature rise to 1.5 degrees. In order to keep temperatures under 1.5 degrees we must protect peatlands, woodlands, wetlands, rivers and soils. The Environment Act of 2021 called for a halt to the decline in the abundant species by 2030. But as the UK is one of the most nature deplete countries in the world scientists are calling for more ambitious targets. The Bills seeks to not just halt but reverse the decline in nature.*

*This Council has already acknowledged the problem of Climate Change by declaring a Climate Emergency in 2019. Our District can develop its own Climate Strategy but with the best will in the world it will not have sufficient impact on isolation. A plan for Climate Action is required nationally and internationally. The UK has shown itself to be world leading in terms of setting direction for Climate Action. And the science is now showing us that more needs to be done. If these targets are not met our District could face serious consequences in terms of flooding with loss of homes and arable land, there will be costs to businesses and the economy. We must call on central government to do everything in their power to meet the Climate Change targets that they have already agreed. In my view this is not controversial. It already has parliamentary cross-party support. It has been backed by numerous county councils and district councils already. I would like South Kesteven District Council to follow suit.*

Members raised the following points during discussion:

- The Bill received support from Members and was considered vital by some.
- There were a lot of positive steps within the Environmental Act 2021 but perhaps there was more to be done, such as a reverse in nature decline?

It was proposed, seconded, and **AGREED** that the Environment Overview and Scrutiny Committee recommended to Full Council that they support the climate and ecology Bill and write to all MPs who have constituencies within the district of South Kesteven.

### 35. Q2 KPIs

The report was presented by the Head of Corporate Projects, Policy and Performance.

The South Kesteven Corporate Plan 2020-23 was approved by Council on 1 October 2020. It was agreed by the Council that actions, key performance indicators (KPIs) and targets would be developed by the relevant overview and scrutiny committee, which would retain oversight of the performance management arrangements at a strategic level. These actions and indicators were presented to this committee and agreed on 26 January 2021. The Year End report for 2022-23 was presented to the Committee on 11 July 2023 and outlined the performance against the Corporate Plan for the previous financial year. This report built on these historical reports to provide an update on performance to the mid-year point of the 2023-24 financial year. It incorporated the changes recommended by the last KPI review to outline areas of the council's performance which were successful and to advise where challenges may lay.

2023-24 was the final year of monitoring these existing KPIs. A refresh of the Corporate Plan was currently underway and was still within the public consultation period for considering priorities (over 550 responses had been received so far). All Members had the opportunity to engage in the development of the new Corporate Plan, which will be adopted in January 2024. To accompany the new Corporate Plan, a new suite of KPIs will be developed to reflect the priorities, ambitions and actions of the new Plan. These KPIs will be approved by each Committee and reporting will commence from April 2024.

The actions were summarised as follows:

- 6 of the actions are rated Green. These are actions which are on or above target as planned. Examples given included the Council's carbon footprint and the garden waste service. The Council was rated above its target for electric vehicle charging points and the new clean and sustainable Depot had a planning application underway.
- 1 action: A Clean & Sustainable 6 - Work with the Lincolnshire Waste Partnership to reduce waste and further improve recycling, is rated Not Reported. The KPI requires information provided by Lincolnshire County Council (LCC). There had been a delay on LCC's provision of the required data. As of the approval deadline of this report to be presented to this Committee, the data was unavailable.

During discussion, Members raised the following points:

- All actions were rated as green. This was welcomed.
- A Member informed the Committee that they had received a number of complaints in reference to missed bins and asked how this had translated to a green action, confirmed as 'on target'. Some residents were experiencing delays in the completion of repairs too which may have translated as not meeting the needs of the residents.
- Some of the KPIs needed to be better matched to the work that had been completed. As an example, the Tree Strategy could monitor how many trees had been planted and how many had been lost. It should be intended to confirm a net gain within the targets. A report on air quality could be included within the KPIs.
- Did the Council offer a recycling service for commercial waste?
- Had the consultation on the Queen Elizabeth Park, Grantham been completed and why was the required satisfaction rating lower than that expected for Wyndham Park, Grantham, at 80%?
- What innovations to waste management were being undertaken?
- How had the savings in carbon emissions data of '6,840 tonnes' been calculated?
- If a growth was expected in the green bin collection service, was an increase in price to be expected in the near future?
- A Member asked that air quality should be measured within KPIs in addition to the current reports produced in accordance with current legislative requirements.

The Head of Corporate Projects, Policy and Performance confirmed that the Housing Overview and Scrutiny Committee would scrutinise the Housing Repairs targets. The targets on missed bins were not being monitored through the current Corporate Plan but this could be looked at as part of the next Corporate Plan KPIs. The Officer confirmed that a breakdown of the data on carbon emissions including comparisons with electric vehicles was available to be circulated to Members.

The Council does offer a recycling service for commercial waste, the cost for the green bin collection would be considered at the budget setting overview and scrutiny committee where an increase was likely to be proposed.

**ACTION:**

**A breakdown of the data on carbon emissions including comparisons with electric vehicles was to be circulated to Members of the Committee.**

The Cabinet Member for Environment and Waste informed Members that the number of bins missed for emptying was consistently monitored. Each month, approximately 326,000 bins were collected in all weathers and only a few hundred missed collections were logged, confirming success in 99% of collections. The latest data could be provided to Members. It was a difficult job and the operatives should be thanked for their work.

The Assistant Director for Culture and Leisure informed Members that the Queen Elizabeth Park consultation had been launched but no data could be confirmed until it had concluded. The target set for Queen Elizabeth Park was historical and Wyndham Park had always scored slightly higher.

**ACTION:**

**The latest data on bin collections to be circulated by the Cabinet Member for Environment and Waste to Members of the Committee.**

The Chairman confirmed that a later item on the agenda for today's meeting included an update on the tree and woodland strategy.

The Head of Service for Public Protection confirmed that an annual report for air quality was produced by the Council, as required under legislation. The most recent report was to be brought before the Committee in Spring 2024. The report would be published on the website too.

The Deputy Leader of the Council informed Members that the Council had a trade waste service that was working to capacity. This was considerably successful. The purchase of another vehicle would be required in order to increase the current capacity and further customers would be required. The Deputy Leader confirmed that a 'purple bin scheme' was about to be implemented across the district and also a battery-recycling scheme. The Cabinet Member considered both the schemes to be 'innovative'. The 'green bin scheme' was considered highly successful, enabling residents to dispose of compost waste in their gardens and reducing the need for collecting. The reduction in collections further reduced carbon emissions and this was the ultimate target rather than looking to issue higher amounts of green bins.

The Chairman welcomed the discussion, confirming that the Council should always strive to improve.

**It was proposed, seconded, and AGREED that the Environment Overview and Scrutiny Committee:**

- 1. Reviewed and scrutinised the performance against the Corporate Plan Key Performance Indicators in relation to the delivery of the Corporate Plan priorities and outcomes and recommended that KPI's for residential bin collections, air quality data and tree planting data be added.**

**2. Used this report to inform and support the ongoing work programme of the Committee.**

**36. Update on Local Authority Biodiversity duties**

Councillor Baker, Cabinet Member for Environment and Waste introduced the report, informing the Committee that England was widely considered one of the most nature depleted countries in the world.

A recently published analysis by the State of Nature Partnership stated that since 1970, UK species have declined, on average, by 19% and that nearly one in six species were threatened with extinction in Great Britain. The impacts of land use and agricultural management and of climate change have been some of the principal drivers of this long-term decline in the health of our natural environment.

Lincolnshire had been ranked as the second-lowest county in the country for access to nature.

The Environment Act 2021 set out that as a public authority, the Council must:

1. Consider what we can do to conserve and enhance biodiversity.
2. Agree policies and specific objectives based on our consideration.
3. Act to deliver policies and achieve our objectives.

Under the Environment Act public authorities had to consider and report on what action the Council intended to take for biodiversity across the authority, no later than 1 January 2024. Following this initial consideration, the Council was required to agree policies and objectives as soon as possible, take action, and prepare the first formal Biodiversity Report no later than 1 January 2026. This process must then be repeated every five years.

There were 7 areas responsible for biodiversity-related issues:

- 1) Planning Policy
- 2) Development Management
- 3) Grounds Maintenance
- 4) Parks and Open Spaces
- 5) Property and Assets
- 6) Projects, Policy and Performance
- 7) Economic Development

The Environment Act 2021 also required the preparation and publication of Local Nature Recovery Strategies (LNRSs). Lincolnshire County Council are responsible for delivering the Greater Lincolnshire LNRS which was expected to be delivered in late 2024. At the same time, the Council was planning to deliver a district-wide Trees and Woodland Strategy which would set out the current level of tree canopy

cover in the district, highlight main areas of opportunity to increase tree and woodland and set out what role the Council can play in facilitating that. There was not a dedicated Tree Officer at the Council nor does the Council have the specific arboricultural expertise needed to produce a full Strategy. Officers had therefore commissioned a consultancy company, Treeconomics, to assist with the development of a full Strategy to be presented to the Environment Overview and Scrutiny Committee in March 2024.

A working group had begun to meet regularly to work on the Council's policies and objectives around biodiversity.

The following points were raised during discussion:

- It was considered that there would be financial implications during the process. A Member felt the Council required a 'Tree Officer' and ecologist, for example – particularly to enable understanding within the planning process.
- Council Housing Estates needed to be included in the process, rather than being under the sole control of the Housing Team.
- Particular consideration needed to be given to the appropriateness of cutting back of hedgerows and trees so as to encourage nature and growth. Engaging with residents was essential so they could be involved.
- Was there any scope for expansion of peatland?
- Maintaining trees once planted was essential to their survival.
- Why were DEFRA not listed within the consultees?
- Consultation could be wider to include farmers, schools, and IDVERD who work in partnership with the RSPB (Royal Society for the Protection of Birds) for example.
- What location was being considered for a possible nature centre?
- Bat boxes were welcomed. Including bird boxes too was also suggested as this policy had been successful at Rushcliffe Borough Council.
- What was the expected timeline in completing the biodiversity work?

Safe cycle routes into the countryside would be welcomed so access wasn't solely by car. It was considered that an invitation to the Assistant Director of Planning to a future meeting was an opportunity for Members to discuss this. It was acknowledged that roadways were under the remit of Lincolnshire County Council.

- It was important to ensure all areas of the district were included.

The Sustainability and Climate Change Officer confirmed that DEFRA (Department for Environment, Food and Rural Affairs) was the Body that mandated the Environment Act 2021. It was agreed that this would be referenced within the report.

The Corporate Policy Officer informed Members that a suggestion of a nature centre was made within the biodiversity working group meeting by an officer within the Parks and Leisure Team and thoughts on this idea were welcomed by Members. The 'Mapping Access to Natural England' report published by the Wildlife and Countryside Link in May 2023 confirmed that Lincolnshire was ranked as the second-lowest county in the country for access to nature.

**ACTION:**

**The 'Mapping Access to Natural England' report published by the Wildlife and Countryside Link in May 2023 to be circulated to Members.**

Councillor Baker, Cabinet Member for Environment and Waste confirmed that a report was to be published in January 2024 and regular updates heard by the Environment Overview & Scrutiny Committee. The Cabinet Member welcomed any suggestions of possible application for funding. As Lincolnshire County Council maintained the road verges within South Kesteven, communication was essential.

A Member proposed that an update on progress of the biodiversity work be heard at a future meeting of Environment Overview and Scrutiny Committee in three months.

Councillor Baker, Cabinet Member for Environment and Waste confirmed that a commitment had been made to preparing regular updates for the Committee.

The Deputy Leader of the Council confirmed that there was work currently underway with Cycling Groups to improve the cycling network within Grantham, particularly Route 15 of the National Cycle Network. There was also a safe cycle route from Grantham to Belton House and a traffic free route to Muston.

The Head of Corporate Projects, Policy and Performance informed Members that there were currently no resources to employ a Tree Officer or Ecologist currently. Planning Officers had received recent training on biodiversity. As part of the Tree Strategy, consideration would be given to the best locations for planting trees and their maintenance.

It was proposed, seconded and **AGREED**:

**That the Environment Overview & Scrutiny Committee:**

**1) Noted the Council's new biodiversity duties as set out by the Environment Act 2021.**

**2) Requested that the Cabinet Members for Environment and Waste review the Council's plans to deliver biodiversity improvements.**

**3) Added an update on the Council's Biodiversity Action Plan to the Committee work plan.**

**4) Recommended that the financial implications of funding a Tree Officer and Ecology Officer were investigated.**

**37. Environment SK Ltd/ Environment SK Commercial Services Ltd final accounts**

Councillor Paul Wood clarified that he was currently a Director of EnvironmentSK Ltd and as the report was in his name, he would leave the Council Chamber if required to.

The Deputy Monitoring Officer informed Members that the report was for noting so there was no need for him to leave.

Environment SK Ltd completed their 2022/23 final accounts ahead of the statutory deadline of 31 December 2023 and in accordance with the terms of reference the financial statements were presented to the Environment Overview and Scrutiny Committee.

There was no requirement for the company accounts to be audited as the company qualified for an audit exemption as the annual turnover was below £10.2m and the value of assets was below £5.1 million.

On 7 February 2023 Cabinet made the decision that the grounds maintenance service should transfer back to the Council in 2023/24 and approved the dissolution of the Council's wholly owned companies EnvironmentSK Ltd and EnvironmentSK Commercial Services Ltd.

The company ceased trading on 31 March 2023 so this will therefore be the final set of financial statements that will be presented to this committee for EnvironmentSK Ltd.

An independent valuation of the vehicles and equipment was completed on behalf of the company which resulted in the company receiving a capital receipt from the Council of £378k. The company subsequently paid the capital receipt to the Council which enabled the outstanding loan to be reduced to a net balance of £132k at 31 March 2023.

During discussion Members raised the following points:

- Some Parish Councils had not received any billing from EnvironmentSK Ltd for some considerable time for works carried out in their area. Why was this?

- Were there any debts outstanding?
- How was the transfer process?

The Assistant Director for Culture, Leisure and Place informed the Committee that from April 2023 the service had been insourced and therefore provided by a Council department. This had slightly delayed the billing process, but bills had now been received by the Parish Councils.

The Officer continued that there had been a full staff consultation on the changes to employment contracts. Integrating two teams was not without difficulty but any issues were being worked through.

The Head of Service for Revenues, Benefits, Customer and Community confirmed there was an outstanding loan balance of £132,000 which the Council would write off once the company had been dissolved.

The Deputy Leader of the Council considered that EnvironmentSK Ltd was not particularly successful. The original specification had required radical development and improvements had been made based on a better understanding of grounds maintenance.

Councillor Wood informed Members that two companies were originally set up, one of which took on a lot of commercial activities. That company had not traded for the year 2022 – 2023 which was why there was no data on commercial services within the report. The service was considered to be greatly improved by returning in-house.

**It was AGREED that the Environment Overview and Scrutiny Committee noted the 2022/23 financial Statements for Environment SK Ltd.**

### **38. LED Streetlights**

Councillor Patsy Ellis, Cabinet Member for Environment and Waste introduced the report.

South Kesteven District Council was responsible for managing a total of 3893 streetlights within the district all of which were funded from the Council's General Fund. These lights were predominantly for providing lighting to footways, as opposed to the separate and much more significant stock of streetlights provided for highways in the district, which were managed by Lincolnshire County Council.

Following a Council meeting on 28 November 2023 it was agreed to approve an allocation of £1m to accelerate the replacement of Council operated streetlights with LED lamps.

The invitation to tender had been issued on the YPO Highways and Electrical Installations framework to find a contractor to complete the LED upgrades. Based on the deadline for interested suppliers to submit a response, evaluation and the approval of contract award by Cabinet in February, the contract start date was targeted for mid-February 2024. The programme was designed to be delivered as swiftly as possible so as to maximise energy savings.

An ongoing area of work was to improve the information The Council had on its streetlighting stock in terms of exact location of lamps, type and condition. The majority of lamps under the Council's responsibility were now plotted on Statmap and all lamps would be plotted ready for the contract start date in order to provide the successful contractor with the most up-to-date information. Plans were underway to also provide this information to town and parish councils once the mapping of lamps has completed.

The current Street Lighting Policy of 2018 stated three objectives for the Council's Street lighting stock:

- Ensure existing lighting stock was maintained in accordance with current electrical regulations to ensure it meets legal, health and safety requirements.
- To follow good practice guidance, in order to further reduce the risk to staff, contractors and the public.
- To ensure South Kesteven District Council streetlights provided illumination during the hours of darkness.

The Street Lighting Policy also stated that the Council's stock of streetlights should be effectively managed to ensure that it was energy efficient.

The Environment Overview and Scrutiny Committee were updated on the Council's current position on maintaining illumination during hours of darkness and that deviation from that would require a formal consultation exercise involving the public as well as other public bodies including town and parish councils and the Police and Crime Commissioner.

The current specification for the lamps to be upgraded to LED included provision for:

- Replacement dimmable LED luminaires
- Photocell controllers to activate lamp automatically at dusk and switch off at dawn

- NEMA socket to facilitate future connection to a networked system

Energy savings through moving to LED lamps were significant. An upgraded low- pressure sodium lamp to an LED lamp with the capacity to dim illumination to 50% of full illumination from midnight to 6AM would have a typical energy saving of 63%. By switching lamps off completely for six hours during the night, up to an additional 12% saving can be expected, bringing the total potential energy saving to 75%.

Assuming the Council adopt part-night illumination, a midnight switch-off resulted in expected additional energy savings of £37,242. With energy costs appearing to be approaching their highest costs with no further dramatic increases expected, if the unit cost of electricity did decrease in future years this would reduce the payback on investment.

Options for a CMS had been explored as part of the procurement of the previous programme of LED upgrades, and barriers to implementation were found including:

- Ability to effectively transmit signal and operate a CMS system - the Council's stock of streetlights is unevenly distributed, with some villages in the district having fewer than 5 lamps.
- Cost of running a CMS system in comparison to the number of streetlights operated – the smaller number of lights operated by the Council limited the savings that can be made through remote control.

Any new CMS would be most impactful with a policy of part-night illumination, in order to maximise energy and cost savings through the system. Such a system had a higher degree of flexibility although bespoke systems would have a financial implication of approximately £900,000. Within the present policy of all night illumination with dimming, there were limited changes to be made to levels of illumination that would make a significant saving to justify the level of investment for use of a CMS.

Members raised the following points during discussion:

- What was the cost of the public consultation likely to be?
- Safety implications had to be considered for pedestrians.
- How was it that some of the lighting belonged to South Kesteven District Council and the rest owned by Lincolnshire County Council?
- The option to switch off lighting in some rural areas and remote footpaths was a concern.
- Biodiversity was an important factor. Colour of the lighting and the effects on wildlife at night such as bats had to be considered.

The Sustainability and Climate Change Officer confirmed that ownership of streetlights within the district was a decades-old legacy arrangement that related to the Council's housing stock, some of which is now privately owned. The Officer continued that there were financial implications and difficulties managing a lighting system in rural areas where the lights were spread out. Some villages had as few as five lamps, for example. The costs for a CMS would need to be explored in further detail. Approval had been established for LED lighting only.

Councillor Patsy Ellis, Cabinet Member for Environment and Waste confirmed coloured and directional lighting were possible but further costs would be applicable.

The Head of Corporate Policy, Performance and Climate Change confirmed that the contract was already out for tender and procurement, due to be confirmed in February 2024 so any substantial change in cost would need to be considered if a different light specification was requested by Members.

It was proposed, seconded and **AGREED**

**That the Committee:**

- 1. Noted the updates regarding the procurement process for the next stage of the upgrade programme of LED streetlights.**
- 2. Discussed the Street Lighting Policy and following the delegation from Cabinet, recommended that the option (1) to implement pre-programmed dimming between midnight and 6AM.**
- 3. Recommended that the Cabinet Members were presented with the details of the implications and costs of providing, where appropriate, the wildlife friendly lighting.**

(The Committee agreed to stop for a short break at this point)

### **39. Contaminated Land Strategy**

The Head of Service for Public Protection presented the report on behalf of the Cabinet Member for People and Communities.

Under Part IIA of the Environmental Protection Act 1990, South Kesteven District Council (SKDC) had gained regulatory duties and powers relating to contaminated land. The provisions of Part IIA came into force on 1 April 2000. (Note Part IIA was also referred to as Part 2A within the Report and Strategy).

The Contaminated Land Inspection Strategy fulfils the first of SKDC's responsibilities – to prepare and publish a Strategy. The strategy was last updated in 2010 following legislative and guidance updates. The Council's duties under the Act are:

- To inspect the district of South Kesteven for land that may be contaminated.
- To inspect individual sites to determine whether they are contaminated land.
- To ensure that appropriate action is taken to remediate contaminated land.

The Officer continued that the updated strategy reflected the current position across the district and ensured that processes adhered to current legislation.

Part IIA placed financial responsibility for remediation of contaminated land on the polluter. Where the polluter cannot be found, landowners or occupiers can be liable for the costs as "Appropriate Persons".

South Kesteven District Council has had a published Contaminated Land Strategy since 2001 with its last revision being in 2010. The Strategy set out how South Kesteven District Council would identify and deal with contaminated land. The programme of inspection and intervention will be based on identifying risk and those of high risk given priority.

The revisions of the strategy were a light touch refresh to reflect the current position across the district and ensure that legislation, addresses, and other details were current. There have not been any significant or major changes to legislation leading to a material change in the Council's approach.

At present the Council did not have any known contaminated land sites as the previous two sites identified had now been remediated.

The following points were raised during discussion by Members:

- It was suggested that animal health should also be considered within the Strategy due to potential implications within the food chain, along with waterways.
- Was there a legal definition of what was considered as contaminated land?
- The Planning process was closely related to considerations involving contaminated land.
- How do Members report contaminated land concerns by residents?

The Head of Service for Public Protection informed Members that contaminated land referred predominantly to human health for public protection and the Environment Agency were responsible for waterways. It was possible to consider the addition of an additional element within the Strategy in reference to animals, wildlife and the waterways. The Environmental Health Team were a statutory consultee on planning applications, considering contaminated land as part of the process. By definition, contaminated land had to have a current link to a pollutant. Reports and concerns were to be passed to the Environmental Health team.

It was proposed, seconded and **AGREED**:

**That the Committee:**

- 1. Noted the updated Contaminated Land Strategy**
- 2. Recommended that the updated Contaminated Land Strategy undertakes a four-week consultation**
- 3. Recommended that the Contaminated Land Strategy, with any proposed amendments following the results of the consultation process in consultation with the Chairman of the Environment Overview and Scrutiny Committee, be approved by Cabinet**

#### **40. Tree and Woodland Strategy - Verbal Update**

Councillor Rhys Baker, Cabinet Member for Environment and Waste provided a verbal update on the Tree and Woodland Strategy.

The Sustainability and Climate Change Officer was thanked for her work.

Following the publication of the South Kesteven District Council Climate Action Strategy earlier in the year, Officers had been developing a distinct Tree and Woodland Strategy to cover the district. The Environment Overview and Scrutiny Committee approved the Council's tree guidelines in September 2019 which set out how the Council would manage our stock of around 6,000 trees found in Council-managed open spaces across the district and in parks. It was important to recognise that not every tree growing in South Kesteven was managed or belonged to the Council. The Woodland Trust owned many, along with other private Bodies.

The three guidelines set out the Council's duties and responsibilities in respect to trees on private property, for example through Tree Protection Orders and management for public safety. The aim of the new Tree and Woodland Strategy was to both consider the management of council-owned trees and open spaces. This was in respect of additional tree planting. It was also to consider the larger opportunities of tree planting through the wider district and how the Council can facilitate that. Alongside the supporting of the development of the new Strategy, a specialist Arboricultural company have been appointed.

A draft of the Strategy was underway and plans were in place to host a stakeholder workshop for participants in the new year and a public consultation after that.

South Kesteven District Council have submitted a successful bid to the Coronation Community Orchards Fund which would be used to provide grants to local people and groups to establish community orchards across the district. The opportunity to apply for funds will go live early in the new year. The minimum number of trees that could be classed as an orchard was 5 and there was no maximum.

During discussion the following points were raised:

- The protection of our existing orchards must be included in the Strategy too.
- Will the existence of the fund be publicised?

The Cabinet Member confirmed that protecting existing orchards was equally important. The fund was set up specifically to establish new orchards, however the Council would do whatever was necessary to encourage the preservation and enhancement of existing orchards with existing funding streams. The Communications Team were looking to advertise the availability of the fund early in the new year.

It was **AGREED** that the Environment Overview and Scrutiny Committee noted the verbal update.

#### **41. Work Programme 2023-24**

The Committee considered the Work Programme 2023-2024.

The following items was AGREED to be added to the Work Programme:

- Air Quality Report

It was proposed, seconded, and **AGREED** that the meeting be extended until 1.30pm.

#### **42. A1 Litter Issues**

Councillor Rhys Baker, Cabinet Member for Environment and Waste introduced the report. The Assistant Director of Culture, Leisure and Place was thanked for her work.

The Council's Corporate Plan (2020 to 2023) contained a corporate priority of delivering a Clean and Sustainable Environment, a key focus being to ensure the district is a clean and pleasant place to live, work and visit.

Those who dropped litter were being irresponsible and must be condemned for that behaviour.

The Council were responsible for the litter picking on trunk roads which included the A1. National Highways had the overarching responsibility for the use of the A1 and its maintenance, whilst Lincolnshire County Council were responsible for cutting the grass verges. There was approximately a 30-mile stretch of the A1 within the district of South Kesteven, which equated to a total of 60 miles of grass verges taking account of the north and southbound carriageways. Should the central reservations be included, this would amount to 120 miles.

The A1 was classed as a “high speed road” as it was subject to a permanent speed limit of 50 miles per hour or more. There were certain requirements when undertaking cleansing operations on this type of highway to ensure operatives are not exposed to serious hazards which had the potential to cause serious injury or death to them or other road users. The most significant risk to operatives and other personnel is being struck by a third-party vehicle.

Any solution was temporary as litter would unfortunately, inevitably build up again. This was a complex matter with financial implications as well as safety concerns.

Officers had dealt with complaints about the litter through the Council's official complaints procedures.

Options to clear the A1 verges of litter which have been explored were:

**Volunteer Based Litter Picking** - the Council could recruit volunteers to support litter picking duties on the A1. It was not appropriate to use volunteers to undertake litter picking duties on the A1. This had previously been discounted due to the risks around exposure to traffic, potential hazards and the requirement to ensure volunteers had received the appropriate training, supervision and protective clothing to safely carry out the task.

**Contracted Service** - Early discussions had taken place with a traffic management company who had the relevant experience and expertise to carry out litter clearance works to the A1 verges. This had identified the cost of undertaking this work through a contractor was likely to be in excess of £60,000 each time the work is undertaken.

**Collaboration with National Highways** - Although the responsibility for clearing litter from the verges on the A1 falls to the Council, only National Highways could enforce a lane or road closure. Historically the Council had tried to form a closer working relationship with National Highways and requested to be informed when works were planned on the A1 that facilitate a road closure so that litter clearance could take place. This has

had varied levels of success in the past. As well as having logistical benefits this would also reduce the risks to operatives and road users.

Members raised the following points during discussion:

- The report was welcomed. The litter problem on the A1 was considered a complex issue.
- It was acknowledged that litter on the A1 created a bad image of the district and that litter was a national issue. Perhaps CCTV could assist in enforcement alongside signage warning of potential action?
- What solutions had been tried in the past, could we learn from the success of neighbouring Local Authorities? Could drones be used to confirm the areas most effected?
- A Member expressed concern about the safety of picking the litter on a dangerous area of road. 27 people had died last year in roadworks and many had been seriously injured.
- A recent estimate on cleaning a short section of the A1 quoted £10,471 for removing small items of litter with a handheld grabbing equipment. The financial implications had to be considered.
- A campaign to shame litter-picking may reduce irresponsible behaviour. Lobbying MPs may assist in bringing positive publicity.
- Complaints had been made of the unsecured, collected rubbish discarded by Waste Lorries along the A1.
- As Local Authorities were responsible for the removal of litter, this would include the County Council by definition. More clarity was required.

A feasibility study to establish the most severely affected areas was **proposed**, with association with the local councillors who represent those areas. This would confirm the scale of the problem to enable accurate costings and a suitable solution. This was **seconded**.

A Member **proposed** that the litter problem should be referred back to National Highways as their responsibility.

The Chairman confirmed that as a Local Authority, the Council had a legal duty to maintain the district.

Cllr Rhys Baker, Cabinet Member for Environment and Waste confirmed that the possibility of closing areas whilst clearing rubbish would establish

more targeted, accurate costings. However, Members were informed that enforcement was difficult as the offence was difficult to prove, logically. The Cabinet Member informed Members that ultimately, the Council were responsible for the rubbish along the verges and that the issue raised about Waste lorries would be looked into.

The Deputy Leader of the Council added that a one-off clearance of the whole district section of the A1 would cost approximately £60,000 which would not be feasible. This was a complex issue and it was essential that the Council engaged with National Highways.

In consideration of this report, **the Environment Overview and Scrutiny Committee proposed, seconded and AGREED:**

- 1. That, working with Councillors to identify the worst-hit areas that needed as urgent as possible attention so that feasibility studies could be worked out, to then be reported back to the Environment Overview and Scrutiny Committee as the most appropriate and proportionate course of action in relation to the issue of litter on the A1.**
- 43. Any other business which the Chairman, by reason of special circumstances, decides is urgent**

There was none.

The Chairman thanked everyone for their contribution and wished them a 'Happy Christmas'.

- 44. Close of meeting**

The Chairman closed the meeting at 13:30.

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# Action Sheet

Environment Overview and Scrutiny Committee – Actions from meeting of 12 December 2023

Min no	Agenda item	Action	Assigned to	Comments/Status	Deadline
35	Q2 KPIs	A breakdown of the data on carbon emissions including comparisons with electric vehicles was to be circulated to Members of the Committee	Serena Brown (Sustainability and Climate Change Officer)	Email sent to Committee Members and substitutes on 13 December 2023	Complete
35	Q2 KPIs	The latest data on bin collections to be circulated by the Cabinet Member for Environment and Waste to Members of the Committee	Kay Boasman (Head of Waste Management and Market Services)	Email sent to Members on 5 February 2024	Complete
36	Update on Local Authority Biodiversity duties	The 'Mapping Access to Natural England' report published by the Wildlife and Countryside Link in May 2023 to be circulated to Members	Alice Atkins (Corporate Policy Officer)	Document circulated to Committee Members and substitutes on 13 December 2023	Complete

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SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Environment Overview and Scrutiny Committee

13 February 2024

ENV874

Report of Councillor: Phillip Knowles,  
Cabinet Member for Corporate  
Governance and Licensing

## Animal Licensing Policy review and consultation outcome

### Report Author

Heather Green, Licensing Manager

[Heather.green@southkesteven.gov.uk](mailto:Heather.green@southkesteven.gov.uk)

### Purpose of Report

This report proposes a new Animal Licensing Policy for approval by this Committee, following the 4-week consultation with the public, local businesses, partner agencies and other organisations.

### Recommendations

**That the Committee considers the draft South Kesteven District Council Animal Welfare Policy and recommends its approval by Cabinet, with or without amendment following the public consultation.**

## Decision Information

Does the report contain any exempt or confidential information not for publication? No

What are the relevant corporate priorities? Healthy and strong communities

Which wards are impacted? All Wards

## 1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance***

- 1.1 There are no direct financial implications associated with the recommendations in this report. The costs associated with delivering the Licensing service are recovered through licensing fees which are reviewed annually by the Council.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

### ***Legal and Governance***

- 1.2 Whilst each individual licensing application or enforcement decision will be judged on its own merits, a Policy ensures a transparent and consistent approach to licensing that will reduce the opportunity for challenge through the Courts. Any departure from the Policy should be based on material evidence and documented giving clear and compelling reasons.

Completed by: Mandy Braithwaite, Legal Executive

### ***Diversity and Inclusion***

- 1.3 An initial equality impact assessment has been undertaken and is at Appendix 4. This has been reviewed (January 2024) following the consultation and it has not identified any significant negative impacts.

Completed by:

**Community Safety**

- 1.5 The draft Policy outlines conditions and standards for all businesses and relevant individuals seeking a licence under the Animal Welfare legislation outlined in the Policy. Along with the Authority's wider legislative requirements and integration with other guidance, strategies and policies

Completed by:

**2. Background to the Report**

- 2.1 The policy covers the licensable activity of Animal Welfare. It sets out the principles the Council will use when dealing with animal related licensing matters. Currently, the Council issues animal welfare licences in accordance with the Regulations but does not have a policy providing a framework to support this.
- 2.2 There is no statutory requirement for a local authority to adopt an Animal Welfare Policy. However, the adoption of an Animal Welfare Policy ("the draft new policy") will give clarity to the public, partner agencies and applicants.
- 2.3 The purpose of animal licensing is to protect animals and ensure their health and wellbeing. As well as providing protection for the public and those using the licensed facility, within the terms of the relevant Acts and legislative Guidance. A policy provides a framework for Officers and Members to enable consistent decision making and transparency.
- 2.4 As of September 2023, we had 78 licensed animal premises/activities. A register of these premises is published on our website - [www.southkesteven.gov.uk - Lists and Registers](http://www.southkesteven.gov.uk - Lists and Registers).
- 2.5 The draft new policy is provided at Appendix 1. There are no proposed amendments following the consultation.

**3. Key Considerations**

- 3.1 Environment Overview and Scrutiny Committee endorsed the policy for public consultation on 3 October 2023.
- 3.1 The Licensing Committee reviewed the new draft policy on 17 November 2023, no amendments were recommended.
- 3.2 The consultation report is attached in Appendix 2. There are no further updates to the draft new policy proposed.

3.3 Attached in Appendix 3 are all the comments submitted as part of the Consultation and responses to the comments.

#### **4. Other Options Considered**

4.1 The committee could recommend that an Animal Welfare policy is not necessary.

4.2 Committee may propose updates to the draft policy, following the consultation. Any amendments cannot conflict with or exceed (make a licensing regime harsher) than the governing legislation or statutory guidance.

#### **5. Reasons for the Recommendations**

5.1 A new animal welfare policy would support the Authority in fulfilling its statutory duties associated with Animal Welfare Licensing, providing guidance to the public and for both Officers and Members when decision making.

#### **6. Consultation**

6.1 Whilst there is no legal duty placed upon the Council to consult on the implementation of this Policy, it is good practice.

6.2 Attached in Appendix 2 and 3 is the consultation report and feedback that has been received and responses. Those who requested a response to their feedback, this has been provided.

#### **7. Background Papers**

7.1 [Environment Overview and Scrutiny Committee Report and minutes - Tuesday, 3rd October, 2023, 10.00 am | South Kesteven District Council](#)

7.2 [Current Animal welfare licensing information on website](#)

#### **8. Appendices**

8.1 Appendix 1 – Draft new Animal Welfare Policy

8.2 Appendix 2 – Consultation Report

8.3 Appendix 3 – Consultation Feedback and Responses

8.4 Appendix 4 – Equality Impact Assessment (Reviewed Jan 2024)



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SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## Animal Licensing Policy

2023

DRAFT

Version	Stage	Date
V1 (draft)	Environment Overview and Scrutiny Committee	03 October 2023
	Cabinet	

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## **Executive Summary**

This policy covers the licensable activity of Animal Welfare. The legislation covers activities aimed at protecting animals and makes it an offence for any person to possess, own or keep animals in order to carry out certain businesses and sets standards of care. The possession of certain animals or animal related activities within the District of South Kesteven, must be licensed by the Council.

Animal Licensing is controlled in accordance with legislation. Together this legislation provides a scheme of animal welfare and licensing requirements.

This policy will be reviewed every five years but will remain in force beyond this time if no significant changes are required. In the interim, minor amendments to the policy, such as legislative updates, which may become necessary from time to time to ensure its continued accuracy, but do not affect its direction or intent may be made in accordance with delegated authority.

Decisions taken by the Licensing Authority regarding the determination of Animal Licences will aim to promote the Corporate objectives.

Each application will be determined on its own merits. Decisions can be taken by Officers using delegated powers.

Where relevant, the Licensing Authority will consult with other authorities, local people and Members of the Council with their opinion heard through public consultation on this policy and by making representations.

Enforcement of the legislation is a requirement of the Act and is undertaken by the Licensing Authority. This policy describes the Licensing Authority's enforcement principles and follows the principles of the Council's overarching Enforcement Policy.

## 1. Introduction

- 1.1 South Kesteven District Council is one of seven districts in Lincolnshire with a population of approximately 143,400<sup>1</sup>. Two thirds of people live in the four main market towns of Grantham, Stamford, Bourne and the Deepings with the remaining third living in one of over 80 villages and hamlets. With an area of 365 square miles, it is one of the largest districts in the county.
- 1.2 South Kesteven District Council, (hereinafter referred to as the 'Licensing Authority'), is responsible for the licensing of animal welfare activities under various legislation:
  - The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
  - Dangerous Wild Animals Act 1976.
  - Zoo Licensing Act 1982.
  - Animal Welfare Act 2006.
- 1.3 The Regulations replace previous licensing and registration regimes under the following legislation:
  - Pet Animals Act 1951.
  - Animal Boarding Establishments Act 1963.
  - Riding Establishments Act 1964 & 1970.
  - Breeding of Dogs Act 1973.
  - Breeding and Sale of Dogs (Welfare) Act 1999.
  - Performing Animals Act 1976.
- 1.4 This policy sets out the principles the Council will use when dealing with animal related licensing matters. The purpose of animal licensing is to protect animals and ensure their health and wellbeing as well as providing protection for the public and users of those licenced within the terms of the relevant Acts and legislative Guidance.
- 1.5 This policy will cover the following activities for which the Licensing Authority issue licences:
  - Animal boarding establishment licences.
  - Horse riding establishment licences.
  - Pet shop licences.
  - Dangerous wild animal licences.
  - Dog breeding establishment licences.
  - Keeping or training animals for exhibition.
  - Zoo licences.
- 1.6 In preparing this policy statement the Licensing Authority has consulted with those listed below and taken in account the views of all the appropriate bodies and organisations who responded:

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<sup>1</sup> <https://www.ons.gov.uk/visualisations/censuspopulationchange/E07000141/>

- The Chief Constable of Lincolnshire Police.
- Lincolnshire Fire and Rescue Authority.
- Lincolnshire Highways Department.
- Town Councils – Stamford & Bourne.
- The public.
- Showman's Guild (Mid Lent Fair)
- Market Traders
- Current licence holders.
- Departments within South Kesteven District Council:
  - Planning
  - Environmental Health - Public Protection (Health & Safety).
  - Public Protection (Environmental Protection).
  - Legal Services.

1.7 Each licence type has its own application process and requirements that the Licensing Authority needs to take into consideration before determining a licence. Details on how to apply for a licence can be found on the Licensing Authorities website [www.southkesteven.gov.uk](http://www.southkesteven.gov.uk).

1.8 The Acts, Regulations and Statutory Guidance state the criteria which must be satisfied before a licence is granted. Where the relevant licensing officer/inspector is not satisfied that the relevant legal requirements are met, or where a veterinary surgeon has raised concerns that the legal requirements or standards are not met or are unlikely to be met, the applicant for the licence will be notified.

1.9 In undertaking its licensing function, the Licensing Authority is also bound by other legislation, therefore, this Policy should be read in conjunction with this legislation:

- Section 17 of the Crime and Disorder Act 1998 – which imposes a duty on every Local Authority to do all that it reasonably can to prevent crime and disorder in its decision-making process. The duty now extends to anti-social behaviour, substance misuse and behaviour adversely affecting the environment.
- The European Convention on Human Rights, which is given effect by the Human Rights Act 1998, which places a duty on public Authorities to protect the rights of individuals in a variety of circumstances.
- The Provision of Services Regulations 2009 to ensure requirements are:
  - i. Non- discriminatory.
  - ii. Justified by an overriding reason relating to the public interest.
  - iii. Proportionate to that public interest objective.
  - iv. Clear and unambiguous.
  - v. Objective.
  - vi. Made public in advance, and
  - vii. Transparent and accessible.

- Disability and age discrimination legislation. South Kesteven District Council is committed to the implementation and application of this policy in such a manner as to ensure that no applicant or other person is treated less favourably on grounds of sex, marital status, race, nationality, ethnicity, national origin, colour, disability or age; nor is disadvantaged by the application of a rule, condition or requirement which has a discriminatory effect, which cannot be justified either in street trade licence terms or as a requirement of law.

## **2. Integrating other Guidance, Policies and Strategies**

- 2.1 The Authority may implement government guidance, such as the House of Lords – Delegated Powers and Deregulation Enforcement Concordat (Twenty-Eighth Report) and internal polices, strategies and initiatives that may impact on the activity within the remit of this policy statement. Subject to the general principles of this policy statement, the officers and/or committee may have to have regard to them when making licensing decisions.
- 2.2 By consulting widely prior to this policy being published and working with our partners at all levels, it is hoped this will generate an alignment between this policy and any that may be developed by partner agencies.
- 2.3 In reaching a decision of whether to grant an animal licence, the Licensing Authority will take account of any non-compliance with other statutory requirements brought to its attention. Non-compliance with statutory requirements may demonstrate that the proposed activity or that the management of such is not appropriate to protect either the animal(s) welfare or the public from harm or nuisance.

## **3. Policy objectives**

- 3.1 This policy is designed to ensure that:
  - Any person who carries on, attempts to carry on or knowingly allows a licensable activity to be carried on, holds a licence in accordance with the relevant legislation.
  - The licence holder is not disqualified from holding a licence in accordance with the requirements of the relevant legislation.
  - The five overarching principles of animal welfare (known as the “five needs”) introduced by the Animal Welfare Act 2006 are upheld in any decision.
  - The safeguarding of any children or vulnerable persons in contact with a licensable activity is ensured, in accordance with relevant legislation.
  - Each application is considered on its own merits.
  - Decisions by the Licensing Authority are transparent and consistent.
- 3.2 In addition, the Licensing Authority will base its licensing regime on the following principles which arise from the responsibilities arising under the Animal Welfare Act 2006:
  - Responsibility to protect the welfare of all fellow creatures.

- Ensuring the welfare of domestic or captive animals by implement appropriate standards that promote the “five needs”.
- Ensuring that those responsible for the management of animal welfare observe recognised standards of good practice.
- Ensuring that, so far as it falls within its powers, the requirements of all animal related legislation is rigorously and pro-actively enforced.

3.3 The “Five Needs” were introduced by the Animal Welfare Act 2006, it introduced the five overarching principles of animal welfare;

**1. The need for a suitable environment**

By providing an appropriate environment, including shelter and a comfortable resting area.

**2. The need for a suitable diet**

By ready access, where appropriate, to fresh water and a diet to maintain full health.

**3. The need to be able to exhibit normal behaviour patterns .**

By providing sufficient space, proper facilities and the company of an animal of its own kind, where appropriate

**4. Any need to be house with, or apart from, other animals.**

By providing the company of an animal of its own kind, where appropriate

**5. The need to be protected from pain, suffering, injury and disease.**

By prevention or rapid diagnosis and treatment and ensuring conditions and treatment which avoid mental suffering.

**4. Licensable Activities**

The Animal Welfare (licensing of Activities Involving Animals) (England) Regulations 2018

4.1 The Regulations came into force on 1<sup>st</sup> October 2018 and have an impact on establishments licensed under previous animal health legislation. The following require to be licensed:

- Animals for exhibition.
- Catteries.
- Dog day care.
- Dog breeders.
- Home boarders.
- Kennels.
- Pet Shops.
- Riding Establishments.

4.2 A licence is required when any of the licensable activities outlined in Schedule 1 of the Regulations are undertaken. These are:

- Selling animals as pets (Part 2).

- Providing or arranging for the provision of boarding for cats or dogs (including the provision of boarding for cats; kennels for dogs; home boarding for dogs; or day care for dogs (Part 3).
- Hiring out horses (Part 4).
- Breeding dogs (Part 5).
- Keeping or training animals for exhibition (Part 6).

#### Dangerous Wild Animals Act 1976

4.3 This legislation requires that a licence to keep certain animals considered wild, dangerous or exotic. A full list of the animals is outlined in [The Dangerous Wild Animals Act 1976 \(Modification\) \(No.2\) Order 2007 \(legislation.gov.uk\)](https://www.legislation.gov.uk).

4.4 The Licensing Authority does not support the licensing of primates under the Dangerous Wild Animal Act 1976 as 'pets' living in domestic premises. Primates are dangerous and highly intelligent animals with complex needs that cannot be met in a home environment. Consideration will be given to applications for animal sanctuaries where it can be evidenced that there is no intention to breed or allow the primates into a home environment.

#### Zoo Licensing Act 1981

4.5 The legislation outlines requirements for a licence to keep wild animals which are displayed to the public for at least 7 days a year, in a place that is not a circus or a pet shop.

### 5. Who can apply ?

5.1 In accordance with the Regulations, any individual who carries on a licensable activity will be designated as the 'operator' of the business and can apply for a licence, providing they are not disqualified from holding a licence in accordance with the Regulations.

5.2 Each licence type has its own application process and requirements that the Licensing Authority takes into consideration before determining a licence. Details on how to apply for a licence can be found on the Council's website but must be made in writing on the relevant application form.

5.3 The Licensing Authority will consider how the applicant intends to operate their business as they will be assuming responsibility for the welfare of animals, either their own that are being used in the running of their business, or customers animals that they are caring for.

(a) **Applicants Experience:** Confidence in the ability to handle and control an animal and a clear demonstrated knowledge of its welfare needs are a paramount consideration and form part of the conditions in law. Experience over years and/or qualifications will be taken into account.

(b) **Premise Suitability:** This not only means the condition and security of the premises as a whole but includes any areas in which animals are to be contained. With a view to ensure the sizes of such areas comply with or exceed minimum sizes set out in the Regulation

(c) **Recording and Storing Information/Records:** Before a premise is inspected, Officers would expect to see templates of client's forms, policies and procedures for the operation of the business that pay particular attention to the record keeping requirements set out in the Regulations including the operator and staff (if employed) development. Future inspections will require the licence holder to produce complete records for the period since the previous licence application/renewal and must be available for inspection upon request.

5.4 In addition to the considerations outlined, the Licensing Authority will take into account whether the person proposed to be the operator of the activity can demonstrate that they have:

- The right to work in the United Kingdom.
- No relevant convictions.
- Not been disqualified from holding a licence.

## 6. **Safeguarding**

6.1 The Regulations have the aims of maintaining and improving animal welfare standards. However, there are other safeguarding considerations arising from licensable activities, in particular around the protection of children and vulnerable persons and the Licensing Authority must consider these in light of the Children Act 2004 and the Care Act 2004.

6.2 The Licensing Authority is aware that some licensable activities may involve unsupervised contact with children and/or vulnerable persons (e.g. the tuition of a young person provided at a Riding Establishment or entertaining at a children's party with an exhibition of animals).

6.3 The Licensing Authority expects applicants and licence holders whose activities involve contact with children or vulnerable persons to:

- Have a written safeguarding policy and provide training for staff; and
- Have a procedure for vetting staff who have unsupervised contact with young/vulnerable persons.

## 7. **Relevance of convictions**

7.1 In all cases, the Licensing Authority will consider the convictions or behaviour in question and what weight should be attached to it in relation to the applicant's suitability to hold the licence applied for. Every case will be determined on its own merits but in light of these guidelines.

7.2 The Licensing Authority will not normally grant a licence to a person with one (or more) convictions for any offence that is related to animal cruelty or suffering. The primary purpose of the Regulations enforced by the Licensing Authority is to

ensure the welfare of animals and as such, these types of offences are highly relevant.

7.3 In addition, the Licensing Authority has wider obligations to prevent crime and disorder and safeguard both children and vulnerable adults. As a result, the Licensing Authority will not normally grant a licence to a person with one (or more) convictions for any of the following offences:

- Offences involving violence.
- Possession of a weapon.
- Sex and indecency offences.
- Offences involving dishonesty.
- Offences involving drugs.

7.4 Any offences or behaviour not expressly covered by this Policy may still be considered by virtue of any other Guidance, Policies and Strategies outlined in Section 2 above.

7.5 The Licensing Authority must ensure that licence holders remain suitable to retain their licence, therefore licence holders must notify the Licensing Authority in writing within 5 working days if any of the following occurs (in relation to the types of offences outlined above):

- They have any type of licence suspended or revoked.
- Are arrested (whether or not charged with an offence).
- Are charged with a criminal offence.
- Are convicted of a criminal offence.
- Any pending charges, to include any notices of intended prosecution.

7.6 Failing to provide such notification will raise serious questions for the Licensing Authority as to the honesty of the licence holder and may result in a review of the suitability of the licence holder to continue to hold a licence.

## **8. Granting or renewing a licence**

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

8.1 The application and renewal process must follow these steps:

- The individual sends an animal activity licence application, supporting documents and Part A fee to the Licensing Authority.
- The Licensing Authority appoints an appropriately qualified Licensing Authority Inspector and/or vet.
- The Inspector and/or vet visits the animal activity site and produces a report.
- The Licensing Authority reviews the report and a copy is sent to the applicant. Any outstanding documents or issues raised as a result of the inspection must be resolved by the applicant.
- Once the final report has been submitted the Licensing Authority makes a decision to grant or refuse the licence application.

- The Licensing Authority notifies the applicant.
- The applicant has a right of appeal to the first tier tribunal for a refusal.

8.2 The Licensing Authority aims to issue a decision on a new licence application within 10 weeks of receiving the application. It is possible the process can take longer, for example, if further information is needed.

8.3 Applicants will be notified of the need to renew their licence 3 months before it is due to expire. The licence holder must apply to renew a licence at least 10 weeks before their current licence expires. This is to avoid incurring a break in the licensable activity, if they wish to continue to operate the licensable activity.

8.4 If following the inspection the applicant meets the requirements for the grant of a licence, they will be required to pay Part B of the application fee. Upon receipt of the payment the applicant will receive the following:

- The Licence with the Star Rating.
- Details of how the business has been rated, including a list of the higher standards the business currently fails to meet or a list of the minimum standards the business is failing to meet (resulting in a "minor failing" category).
- A copy of the risk management assessment table.
- Details of the appeals process and timescales.
- Details of the application for re-rating scheme.

#### Dangerous Wild Animals 1976 and Zoo Licensing Act 1981

8.3 These premises are not required to be risk rated and as a result no Star Rating is issued. A licence with relevant conditions only will be provided.

### **9. Veterinary and Other Inspections**

9.1 Where Acts or Regulations require an inspection of the premises by a veterinary surgeon, or an Inspector appointed by the Licensing Authority the Licensing Authority will instruct the Vet or approved Inspectors, the cost of which will be recharged to the applicant.

9.2 At the time of making the application the applicant must pay to the Licensing Authority the application fee (Part A) and the sum quoted by the vet or approved Inspector. The Licensing Authority will then instruct that vet or approved Inspector and pay the fee.

9.3 The purpose of the Licensing Authority instructing the vet or approved Inspector is to avoid any conflict of interest that may arise between the vet or approved Inspector and the applicant.

9.4 Where the licensable activity falls under the Regulations an inspection will be required on first application and every subsequent renewal. An unannounced visit may take place during the licence duration and following any complaint or concern regarding the animal licence activity.

## 10. Duration of a Licence and Star Rating

### Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

- 10.1 Depending upon the nature of the licensable activity, the duration of the licence may be issued for one, two or three years corresponding to the Star Rating for the establishment.
- 10.2 A copy of the scoring matrix is below:

Scoring Matrix		Welfare Standards		
		Minor Failings (existing business that are failing to meet minimum standards)	Minimum Standards (as laid down in the schedules and guidance)	Higher Standards (as laid down in the guidance)
Risk	Low Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	3 Star 2yr licence Min 1 unannounced visit within 24 month period	5 Star 3yr licence Min 1 unannounced visit within 36 month period
	Higher Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	2 Star 1yr licence Min 1 unannounced visit within 12 month period	4 Star 2yr licence Min 1 unannounced visit within 24 month period

- 10.3 The Department for Environment, Food and Rural Affairs (DEFRA) guidance indicates that any member of the Kennel Club Assured Dog Breeder Scheme, of at least three years standing, should be awarded a five-star breeding licence valid for three years. However, the DEFRA guidance advises that significant evidence of poor animal welfare standards or non-compliance found during a Licensing Authority inspection, would enable the Licensing Authority to not grant a five-star licence for 3 years, where the Authority is of the opinion that it is appropriate and justified.
- 10.4 Following the issuing of a rating, an operator may wish to apply for a 're-rating' following completion of works to rectify any non-compliance or improvements to achieve higher standards. This re-rating is chargeable in accordance with the Council's published fees and charges.
- 10.5 Keeping or training animals for exhibition requires a licence but no star rating is provided. A licence is valid for 3 years.

Dangerous Wild Animals Act 1976

- 10.6 Premises licensed under the Dangerous Wild Animals Act are not risk rated and licences, when issued, are valid for 2 years.

## Zoo Licensing Act 1981

10.5 Premises licensed under the Zoo Licensing Act are not risk rated and any new premises licence when issued will be valid for 4 years. On renewal, licences will be valid for 6 years.

## **11. Appeals to Star Rating**

### Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

11.1 The Licensing Authority has an appeals procedure in place for an operator to dispute the star rating given. The inspection report will highlight the inspecting officer's decision on how the risk rating, compliance level and star rating has been achieved. The operator is encouraged to discuss any issues with the inspecting officer in the first instance.

11.2 An operator may appeal their star rating if they consider it to be wrong as it does not reflect the standards found at the time of the inspection. Any appeal to the rating must be made in writing to the Licensing Authority within 21 days, from when the star rating is issued.

11.3 Any appeal must specifically relate to the standards present at the time of the inspection and will be chargeable.

11.4 DEFRA Guidance states that no officer or inspector involved with the initial star rating or inspection should consider an appeal. It also states that the appeal should be determined by the Head of the Department or a designated deputy. Appeals will be determined by the Department/Service Manager. If the operator disagrees with the outcome of the appeal, they can request that the Licensing Authority considers their concerns via the Licensing Authority complaint's procedure. The reviewing officer may or may not visit the premises themselves, this will be left to them to determine.

11.5 If the operator disagrees with the outcome of the appeal, they can challenge the decision by means of judicial review. There is also the availability of the Local Government Ombudsman where appropriate if they consider that the Licensing Authority has not made decisions in the correct way.

## **12. Standards and conditions**

### Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

12.1 The Regulations include mandatory conditions for each licensable activity and DEFRA have produced statutory guidance. The conditions are divided into two categories, namely 'General Conditions and 'Specific Conditions'.

- 12.2 Applicants and licence holders are required to meet all the mandatory conditions, although for existing businesses, minor failing may be noted/recorded providing they do not compromise the welfare of the animals. However, these failings should be predominantly administrative in nature, as highlighted in the relevant statutory guidance.
- 12.3 The higher standards are classified into two categories – mandatory (required) and optional. To qualify as meeting the higher standards the business must achieve all of the required (mandatory) standards as well as a minimum of 50% of the optional higher standards.
- 12.4 Meeting the higher standards is optional but is the only way to gain the highest star rating.

#### Dangerous Wild Animals 1976 and Zoo Licensing Act 1981

- 12.5 The Licensing Authority will impose any conditions prescribed in the legislation, suggested by DEFRA or required by the Licensing Authority Inspecting Officer and/or Vet.
- 12.6 Where the Licensing Authority places conditions on a licence they will be based, wherever practicable, on existing codes of best practice and industry standards produced by organisations.

### **13. Refusing an application**

#### Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

- 13.1 The Licensing Authority may refuse to issue a licence if it considers that the applicant cannot meet the licence conditions or has a previous history of non-compliance with licensing conditions or requirements. The Licensing Authority may also refuse a licence if the granting of a licence could have a negative impact on animal welfare or if the level of accommodation, staffing or management is inadequate for the well-being of animals.
- 13.2 A Licence cannot be issued to an operator who has been disqualified, as per regulations.
- 13.3 If a licence is refused under the Regulations, the applicant will have the right of appeal to a First-tier Tribunal within 28 days of the decision notice.

#### Dangerous Wild Animals 1976

- 13.4 The legislation states that the Licensing Authority shall not grant a licence unless it is satisfied that:
  - a) It is not contrary to the public interest on the grounds of safety, nuisance or otherwise to grant the licence;

- b) The applicant for the licence is a suitable person to hold a licence under the relevant Act;
- c) Any animal will at all times of its being kept only under the authority of the licence:
  - i. Be held in accommodation which secures that the animal will not escape, which is suitable as regards constructions, size, temperature, lighting, ventilation, drainage and cleanliness and which is suitable for the number of animals proposed to be held in the accommodation, and
  - ii. Be supplied with adequate and suitable food, drink and bedding material and be visited at suitable intervals;
- d) Appropriate steps will be taken for the protection of any animal concerned in case of fire or other emergency;
- e) All reasonable precautions will be taken at all such times to prevent and control the spread of infectious diseases;
- f) While any animal concerned is at the premises where it will normally be held, its accommodation is such that it can take adequate exercise.

- 13.5 A licence may be refused where an applicant has been convicted of any relevant offence, as per the relevant legislation.
- 13.6 If a licence is refused under the Dangerous Wild Animals Act 1976, the application has the right of appeal to the Magistrates Court within 21 days of the decision notice.

#### Zoo Licensing Act 1981

- 13.7 The legislation states that the Licensing Authority shall refuse a licence when:
  - a) It is satisfied that the zoo, or its continuance, would injuriously affect the health or safety of persons living in the neighbourhood of the zoo, or seriously affect the preservation of law and order.
  - b) They are not satisfied that it would be able to meet conditions to take forward the relevant conservation measures.

The Licensing Authority may refuse a licence if;

- c) They are not satisfied that the standards of accommodation, staffing or management are adequate for the proper care and well-being of the animals either individually or as a whole, or otherwise for the proper conduct of the zoo.
- d) They are not satisfied that planning permission has been granted for a zoo (or the granting of a licence can be suspended until the local planning authority confirm that permission has been, or is deemed to be, granted).

- 13.8 A licence may also be refused if anyone associated with the zoo has a conviction under the Zoo Licensing Act 1981 or any of the Acts mentioned in the legislation.
- 13.9 If a licence is refused under the Zoo Licensing Act 1981, the application has the right of appeal to the Magistrates Court within 28 days of the decision notice.

## **14. Animal Welfare Licensing & Planning**

- 14.1 Premises maintained or used for an animal based business or activity may require planning permission for that usage. It is advised that licence applicants seek advice from South Kesteven District Council's Planning department prior to making an application for a licence.
- 14.2 Whilst applicants are encouraged to make necessary applications for planning permission before or at the same time as they make application for licence, there is nothing in law which specifically precludes an application for a licence being made before planning consent has been sought.
- 14.3 Planning and Licensing Departments operate as separate regulatory regimes, and the absence of planning permission for a particular site will not serve to prohibit the Licensing Authority from granting a licence. There is no legal basis for the Licensing Authority to refuse a licence application because the business does not have planning permission.
- 14.4 Applicants should note that planning and licensing requirements must both be satisfied prior to the commencement of business operations, and if this is not the case then the applicant will be liable for enforcement action for breaches of the relevant legislation.

## **15. Variations, Suspension and Revocation of a Licence**

### Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

- 15.1 The Regulations allow the Licensing Authority to vary a licence:
  - a) On the application in writing of the licence holder, or
  - b) On the initiative of the Council, with the written consent of the licence holder.
- 15.2 The Licensing Authority may suspend, vary or revoke a licence without the consent of the licence holder if:
  - a) The licence conditions are not being complied with.
  - b) There has been a breach of the Regulations.
  - c) Information supplied by the licence holder is false or misleading.
  - d) It is necessary to protect the welfare of an animal.
- 15.3 A suspension or variation of a licence will take effect 7 working days after the decision has been issued to the licence holder unless the reason is to protect the welfare of an animal, in which case the Licensing Authority may stipulate that the decision is with immediate effect.
- 15.4 A decision to vary or suspend a licence will be notified in writing to the licence holder and will outline the reasons for the decision including any specific actions that can be taken to remedy the situation. The notification will also confirm when the suspension or variation will take effect and the rights of the licence holder to

make written representations, as well as any deadlines for remedial action/review timescales.

15.5 The decision to vary, suspend or revoke a licence will be dependent on the severity of the situation.

- If an operator fails to meet administrative conditions or provide information when requested, then this could potentially lead to the suspension of a licence. If such a scenario happens repeatedly, the Licensing Authority may consider revocation appropriate.
- Immediate revocation or suspension of a licence may occur in an instance where poor welfare conditions are discovered, or it would otherwise benefit the welfare of the animals involved to be removed from the activity.
- Variations can occur if adjustments need to be made, whether that is to the licence itself or to the premises/animals referred to in the licence.

15.6 Following the issuing of the notice of suspension or variation, the licence holder will have seven working days to make written representations. Upon receipt of this the Licensing Authority will decide whether to continue with the suspension or variation of the licence or cancel the decision.

15.7 If the licence has been altered with immediate effect to protect the welfare of animals, the Licensing Authority will indicate that this is the reason.

15.8 The business must not trade once the suspension of a licence has come into effect and cannot do so until the decision is overturned by the Council, due to either the decision being reversed, or it is satisfied that all licence conditions are being met.

15.9 Other than the right outlined above (15.6) there is no other right of appeal against the suspension of a licence. After 28 days of suspension the licence must be either revoked or reinstated.

15.10 A licence holder may appeal to a First Tier Tribunal if they do not agree with the decision made by the Licensing Authority to vary or revoke the licence. The appeal must be made within 28 days of the decision notice being issued.

#### Dangerous Wild Animals Act 1976

15.11 The Licensing Authority can, at any time, add conditions, vary conditions or revoke conditions that are in a Dangerous Wild Animal licence (although any conditions prescribed in the legislation cannot be varied or revoked).

#### Zoo Licensing Act 1981

15.12 The Licensing Authority can, at any time, vary, cancel or attach new conditions to a licence if it is considered necessary or desirable to do so for ensuring the proper conduct of the zoo. Prior to doing so, the licence holder will have an opportunity to make representations. If the change is a significant amendment, then an inspection of the premises must be arranged and the report considered, prior to any alteration being made to the licence.

- 15.13 If a licence condition is not being complied with the Licensing Authority can issue a direction requiring compliance, in accordance with the Zoo Licensing Act 1981. The direction will state the steps that the licence holder must take and the period in which they must take them. In addition, the direction can also require the zoo, or part of the zoo, to be closed to the public while the direction is in force. The direction will be revoked once the zoo has complied with the requirements.
- 15.14 In accordance with the Zoo Licensing Act 1981, the Licensing Authority must permanently close a zoo in certain circumstances (e.g. non-compliance with a direction in relation to a conservation measure). The Council also has a discretionary power to close a zoo which may be used for several reasons (e.g. non-compliance with a direction in relation to a conservation measure).

## **16. Status of a licence upon the death of a licence holder**

### Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

- 16.1 If a licence holder dies, the legislation outlines that the personal representative of the deceased may take on the licence. The Licensing Authority must be informed, by the personal representatives, within 28 days of the death that they are now the licence holder. The licence will remain in place for three months from the death of the former holder or for the rest of the time it was due to remain in force if that time period is shorter. The new licence holder should apply for a new licence before the expiry of this new period, as outlined in 8 – Granting or renewing a licence.
- 16.2 The Licensing Authority can extend the three month period by up to another three months if requested by the personal representative and if they believe this time is needed to wind up the estate of the former licence holder.
- 16.3 If the personal representative does not notify the Licensing Authority within 28 days of the death of the licence holder, the licence will cease to have effect after those 28 days.

### Dangerous Wild Animals Act 1976

- 16.4 If a licence holder dies, the licence will continue for 28 days as if it had been granted to the personal representative. If an application is made for a new licence within this period, the licence will be considered as being still in force pending the grant or refusal of the new application.

### Zoo Licensing Act 1981

- 16.5 If a licence holder dies, the licence will continue for 3 months as if it had been granted to the personal representatives. The Licensing Authority may extend this period if it considers it appropriate to do so.

## **17. Inspections during the course of a licence**

- 17.1 There will be cases where inspections must be carried out during the term of a licence.
- 17.2 For the activity of hiring out horses, there is a requirement for an annual inspection by a listed vet, regardless of the total length of the licence. The Licensing Authority must appoint a listed Vet to inspect the premises on which the activity is being carried out before the end of the first year after the licence is granted and then each subsequent year. It is this Licensing Authority's policy that the vet must be independent and not one that is retained by the applicant / licence holder.
- 17.3 Depending on the type of zoo, inspections may be required on an annual basis, but the frequency of inspections can be less if an exemption (or 'dispensation') is in place. Inspections will include visits by the Secretary of States Zoo Inspectors, in addition to licensing inspectors.
- 17.5 Unannounced inspections can be carried out and may be used in the case of complaints or other information that suggests the licence conditions are not being complied with or that the welfare of the animals involved in a licensed activity is at risk.
- 17.6 During the inspection of premises licensed under the Animal Welfare Regulations, the inspector may choose to take samples for laboratory testing from the animals on the premises occupied by and operator. The operator must comply with any reasonable request of an inspector to facilitate the identification, examination and sampling of an animal, including ensuring that suitable restraints are provided if requested.

## **18. Fees and Charges**

- 18.1 The fees for each licence are made up of two parts, Part A and Part B.
  - Part A covers the direct costs associated with processing the application and is payable on submission of the application.
  - Part B covers the costs associated with the running of the licensing function. This includes dealing with complaints, enforcement and general administration.
- 18.2 The Part B fee is payable once a decision to grant a licence has been made and must be paid before the licence is issued and becomes operational and valid. It will be a condition of all licences that the licence itself will be inoperable should the Part B fee not be paid.
- 18.3 The Part A fee paid by an applicant who has not been granted a licence will not be refunded.
- 18.4 The fees and charges are reviewed annually and can be viewed on the Council's website [www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)

## **19. Qualifications of Inspectors**

19.1 As outlined in the Animal Activity Licensing Process: Statutory Guidance for Local Authorities all Licensing Authority Inspectors (whether employed by the Licensing Authority or contracted / appointed) must be suitably qualified.

A suitably qualified person can be any of the following:

- Holds a Level 3 certificate (or equivalent) granted by a body recognised and regulated by the Office of Qualifications and Examinations Regulation (Ofqual). Their certificate must apply to that particular type of activity to count as qualified. The training must cover the application of the licensing conditions for all licensable activities and must contain a practical element.
- Has a formal veterinary qualification recognised by the Royal College of Veterinary Surgeons (RCVS), together with a relevant RCVS continuing professional development record.
- Can show evidence of at least one year of experience in licensing and inspecting animal activities businesses - this person needs to be enrolled on a course leading to a Level 3 certificate qualification or equivalent to be completed by 1 October 2023 and granted by a body recognised and regulated by Ofqual.

## **20. Enforcement**

20.1 The main enforcement and compliance role for the Licensing Authority in terms of animal licensing will be to ensure the welfare of animals. This is done by ensuring compliance with the conditions placed upon the licence and taking action when standards are not met. The Licensing Authority also investigates and will take appropriate action against unlicensed premises.

20.2 In carrying out its enforcement duties, the Licensing Authority has adopted a Corporate Enforcement Policy, which is available on our website at [www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)

20.3 The Licensing Authority will appropriately log and investigate complaints regarding animal establishments which are currently licensed or may require a licence. The Licensing Authority will require complainants to provide their name and contact details so that witness evidence may be obtained if required for further action.

20.4 The Licensing Authority aims to maintain a consistent approach when investigating complaints and make decisions. In reaching any decision it will consider, amongst other things, the following criteria:

- Seriousness of any offences or breach of conditions;
- Operator's past history;
- Consequence(s) of non-compliance;
- Likely effectiveness of the various enforcement options;
- Danger to the welfare of animals and/or public.

20.5 The Animal Welfare Act 2006, section 30 allows Licensing Authorities to prosecute offences under that Act.

- 20.6 The post-conviction power from section 34 of the Animal Welfare Act 2006 is in place, whereby a person convicted of an offence under the Act or any relevant regulations may be disqualified from owning, keeping, participating in the keeping of animals and/or from being party to an arrangement under which they can control or influence the way an animal is kept. Disqualification also prohibits the person from transporting or dealing in animals. Breaching these disqualification provisions is an offence.
- 20.7 The post-conviction power from section 42 of the Animal Welfare Act 2006 is also in place whereby a court can cancel an existing licence and disqualify a person from holding a licence for any period it sees fit when that person is convicted of an offence under the Act or any relevant regulations.

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

- 20.8 The Regulations introduce a range of enforcement powers to allow the Licensing Authority to issue a suspension, variation or revocation notice where licence conditions are not being complied with; where there is a breach of the regulations; or issues relating to the protection of the welfare of an animal.
- 20.9 Anyone who carries on any of the licensable activities without a licence is committing a criminal offence and is liable to imprisonment for a term of up to six months, a fine or both.
- 20.10 It is a criminal offence to breach any licence condition. It is also a criminal offence not to comply with an inspector's request with regards to taking a sample from an animal.
- 20.11 It is a criminal offence to obstruct an inspector who has been appointed by a local authority to enforce the Regulations. Committing any of these offences could result in an unlimited fine.
- 20.12 The Regulations also make provision for the inspectors to take samples for laboratory testing from any animals on premises occupied by an operator, for the purposes of ensuring the licence conditions are being complied with. A licence holder must comply with any reasonable request of an inspector to facilitate the identification and examination of an animal and the taking of samples and, in particular, must arrange the suitable restraint of an animal if so requested by an inspector.
- 20.13 Samples should be as non-invasive as possible; however inspectors may deem more invasive samples necessary if there are concerns over the welfare of the animals. The provision for sampling is primarily aimed at vets carrying out inspections and it is not expected that samples be taken by those without the training to properly and safely do so.
- 20.14 Additional information about the suspension and revocation of a licence can be found in section 13 of this policy.

### Dangerous Wild Animals Act 1976

- 20.15 Anyone that keeps a dangerous wild animal without the required licence is committing a criminal offence and is liable for a fine.
- 20.16 It is a criminal offence to breach any licence condition. It is also criminal offence to obstruct an inspector who has been appointed by the Licensing Authority to enforce the Act. Committing any of these offences could result in a fine.

### Zoos Licensing Act 1981

- 20.17 Anyone who operates a zoo without the required licence is committing a criminal offence and is liable for a fine.
- 20.18 It is a criminal offence to breach any licence condition. It is also criminal offence to obstruct an inspector who has been appointed by the Licensing Authority to enforce the Act. Committing any of these offences could result in a fine.
- 20.19 Additional information about the suspension and revocation of a licence can be found in Section 15 of this policy.

## **21. Policy Review**

- 21.1 This policy will be reviewed every five years but will remain in force beyond this time if no significant changes are required. In the interim, minor amendments to the policy, such as legislative updates, which may become necessary from time to time to ensure its continued accuracy, but do not affect its direction or intent may be made in accordance with delegated authority.

## **22. Advice and Guidance**

- 22.1 Further information and advice on the animal welfare licensing process can be obtained by contacting South Kesteven District Licensing Authority Licensing team by e-mail at [licensing@southkesteven.gov.uk](mailto:licensing@southkesteven.gov.uk) or by visiting the Business and Licensing area of the Council's website [www.southkesteven.gov.uk](http://www.southkesteven.gov.uk).

## Appendix 1 - Definitions

**DEFRA:** Department for Environment, Food and Rural Affairs

**Licensing Authority:** South Kesteven District Council

**Licensing Authority Inspector:** An employee of the Licensing Authority, suitably qualified to undertake animal welfare licensing activities and inspections of premises.

**Operator:** An individual who carries on, attempts to carry on or knowingly allows a licensable activity to carry on or is the licence holder of a granted or renewed licence

**Vet:** A person holding a veterinary qualification recognised by the Royal College of Veterinary Surgeons (RCVS), together with a relevant RCVS continuing professional development record.

**Zoo dispensation:** Some zoos do not need a licence because of the small number of animals, or the type of animal, kept in them. This is known as having a 'dispensation'. The Secretary of State will make a decision on a case-by-case basis as to whether the zoo requires a zoo licence. Usually both of the following must apply:

- Very small zoos (eg. zoos that have no more than around 120 animals).
- Zoos that don't have many different kinds of animals, eg deer parks.

The Secretary of State will also decide if the animals are hazardous or conservation sensitive.

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# Appendix 2



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## Consultation on Animal Welfare Licensing Policy Consultation 2023/24



Deborah Wyles – Consultation Officer  
South Kesteven District Council  
January 2024



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## Purpose

1. The purpose of this report is to outline the results of a consultation on South Kesteven District Council's Animal Welfare Licensing Policy, undertaken during December 2023.
2. The consultation provided an opportunity for stakeholders, licence holders and the public to comment on the introduction of an Animal Welfare Licensing Policy for South Kesteven. The policy includes details about the possession of certain animals or animal related activities within the district of South Kesteven, which must be licensed by the Council.

## Scope

3. The scope of this consultation needed to:
  - Communicate the Council's priorities in relation to animal welfare licensing
  - Reflect the Council's obligations in other areas. These included details of:
    - ❖ The activities that require a licence
    - ❖ The protection of animals from harm and their welfare needs
    - ❖ Setting out timescales for granting and renewing licences
  - Communicate the legislation which applies to animal licensing. These include the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018; the Dangerous Wild Animals Act 1976; the Zoo Licensing Act 1981 and the Animal Welfare Act 2006. The Performing Animals Regulation Act 1925 also applies. It did **not** include the activities covered under the Animal (Low Welfare Activities Abroad Act) 2023 as these are the responsibility of Trading Standards (Lincolnshire County Council)
  - Ensure that the draft policy was reviewed, and feedback received, from as wide a demographic as possible
  - Ensure that the views of those who wished to respond to the consultation have had an opportunity to do so

## Objectives

4. The objectives of the consultation were to:
  - Communicate that a review has been undertaken and a new policy has been written which SKDC is hoping to adopt
  - Raise awareness of the legislation that governs animal welfare establishments
  - Measure the degree of support or otherwise for the draft Animal Welfare Policy
  - Inform the decision that will be taken by the Council in respect of the new policy
  - Ensure respondents were given the opportunity to identify any potential issues or comment on the draft policy

## Timescales

5. The cabinet member for Corporate Governance and Licensing, Councillor Phil Knowles, was asked to approve a report for Environment Overview and Scrutiny Committee on 3 October to feedback and approve the draft Animal Welfare policy for a 4-week consultation. Members of the Licensing Committee were then asked for their comments and observations, following Environment OSC feedback, at their meeting on 17 November 2023. Launching on 6 December 2023, the consultation on the draft Animal Welfare Policy was open for four weeks - closing on 3 January 2024. Analysis of results took place during the second and third weeks of January, with results being reported back to Environment Overview & Scrutiny Committee on 13 February 2024. It will then be presented to Cabinet on 12 March 2024 prior to approval by Full Council thereafter.

## Stakeholders

6. The stakeholders were identified as follows:

- 74 licence holders
- SK residents – this includes but is not limited to those who may use or visit licensed establishments e.g., riding schools, kennels etc
- 78 Town and Parish Councils
- The Chief Constable of Lincolnshire Police
- Animal and Plant Health Agency (APHA)
- Lincolnshire County Council – Trading Standards
- Lincolnshire Fire and Rescue
- The Showmen's Guild
- Market Traders
- Other sections in SKDC including Environmental Health, Public Protection., Legal Services and Planning

## Methodology

7. The table below identifies the method(s) which were used to involve each of the stakeholder types in the consultation:

Stakeholders	Method(s)	Details
Licence holders	Licensing Section contacted all licence holders by email and asked them to complete a survey on-line.	Potential respondents were referred to survey monkey to participate in the consultation. If they had no internet access or didn't want to participate online, a copy of the survey was posted to them.

SK residents	<p>Members of the public were made aware of the consultation through the following channels:</p> <p>Press release to the local press</p> <p>SKDC Social Media Channels</p> <p>SKDC website</p>	<p>Potential respondents were referred to survey monkey to participate in the consultation. If they had no internet access or didn't want to participate online, a paper copy was made available.</p> <p>Press Officer prepared a press release promoting the consultation. Release included the link to the survey and a QR code.</p> <p>Social Media Officer promoted the consultation on social media channels by posting on Facebook and tweeting on Twitter. Posts included a link to the survey. These were prepared and approved by HG in advance of the consultation going live.</p> <p>Webpage contained the following information:</p> <ul style="list-style-type: none"> <li>• a draft version of the policy</li> <li>• link to the survey and QR code</li> </ul>
Town & Parish Councils – Bourne, Market Deeping and Stamford	All Town & Parish Councils were contacted by email and asked to complete a survey on-line.	
The Police – Chief Officer of Lincs Police and the Lincolnshire Police and Crime Commissioner	Chief Officer for Lincolnshire Police contacted	<p>Licensing Team contacted the chief officer for Lincolnshire Police on</p> <p>[REDACTED]</p> <p>Police and Crime Commissioner</p> <p>[REDACTED]</p>
Animal and Plant Health Agency (APHA)	Contacted by email and asked to complete a survey on-line	[REDACTED]
Lincolnshire Fire and Rescue	Contacted by email	<p>Licensing Team contacted the chief officer for Lincolnshire Fire and Rescue on</p> <p>[REDACTED]</p>
The Showmen's Guild (The Derbyshire, Nottinghamshire, Mid and South Lincolnshire Division)	Contacted by letter/ email	<p>Licensing Team contacted Showmen's Guild</p> <p>[REDACTED]</p>

Market Traders	Printed copy of survey distributed by Markets Manager	The Consultation Officer contacted the markets manager. He then spoke to market traders and made them aware of the opportunity to take part in the consultation
Other sections in SKDC	Environmental Health Public Protection Planning Legal	Licensing Team contacted other sections within the Council: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

## Details

8. The survey used to collect respondents' opinions on the new Animal Welfare Licensing Policy focused on four main areas. Respondents were asked if they agreed with the objectives of the policy and its principles. They were asked if they support the factors the licensing authority will use to judge if a licence should be granted, and were also asked for their overall opinion on the new policy.
9. A press release was issued to promote this consultation in the local media. Unfortunately, no articles appeared in either the Stamford Mercury or the Grantham Journal. The reason for this is not known. The consultation was also promoted via the Council's social media channels during the consultation period. The Facebook post on 6 December reached 1,161 people and 3 clicked on the link. The second Facebook post on 21 December reached 3,028 people and 15 clicked on the link. The third Facebook post on 29<sup>th</sup> December reached 3,636 and 71 people clicked on the link. There were 231 engagements across all three posts on Facebook. There were 281 views on X (formerly Twitter) and 5 people clicked on the link on 6 December. On 21 December there were 204 views and 1 person clicked on the link. On 29 December, there were 219 views and 1 person clicked on the link.
10. The consultation closed on 8 January 2024 - a few days later than originally planned. 67 responses were received. 15 of the responses to the consultation were received from individuals currently issued with an animal welfare licence and two responses were received from town and parish councils. No responses were received from market traders or the Showmen's Guild.

## The results

11. Respondents were told about SKDC's responsibilities in respect of licensing various animal related business activities and the possession of certain animals; and that these are set out in its Animal Welfare Licensing Policy.

12. Covering the licensing of animal welfare activities, the policy is built around the following legislation:

- The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
- The Dangerous Wild Animals Act 1976
- The Zoo Licensing Act 1982
- The Animal Welfare Act 2006

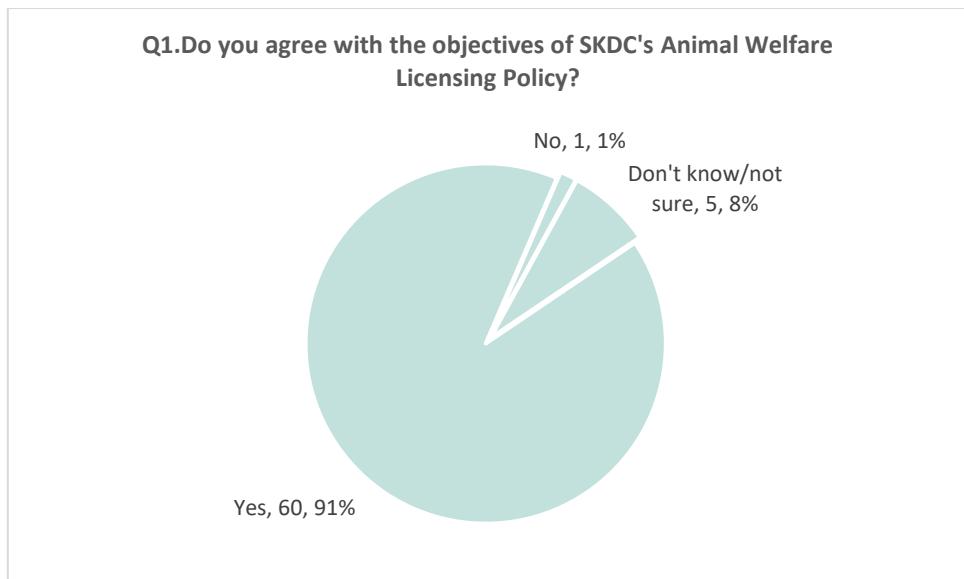
13. Aimed at protecting animals, the legislation sets out the standards of care that are expected when running a business involving animals; and also makes it an offence for any person to possess, own or keep animals in order to carry out certain businesses without a licence issued by their local authority.

14. As many of the activities and processes covered in the Animal Welfare Licensing Policy are determined by legislation, and cannot be changed, respondents were not asked to comment on them. They were however asked for their opinion on its building blocks -the principles, objectives and factors underpinning the policy.

15. The objectives of the Animal Welfare Licensing Policy were identified as follows. To ensure that:

- Any person who carries on, attempts to carry on or knowingly allows a licensable activity to be carried on, holds a licence in accordance with the relevant legislation.
- The licence holder is not disqualified from holding a licence in accordance with the requirements of the relevant legislation.
- The five overarching principles of animal welfare (known as the “five needs”) introduced by the Animal Welfare Act 2006 are upheld in any decision.
- The safeguarding of any children or vulnerable persons in contact with a licensable activity is ensured, in accordance with relevant legislation.
- Each application is considered on its own merits.
- Decisions by the Licensing Authority are transparent and consistent

16. When asked if they agreed with the objectives of the animal welfare licensing policy, nine out of ten respondents said that they did. This is illustrated in the chart overleaf:



17. When asked if they would prefer an alternative, five respondents commented. Two comments were about the policy and how the parameters set out in it should be applied, two were seeking clarification on the policy and what it covers, and one was a statement about why they couldn't answer the question.

**“Think they need to visit more than once, Random visits needed...”**

**“Licensing needs to happen for all breeders in SK”**

**“Does the policy cover rehoming and charities too?”**

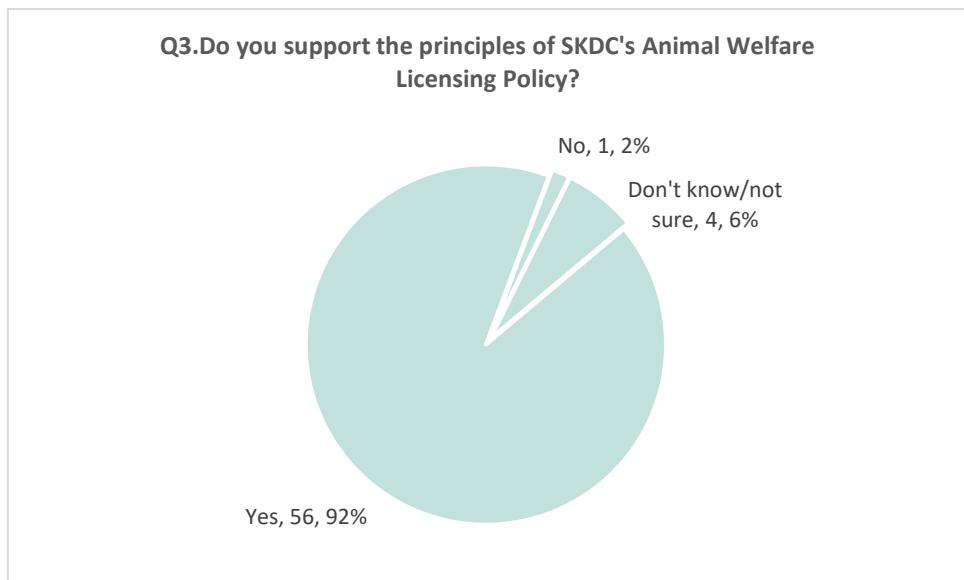
**“I thought this was already in the licensing for exhibition”**

**“I haven’t read the definition of licensable activity or the five needs ....”**

18. Respondents were then asked if they supported the principles of the Animal Welfare Licensing Policy. The principles of SKDC's Animal Welfare Licensing Policy are as follows:

- A responsibility to protect the welfare of all fellow creatures
- To ensure the welfare of domestic or captive animals by implementing appropriate standards that promote the “five needs”
- To ensure that those responsible for the management of animal welfare observe recognised standards of good practice
- To ensure that, so far as it falls within its powers, the requirements of all animal-related legislation is rigorously and pro-actively enforced

19. There was strong support for the principles outlined in the policy document. Around 90% of respondents (56 or 91.8%) supported them as illustrated here:



20. When asked to comment, the importance of undertaking spot checks on facilities was mentioned again. The availability of resources to be able to follow these principles was also raised by one respondent.

**“Would just like spot checks done too at random....”**

**“I’m not sure however if SKDC has the resources to manage this”**

21. The next section of the survey asked respondents if they agreed with the factors the licensing authority will consider when deciding whether to issue a licence. These include:

- The applicant’s experience: Confidence in the ability to handle and control an animal and a clear demonstrated knowledge of its welfare needs are a paramount consideration
- Premise Suitability: This not only means the condition and security of the premises but also any areas in which animals are to be contained.
- Recording and Storing Information/Records: Before a premise is inspected, officers would expect to see templates of client’s forms, policies and procedures for the operation of the business

22. As illustrated in the graph overleaf, most respondents (57 or 93.4%) agreed with the factors that should be considered when determining whether a licence should be issued. Four comments were received in relation to this section of the policy. Two thought more emphasis should be placed on qualifications or completion of a relevant course, as illustrated overleaf:

**“This does not seem robust enough. I would like to see evidence of formal training or qualifications in animal welfare & handling to a national level...”**

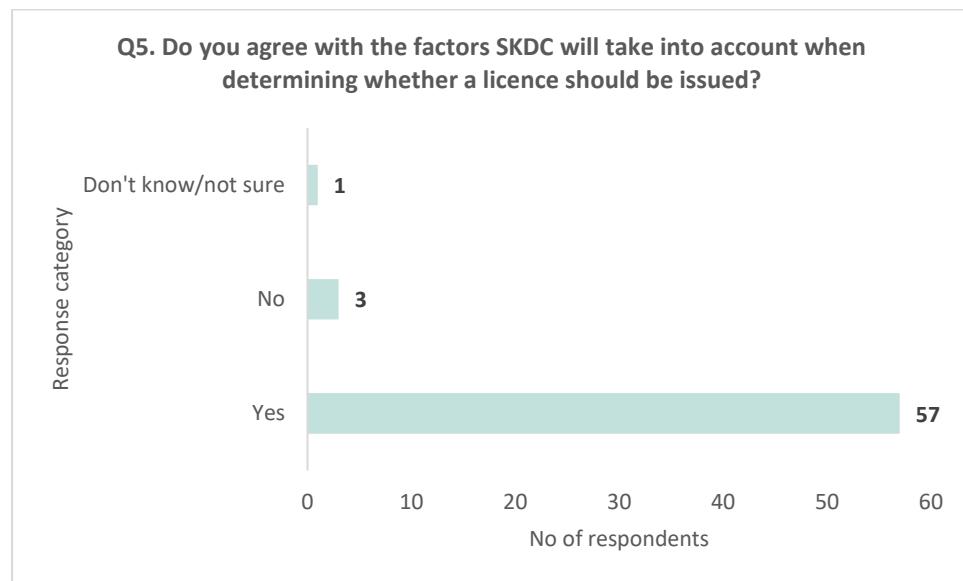
**“...offer a course linked to the licence...”**

One related to animals kept for research purposes

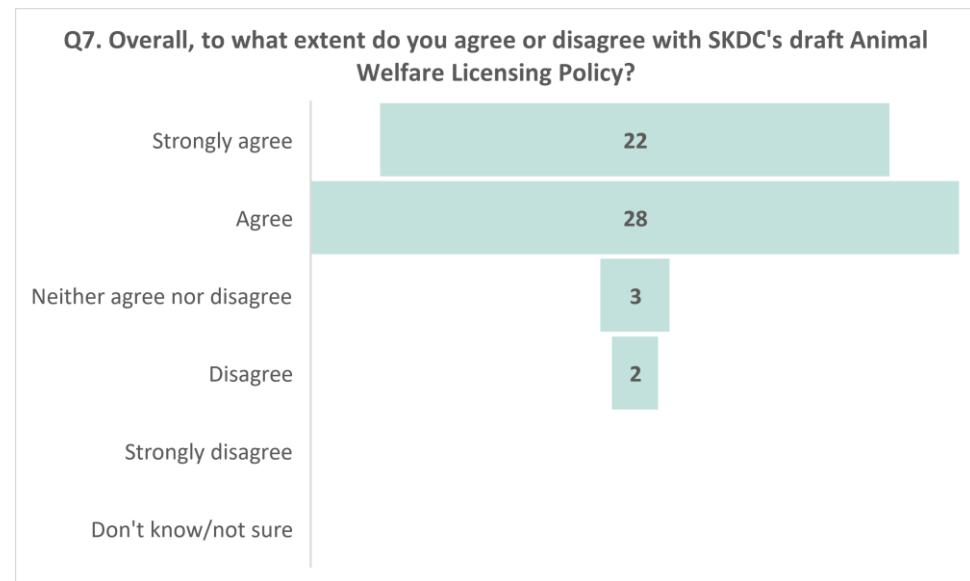
**“Any business set up to provide living animals or animal tissue for the pursuance of sciences ..... should provide comprehensive evidence that alternative options ..... have been evaluated first”.**

And one thought the existing process was too laborious and should be simplified

**“...Record keeping should be reasonable and proportionate to the size of the business...”**



23. When asked the extent to which they agreed or disagreed with SKDC's Animal Welfare Policy, a very small proportion of respondents disagreed, as shown on page 10. Two respondents (3.6%) disagreed with the policy. Three respondents (5.5%) didn't have an opinion either way. 50 respondents (90.9%) supported it.



24. Those taking part in the survey were then asked if they had any questions or would like to comment on anything included in the Council's Animal Welfare Licensing Policy. Respondents posed a number of questions, including if specific providers required a licence to operate, what the implications would be if a licence was refused, and what the punishments are if the conditions of the licence are not adhered to. These will be considered and responded to (if contact details have been provided) by the Licensing Team Leader in due course.

25. Most responses were received from people living in the district. 43 (81.1%) responses were from residents. 15 responses (28.3%) were from current licence holders and there were a couple of responses from town and parish councils (3.8%).

## Conclusion

26. This consultation has illustrated that there is very strong support for the objectives, principles and factors contained within the Animal Welfare Licensing Policy. Over ninety percent of respondents agreed with the objectives and principles outlined in the policy, and also with the factors that should be taken into consideration when determining if a licence should be issued. This was also the case when respondents were asked for their overall opinion of the policy.

27. Whilst it is unfortunate that the consultation was not publicised by the local media (despite a press release being issued), the survey was promoted on the Council's social media platforms. A sizeable

proportion of those who currently hold a licence responded, and feedback was also received from town and parish councils.

28. As such, the Council can be re-assured that those most likely to be affected by the changes have had the opportunity to comment, and although the number of responses is low, there is a strong mandate for the Animal Welfare Licensing Policy and its contents.

Prepared by Deb Wyles  
Communications and Consultation  
January 2024

## Appendix - Evaluation of consultation responses

Area of Statement	Summary of Comments	Response
<b>Do you agree with the objectives of SKDC's Animal Welfare Licensing Policy?</b>		
If you have answered no or don't know/not sure or would like to suggest an alternative.	<p>Does this cover rehoming and charities too ?</p> <p>I thought this was already in the licensing for exhibition.</p> <p>Licensing needs to happen for all breeders in SKDC think they need to visit more than once, Random visits needed as they can just change for appointment visits.</p> <p>I haven't read the definition of licensable activity or the five needs to make an informed agreement or disagreement to the objectives.</p>	<p>Animal charities or rehoming is not a licensable activity under the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 and therefore not covered by this policy, unless they provide cat or dog boarding as a commercial business.</p> <p>The policy covers the statutory guidance for local authorities Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018, with separate specific guidance being applicable for each licensable activity.</p> <p>As a licensing authority we can only licence breeders operating as commercial businesses as outlined in the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 and the draft new policy (Introduction (1.2)). Inspections during the life of a licence can be carried out and may be used in cases of complaints or other instances, as outlined in the Policy, section 17.</p> <p>No comment to be added.</p>
<b>Do you support the principles of SKDC's Animal Welfare Licensing Policy?</b>		
If you have answered no or don't know/not sure or would like to	<p>I'm not sure however if SKDC has the resources to manage this. Especially given number of domestic animals.</p> <p>Would just like spot checks done too at random to ensure standards are upheld not just for inspection.</p>	<p>It is a legislative requirement that the activities outlined in the policy are licensed, it does not cover all domestic animals.</p> <p>Inspections during the life of a licence can be carried out and may be used in cases of complaints or other instances, as outlined in the Policy, section 17.</p>

suggest an alternative.	<p>Dog on dog attacks to be investigated fully.</p> <p>Same reasons as previously mentioned.</p>	<p>Incidents will be thoroughly investigated if they occur whilst within the control of a licence holder. As a licensing authority we do not have a wider remit to investigate such incidents. The Police should be notified of such instances.</p> <p>No comment to be added.</p>
<b>Do you agree with the factors SKDC will take into account when determining whether a licence should be issued?</b>		
If you have answered no or don't know/not sure or would like to suggest an alternative.	<p>This does not seem robust enough. I would like to see evidence of formal training or qualifications in animal welfare &amp; handling to a national level, perhaps NVQ or similar. Relying on experience or 'a demonstration of confidence' won't cut it where there is a clear chance of mismanagement, abuse, or neglect.</p> <p>Agree in principal but how does someone who has not had a pet before proving their ability. Suggest offer of a course linked to the license.</p>	<p>The holding of a qualification or relevant experience is outlined in the animal welfare regulations/legislation, therefore as a licensing authority we cannot implement a harsher licensing regime.</p> <p>There are qualifications that those without experience can take regarding Animal Welfare, if they are applying for a licence without previous experience, it is recommended that a qualification or experience be gained.</p>
<p>Any business set up to provide living animals or animal tissue for the pursuance of sciences or toxicity testing should provide comprehensive evidence that alternative options such as organ on a chip technologies have been evaluated first. Alternatives to non-animal based techniques HAVE to be evaluated and a sound reasoning why animal-based research is required instead.</p> <p>Recording and storing: SKDC have a habit of applying PLC standards of governance to small business . Record keeping should be reasonable and proportionate to the size of the business. Too much box ticking by inspectors that has nothing to do with animal welfare.</p>		
<p>The legislation outlines the licensable activities for which this policy covers. It does not cover the activities described.</p> <p>The inspecting, record keeping and storing requirements are outlined in the Regulations/legislation.</p>		
<b>Overall, to what extent do you agree or disagree with SKDC's draft Animal Welfare Licensing Policy?</b>		
If you have answered no or don't	<p>I would like to know if a small local cat rescue has a licence or will get one, as I believe this rescue should no longer be allowed to rescue/hoard cats.</p>	<p>Animal Rescue is not a licensable activity under the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 and therefore not covered by</p>

<p>know/not sure or would like to suggest an alternative.</p>	<p>Can you please tell me if Grantham ROCK (Rescue of Cats and Kittens) has or needs a license to operate?</p> <p>Shame it doesn't include dog walkers and groomers.</p> <p>What assurances will be made regarding neighbouring residential/businesses premises that maybe impacted by the licensing of a premise for the care, housing of animals? What processes are in place if an individual/s is/are keeping animals requiring a licence and have not applied for or refused a licence?</p> <p>As in the application of any rules or regulations a degree of knowledge, of the said business interpretation and the allowance for individualism in the confines of running a small business, mainly financial should be taken into account.</p> <p>If license refused what are the implications? Right of appeal? Discretion to provide support? eg cover vet bill?? Too many animals currently being off loaded onto shelters. Could implementation of this policy worsen that? Will sk take responsibility ie pay for alternative care in that case? There is no Blue Cross support in Grantham area.</p> <p>Concern over clause 7.3 I do not understand what relevance some of the convictions have to animal welfare. Why should someone with a previous offence (in the categories stated) who has served their sentence be prevented from working in their chosen industry? (unless, of course, the relevant legislation prohibits this). Also 7.5 appears to be</p>	<p>this policy, unless they provide cat boarding as a commercial business.</p> <p>We keep a register of all licenced premises on our website however, Animal Rescue facilities are not a licensable activity under the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 and therefore not covered by this policy, unless they provide cat boarding as a commercial business.</p> <p>Dog walkers and groomers are not a licensable activity under the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018</p> <p>This would be a planning or Environmental Protection matter, the Animal Welfare Policy is only in relation to the licensing of activities – how the animals are cared for, the conditions the animals are kept in etc.</p> <p>There is the allowance for individualism within the business by licence holders, as long as they meet the requirements outlined in the Regulations.</p> <p>If a licence is revoked, we would support the licence holder to rehouse the animals, returning them to their owner or at another kennels/cattery or rehomed. There is generally no discretion to cover vet bills or pay for alternative care. The Animal Welfare Regulations/Zoo Act relate to commercial activities.</p> <p>Refusal of a licence and appeal rights are detailed in section 13 of the policy.</p> <p>In undertaking its licensing function, the Licensing Authority is also bound by legislation in addition to that outlined in the Animal Welfare Policy promoting wider obligations to prevent crime and disorder and safeguard both children and vulnerable adults as outlined in the</p>
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	<p>very widely drafted. What relevance, for example, would an allegation of any criminal offence (e.g. possible breach of a PSPO) be to the suitability to operate a pet shop?</p> <p>What are the punishments for failure to adhere to the policies?</p> <p>Why don't they answer the phone . Why the total lack of communication, acknowledgment of receipt of documents, replies to emails. Why so inefficient.</p> <p>It seems unfair if the council informs the licensee that they need to renew 3mths in advance (12 weeks) that it is unreasonable to expect the licensee to submit their renewal at least 10 weeks in advance of the renewal date, that is only 2 weeks after the council has informed them. Considering there is no guidance at to the changes of defra guidance offered in a format that is easily comparable to the previous versions that also makes it difficult and open to interpretation and misunderstanding.</p> <p>Paperwork is really only a small part of animal welfare. Too much time is spent on looking at the right paperwork and as long as this is correct that is all that matters. Officers should take time to inspect and watch how staff interact and handle care for and feed animals as much if not more than what the paperwork says. written instructions don't necessarily mean that is how the staff work and conduct themselves. Commonsense should also be put in place, if a kennel has 1x exercise area how on earth can they exercise 20 different dogs for 1/2 hr each per day when that would take 10hrs non-stop.</p> <p>There needs to be a better way to manage those that are illegally trading from animal welfare that is a licensable activity and are not. There are a lot in grantham. There also needs to be more inspections to local business through their licence term as a lot a breaking basic rules and standards without the council knowing and hiding evidence (a lot is on their social media thinking the council won't check) This is leading to</p>	<p>Policy introduction. Each case is considered on its own merits, which is why the policy outlines the norm.</p> <p>Failure to adhere to the Policy means that the legislation detailed within it has not been adhered to and Enforcement action, as outline in the section 20 of the Policy, will be commenced.</p> <p>To contact the Licensing Team please call 01476 406080 and either a customer advisor or the Licensing Team will assist, or you can contact us via email at <a href="mailto:licensing@southkesteven.gov.uk">licensing@southkesteven.gov.uk</a>.</p> <p>The statutory guidance for local authorities sets the timescales for licensing authorities to advise each licence holder in writing that their licence is due to expire and the timescale for sending in the renewal application.</p> <p>The inspecting, record keeping and storing requirements are outlined in the Regulations/legislation. Interaction with the animals as well as procedures/viability of them are also factors taken into account during inspections and visits.</p> <p>We keep a register of all licenced premises on our website, if businesses are trading without a licence, please do let us know. We can be contacted at <a href="mailto:Licensing@southkesteven.gov.uk">Licensing@southkesteven.gov.uk</a> or 01476 406080. Inspections during the life of a licence are carried out and</p>
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	<p>the good business being singled out for the correct work they are doing and causing friction and frustration in the community that others have been getting away with for a long time.</p> <p>I feel it could be policed much better as there are very very few of us with licenses but lots of adverts for dogs for sale!</p>	<p>may be used in cases of complaints or other instances, as outlined in the Policy, section 17.</p> <p>If businesses trading without a licence, please do let us know. We can be contacted at <a href="mailto:Licensing@southkesteven.gov.uk">Licensing@southkesteven.gov.uk</a> or 01476 406080</p>
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## Equality Impact Assessment

Question	Response
1. Name of policy/funding activity/event being assessed	Animal Welfare Policy
2. Summary of aims and objectives of the policy/funding activity/event	Introduction of an animal welfare policy for the handling of applications, renewals and existing animal licenses for the welfare of animals.
3. Who is affected by the policy/funding activity/event?	Animal licence applicants, users of licensed facilities and members of public (members of public for the purposes of animals escapes etc)
4. Has there been any consultation with, or input from, customers/service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please complete the consultation table below.	Asking Environment Overview and Scrutiny Committee to approve the draft policy and a 4 week consultation starting on 23 October 2023, at which time we can then review feedback/this initial assessment.
5. What are the arrangements for monitoring and reviewing the actual impact of the policy/funding activity/event?	The policy can be reviewed in light of any operational issues found and will be reviewed if there are any guidance or legislative change. This policy will be reviewed every 5 years.

Protected Characteristic	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact e.g. adjustment to the policy <small>(The Action Log below should be completed to provide further detail)</small>
Age	No impact	Age asked for on the application form.  Inspections are undertaken.	The policy sets out the application process, age is not the sole determining factor but extent of knowledge of subject matter and experience. It also seeks to protect service users and the public
Disability	Positive	No disability specific questions on the application.  Inspections are undertaken	The policy, whilst not being determined by individual protected characteristic has been put place to ensure standards are met and licences are issued on an equitable basis.  The inspection process can also advise applicants to ensure those with a disability are able to access/use the licensed facility.
Gender Reassignment	No impact	This protected characteristic does not affect the application or the process.	This policy has general protection levels and terms of operating. The policy, whilst not being determined by individual protected characteristic has been put place to ensure standards are met and licences are issued on an equitable basis.



Marriage and Civil Partnership	No impact	This protected characteristic does not affect the application or the process.	This policy has general protection levels and terms of operating. The policy, whilst not being determined by individual protected characteristic has been put place to ensure standards are met and licences are issued on an equitable basis.
Pregnancy and Maternity	No impact	This protected characteristic does not affect the application or the process.	This policy has general protection levels and terms of operating. The policy, whilst not being determined by individual protected characteristic has been put place to ensure standards are met and licences are issued on an equitable basis.
Race	No impact	This protected characteristic does not affect the application or the process.	This policy has general protection levels and terms of operating. The policy, whilst not being determined by individual protected characteristic has been put place to ensure standards are met and licences are issued on an equitable basis.
Religion or Belief	No impact	This protected characteristic does not affect the application or the process.	This policy has general protection levels and terms of operating. The policy, whilst not being determined by individual protected characteristic has been put place to ensure standards are met and licences are issued on an equitable basis.
Sex	No impact	This protected characteristic does not affect the application or the process.	This policy has general protection levels and terms of operating. The policy, whilst not being determined by individual protected characteristic has been put place to ensure standards are met and licences are issued on an equitable basis.
Sexual Orientation	No impact	This protected characteristic does not affect the application or the process.	This policy has general protection levels and terms of operating. The policy, whilst not being determined by individual protected characteristic has been put place to ensure standards are met and licences are issued on an equitable basis.



Other Factors requiring consideration			
Socio-Economic Impacts	No impact	Inspections are undertaken	This policy has general protection levels and terms of operating. The policy, whilst not being determined by individual socio-economic status has been put in place to ensure standards are met and licences are issued on an equitable basis.
Carers (those who provide unpaid care to a family member, friend or partner)	No impact	Inspections are undertaken.	The policy, whilst not being determined by individual characteristic has been put in place to ensure standards are met and licences are issued on an equitable basis. The inspection process can also advise applicants to assist those with a caring responsibilities if specific issues are evident/asked.

## Consultation

Negative impacts identified will require the responsible officer to consult with the affected group/s to determine all practicable and proportionate mitigations. Add more rows as required.

Group/Organisation	Date	Response
Licence Holders	23 10 2023	
Police, Fire & Rescue & other partner agencies	23 10 2023	
Public	23 10 2023	
Stamford & Bourne Town Council	23 10 2023	

## Proposed Mitigation: Action Log

To be completed when barriers, negative impact or discrimination are found as part of this process – to show actions taken to remove or mitigate. Any mitigations identified throughout the EIA process should be meaningful and timely. Add more rows as required.

Negative Impact	Action	Timeline	Outcome	Status

## Evaluation Decision

Once consultation and practicable and proportionate mitigation has been put in place, the responsible officer should evaluate whether any negative impact remains and, if so, provide justification for any decision to proceed.

Question	Explanation / justification
----------	-----------------------------



Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?		
Final Decision	Tick	Include any explanation/justification required
1. <b>No barriers</b> identified, therefore activity will <b>proceed</b>		
2. <b>Stop</b> the policy or practice because the data shows bias towards one or more groups		
3. <b>Adapt or change</b> the policy in a way that will eliminate the bias		
4. <b>Barriers and impact identified</b> , however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to <b>proceed with caution</b> with this policy or practice knowing that it may favour some people less than others, providing justification for this decision		

Did you consult with an Equality Ally prior to carrying out this assessment? Yes

#### Sign off

Name and job title of person completing this EIA	Heather Green Licensing Team Leader
Officer Responsible for implementing the policy/function etc	Heather Green
Date Completed	08/09/2023
Line Manager	Ayeisha Kirkham
Date Agreed (by line manager)	11 09 2023
Date of Review (if required)	10 01 2024

Completed EIAs should be included as an appendix to the relevant report going to a Cabinet, Committee or Council meeting and a copy sent to [equalities@southkesteven.gov.uk](mailto:equalities@southkesteven.gov.uk).

Completed EIAs will be published along with the relevant report through Modern.Gov before any decision is made and also on the Council's website.



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



Environment Overview and Scrutiny Committee

Date: 13 February 2024

Report of Councillor Cllr Rhea Rayside  
Cabinet Member for People and Safer  
Communities

## Annual Air Quality Status Report

### Report Author

Ayeisha Kirkham, Head of Service – (Public Protection)

[ayeisha.kirkham@southkesteven.gov.uk](mailto:ayeisha.kirkham@southkesteven.gov.uk)

### Purpose of Report

To provide an overview of the Annual Air Quality Status Report (ASR 2023) for awareness and noting.

To update the Committee on the Clean Air Lincolnshire, which is a county wide project.

### Recommendations

That the Environment Overview and Scrutiny Committee:

1. Note the content of the Annual Air Quality Status Report (ASR 2023).
2. Note the update on Clean Air Lincolnshire, which is a county wide project.

Decision Information	
Is this a Key Decision?	<b>No</b>
Does the report contain any exempt or confidential information not for publication?	<b>No</b>
What are the relevant corporate priorities?	<b>Clean and sustainable environment</b>
Which wards are impacted?	<b>All</b>

## 1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### Finance

1.1 The Council's current air quality monitoring and reporting programme is carried out within existing budgets which are reviewed annually.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

### Legal and Governance

1.2 The Local Air Quality Management ("LAQM") regime was introduced by the Environment Act 1995. The Council's duties under the Environmental Act 1995 are mandatory. The duties imposed on the Council are, to review air quality from time to time and, under Part IV of the Act, to develop and implement an air quality action plan to tackle air pollution.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

### Climate Change

1.3 South Kesteven District Council's declared an Air Quality Management Area which was primarily relates to the exceedance of Nitrogen Dioxide (NO<sub>2</sub>), one of a number of greenhouse gases contributing to an accelerated changing climate. The principal source of NO<sub>2</sub> derives from the volume of vehicle traffic travelling through the centre of Grantham. Actions included within the Air Quality Action Plan which seek to

reduce the need to travel and to reduce car traffic overall will have a simultaneous impact of reducing carbon emissions whilst improving public health.

Reviewed by Serena Brown, Sustainability and Climate Change Officer

## 2. Background to the Report

- 2.1 Under the Environment Act 1995 and the associated Local Air Quality Management Framework, local authorities have a duty to review and assess air quality against National Air Quality Standards. Local air quality in South Kesteven is managed via an extensive diffusion tube monitoring network comprising fifty-eight passive NO<sub>2</sub> diffusion tubes at thirty-five separate locations (some have triplicate/duplicate tubes at one location). The diffusion tube network is used to monitor NO<sub>2</sub> concentrations across the District, identify potential new areas of concern and monitor at known hotspot areas. Local Authorities are required to publish an Air Quality Status Report on an annual basis that covers the previous Calander year.
- 2.2 The Annual Air Quality Status Report (ASR 2023) (Appendix 1) presented in this report concerns 2022 and uses the data gathered in 2022. The ASR however is titled 2023 as this is when the report was created using the data.
- 2.3 SKDC undertook non- automatic (i.e. passive) monitoring of Nitrogen Dioxide (NO<sub>2</sub>) at thirty-five sites during 2022 with fifty-eight individual diffusion tubes across. The tubes are located within Grantham and Stamford. The ASR 2023 (in the Appendix) identifies the exact locations the diffusion tubes are situated.
- 2.4 South Kesteven District Council declared an Air Quality Management Area (AQMA) in 2013 encompassing the main roads in the town centre of Grantham (see Appendix 2, figure 2). The main pollutant of concern is Nitrogen Dioxide (NO<sub>2</sub>), which is largely attributable to road transport emissions, with cars being the dominant source within the AQMA.
- 2.5 There were no exceedances of the Air Quality Objectives recorded at any of the passive monitoring sites. The maximum reported concentration in 2022 was 37.8 µg/m<sup>3</sup> at diffusion tube duplicate monitoring location SK33, 34, located on A607 Manthorpe Road in Grantham, which is slightly higher than in 2021. Overall, the trend shows that the NO<sub>2</sub> concentrations are increasing in the area since 2020, however these are well below the 2018 and 2019 levels.
- 2.6 Within the 2023 ASR, Figure A.1 to Figure A.4 presents graphs showing the annual mean NO<sub>2</sub> concentrations between 2018 and 2022. The graphs demonstrate a general trend of reduction of NO<sub>2</sub> over this 5 year period. The significant decreases in 2020 are likely to be attributed to changes in behaviour due to Covid-19 restrictions impacting on travel. The overall patterns of travel post covid are still emerging and may account for some of the changes in NO<sub>2</sub> recorded at some sites however generally they remain lower than 2018 and 2019 (pre covid) levels.

2.7 The 2023 ASR recommends within the '*conclusions and priorities*' two key priorities (in order to comply with the AQS objectives):

- Continue passive monitoring within the AQMA to ensure the NO<sub>2</sub> concentration remains below 40 µg/m<sup>3</sup>, in particular at monitoring locations currently within 10% of the AQS objectives;
- Continue to consider amending AQMA No.6 to remove the pollution declaration of 1- hour NO<sub>2</sub> exceedances and potential revocation of the AQMA.

2.8 The 2023 ASR has been appraised by DEFRA. The full response is provided with Appendix 3 of this report. Within DEFRA's response the feedback identifies that There were no exceedances of the Air Quality Objectives recorded at any of the passive monitoring sites. The overall trend is decreasing concentrations of NO<sub>2</sub> at those monitored locations, however, there has been a slight increase observed in concentrations at some locations from 2021 to 2022, as traffic levels within the area are continue to return to pre-pandemic levels.

2.9 Whilst there is a gradual reduction in NO<sub>2</sub> emissions noted over the last five years, there are 3 sites within the AQMA which have only been under the objective levels for the last 2-3 years, this includes 2020 where results are not considered typical.

2.10 South Kesteven District Council are also part of a Lincolnshire wide project to improve air quality throughout the county: Clean Air Lincolnshire. The project is funded via the Department for Environment, Food and Rural Affairs (DEFRA) and led by Lincolnshire County Council in partnership with district councils. It aims to raise public awareness of the issue of clean air for health and for the environment and provide actionable steps to take to improve local air quality and reduce health conditions related to air pollution.

2.11 A key aim of the project is to work in partnership with identified secondary schools within the county. For South Kesteven, Kings School in Grantham is participating in the project, which is also located within the Grantham AQMA. Clarity air quality monitoring equipment has been installed outside the school to provide real time information on air quality. Students, staff and parents are educated on the effects of local air pollution and how to reduce exposure and emissions. Using the data and local knowledge, the students will run campaigns during the 2023/24 school year, promoting active travel and anti-idling, to improve air quality around their school.

2.12 Public information can now also be viewed on a dedicated Clean Air Lincolnshire website available at: [cleanairlincolnshire.org.uk](http://cleanairlincolnshire.org.uk). The webpages provide information and actionable steps on indoor and outdoor air pollution, as well as a map of air quality monitors in the county and a live assessment of current air quality based on the UK government's Daily Air Quality Index (DAQI).

### **3. Key Considerations**

- 3.1 Overall, the general trend shows that concentrations of NO<sub>2</sub> are decreasing, with all sites being below both the hourly and annual objective levels. However, there has been a slight increase observed in the concentrations at some sites from 2021 to 2022, as traffic levels within the area are starting to return to pre-pandemic levels.
- 3.2 There are no recorded exceedances of the hourly mean objective for nitrogen dioxide, when using annual mean as a proxy for hourly mean. Exceedances of this objective have not been predicted for over 5 years.
- 3.3 In relation to the Air Quality Action Plan for the Air Quality Management Area, an update on this will be brought before this committee in a separate report.

### **4. Other Options Considered**

- 4.1 None.

### **5. Reasons for the Recommendations**

- 5.1 The 2023 ASR identifies that the general trend shows that concentrations of NO<sub>2</sub> are decreasing. The 1 hour mean has been predicted to be below the air quality objective for the previous 5 years and the Council can therefore be reasonably certain that this will not be exceeded in the future. All sites have only been below the annual mean air quality objective since 2020. Although levels are declining, the impact of Covid-19 on travel and the traffic model moving forwards is still emerging. monitoring of nitrogen dioxide (NO<sub>2</sub>) at all fifty-eight passive monitoring tubes across the thirty-five monitoring locations will continue to ensure that levels can be maintained or further reduced.

### **6. Background Papers**

#### **6.1 Cabinet Report 18 February 2013**

ENV 577- Proposal to extend the existing AQMA along Manthorpe Road and Wharf Road to include High Street and London Road, Grantham.

#### **6.2 Cabinet Report 4 April 2016**

ENV 639 -Approval for implementation of the 2016 AQMA Action Plan.

#### **6.3 The Local Air Quality Management – P22 Guidance: LADM-Policy-Guidance-2022.pdf (defra.gov.uk)**

## **7. Appendices**

### 7.1 List any Appendices.

Appendix 1: The Annual Air Quality Status Report (ASR 2023)

Appendix 2: AQMA Order No 6

Appendix 3: DEFRA ASR Appraisal Report- October 2023



## ***South Kesteven District Council 2022 Annual Status Report***

*Bureau Veritas*

*June 2023*

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<b>Company Name</b>	Bureau Veritas UK Limited	South Kesteven District Council
<b>Contact Name</b>	Hannah Broomfield-Payne	Ayeisha Kirkham
<b>Position</b>	Principal Consultant	Public Protection Manager
<b>Address</b>	Atlantic House Atlas Park, Manchester, M22 5PR	Council Offices, The Picture House, St Catherine's Road, Grantham, NG31 6TT

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	Name	Job Title	Signature
<b>Prepared By</b>	E Thomas	Air Quality Consultant	
<b>Reviewed By</b>	H Broomfield-Payne	Principal Air Quality Consultant	

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SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

# 2023 Air Quality Annual Status Report (ASR)

In fulfilment of Part IV of the Environment Act 1995  
Local Air Quality Management, as amended by the  
Environment Act 2021

Date: June 2023

***Move Forward with Confidence***

Information	South Kesteven District Council Details
<b>Local Authority Officer</b>	Ayeisha Kirkham
<b>Department</b>	Public Protection Manager
<b>Address</b>	Council Offices, The Picture House, St Catherine's Road, Grantham, Lincolnshire, NG31 6TT
<b>Telephone</b>	07712199042
<b>E-mail</b>	ayeisha.kirkham@southkesteven.gov.uk
<b>Report Reference Number</b>	2023 ASR
<b>Date</b>	June 2023

## Executive Summary: Air Quality in Our Area

### Air Quality in South Kesteven

Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children, the elderly, and those with existing heart and lung conditions. There is also often a strong correlation with equalities issues because areas with poor air quality are also often less affluent areas<sup>1,2</sup>.

The mortality burden of air pollution within the UK is equivalent to 29,000 to 343,000 deaths at typical ages<sup>3</sup>, with a total estimated healthcare cost to the NHS and social care of £157 million in 2017<sup>4</sup>.

South Kesteven, located in the county of Lincolnshire, is a local government district, with four main towns within the region; Grantham, Bourne, Market Deeping and Stamford. The main source of pollution comes from vehicular emissions from established road networks, such as the A1, A52 and A1175.

The annual mean nitrogen dioxide (NO<sub>2</sub>) concentrations monitored in South Kesteven during 2022 were all below the Air Quality Strategy (AQS) objective of 40 µg/m<sup>3</sup>.

South Kesteven currently has one Air Quality Management Area (AQMA); AQMA No. 6 ([https://uk-air.defra.gov.uk/aqma/details?aqma\\_ref=1573](https://uk-air.defra.gov.uk/aqma/details?aqma_ref=1573)) which is located within Grantham. The AQMA passes through the four main roads in the town centre Manthorpe Road, Wharf Road, High Street and London Road. This AQMA was declared in 2013 as a result of exceedances of the NO<sub>2</sub> annual mean and 1-hour objectives (assessed against limits of 40 µg/m<sup>3</sup> and 200 µg/m<sup>3</sup>, respectively).

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<sup>1</sup> Public Health England. Air Quality: A Briefing for Directors of Public Health, 2017

<sup>2</sup> Defra. Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

<sup>3</sup> Defra. Air quality appraisal: damage cost guidance, January 2023

<sup>4</sup> Public Health England. Estimation of costs to the NHS and social care due to the health impacts of air pollution: summary report, May 2018

South Kesteven manages their local air quality via an extensive diffusion tube monitoring network comprising fifty-eight passive NO<sub>2</sub> diffusion tubes at thirty-five separate locations (including triplicate/duplicate tubes) during 2022. No automatic monitoring was carried out within South Kesteven. The diffusion tube network is used to monitor NO<sub>2</sub> concentrations across the District, used to identify new areas of concern and monitor at known hotspot areas. The majority of monitoring sites output NO<sub>2</sub> concentrations well below the objective, with the exception of one triplicate site (SK27,28,29) and two duplicate sites (SK33,34 and SK54,55) displaying increased concentrations. Concentrations at these sites are not exceeding the annual mean AQS objective but SK33 and 34 are within 10% of the air quality objective of 40 $\mu\text{g m}^{-3}$ . The three sites showing elevated concentrations are within the South Kesteven District Council No 6 AQMA. Eleven diffusion tube sites reported an increase in NO<sub>2</sub> concentrations from 2021, which could be attributed to 2021 concentrations being affected by different patterns of travel after the COVID-19 pandemic. Nonetheless, this is the third year whereby all diffusion tubes have been compliant with the annual mean AQS objective for NO<sub>2</sub>. There are no passive monitoring sites where the NO<sub>2</sub> annual mean is greater than 60  $\mu\text{g/m}^3$ , therefore in accordance with Defra LAQM.TG(22) there are no sites likely to be at risk of exceeding the 1-hour mean AQS objective.

## Actions to Improve Air Quality

Whilst air quality has improved significantly in recent decades, there are some areas where local action is needed to protect people and the environment from the effects of air pollution.

The Environmental Improvement Plan<sup>5</sup> sets out actions that will drive continued improvements to air quality and to meet the new national interim and long-term PM<sub>2.5</sub> targets. The National Air Quality Strategy, due to be published in 2023, will provide more information on local authorities' responsibilities to work towards these new targets and reduce PM<sub>2.5</sub> in their areas. The Road to Zero<sup>6</sup> details the approach to reduce exhaust emissions from road transport through a number of mechanisms; this is extremely important given that the majority of Air Quality Management Areas (AQMAs) are designated due to elevated concentrations heavily influenced by transport emissions.

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<sup>5</sup> Defra. Environmental Improvement Plan 2023, January 2023

<sup>6</sup> DfT. The Road to Zero: Next steps towards cleaner road transport and delivering our Industrial Strategy, July 2018

## Grantham Southern Relief Road

This major development which affects the declared AQMA in Grantham is led by Lincolnshire County Council as the Highways Authority. Work on the final section of the relief road is ongoing, with the project completion date targeted for winter 2025. The project is expected to have a major impact on air pollution in the town centre, specifically by reducing congestion and significantly reducing the need for vehicle movements through the town centre. It is expected the project will reduce carbon emissions associated with traffic in the area, alongside reducing noise pollution and creating a safer and more accessible town centre. A number of major developments are expected to come forward in south Grantham following completion of the Southern Relief Road. These include:

- Spitalgate Heath Garden Village - Up to 3,700 properties
- Spitalgate Business Park - 110,000 sqm of office, commercial and light industrial provision
- Prince William of Gloucester Barracks site - up to 4000 properties The developments have a significant focus on minimising reliance on vehicular transport and promoting active travel modes through the layout of segregated footpaths and cycleways across the site and ensuring strong connections with neighbouring developments

The developments have a significant focus on minimising reliance on vehicular transport and promoting active travel modes through the layout of segregated footpaths and cycleways across the site and ensuring strong connections with neighbouring developments and Grantham town centre. It is also expected charging infrastructure will be provided for properties and in public car parking areas. Work will include engagement with the local highways authority to improve bus services to site and promote sustainable transport along the A52.

## South Kesteven District Council Local Plan 2011 - 2036

South Kesteven District Council's Local Plan 2011-2036 was formally adopted in January 2020. The plan focuses on sustainable development, protecting the natural and built environment and renewable energy generation The plan states in "Policy SB1: Sustainable Building" that "*All new development should demonstrate how they can support low-carbon travel, to achieve this:*

- *New residential development will be expected to provide electric car charging points*
- *New commercial developments shall make provision for electric car charging points. The number of charging points required will be determined on a case by case basis"*

and provides an update to the Pollution Control Policy: EN4: Pollution Control

- Development should seek to minimise pollution and where possible contribute to the protection and improvement of the quality of air, land, and water. In achieving this:
- Development should be designed from the outset to improve air, land and water quality and promote environmental benefits.
- Development that, on its own or cumulatively, would result in significant air, light, noise, land, water or other environmental pollution or harm to amenity, health wellbeing or safety will not be permitted. New development proposals should not have an adverse impact on existing operations.
- Development will only be permitted if the potential adverse effects can be mitigated to an acceptable level by other environmental controls, or by measures included in the proposals

### **Corporate Plan 2020 – 2023**

South Kesteven's Corporate Plan 2020 – 2023 incorporates a 'Clean and Sustainable Environment' section, which includes key points to protect and improve the environment:

- Reduce the council's carbon footprint by at least 30% by 2030 and endeavour to become net-zero carbon as soon as viable before 2050; and
- Recognise the changes in environmentally friendly modes of transport and seek to work with others to adapt required infrastructure.

### **Climate Emergency**

South Kesteven District Council declared a climate emergency in 2019 and agreed the ambition to reduce carbon emissions from council operations by at least 30%, and to net-zero carbon as soon as viable before 2050.

As part of this work, a review of the Council's fleet of around 180 vehicles towards reducing carbon emissions and improving efficiency was completed last year, signalling opportunities to transition vehicles towards those with no tailpipe emissions. The Council have, as of the start of 2023, relocated into new main office premises which are electrically heated, seeing a significant reduction on gas used to heat buildings within the AQMA.

### **Air Quality Grant**

South Kesteven in partnership with Lincolnshire County Council and other Lincolnshire councils including City of Lincoln, North Kesteven District, Boston Borough, East Lindsey

District, West Lindsey District, and South Holland District, were granted £58,180 in 2022 as part of the government annual Air Quality Grant. This grant will be put towards school education and awareness programme, a community engagement campaign and development of a dedicated Lincolnshire Clean Air Project website to raise public awareness of air quality and steps they can take to reduce pollution.

### **Grantham Transport Strategy**

The Grantham Transport Strategy was published by Lincolnshire County Council in 2022 and can be viewed here: [Grantham transport strategy – Lincolnshire County Council](#).

The strategy includes the following measures to help improve air quality:

- Signalling support to reduce congestion;
- Electric Vehicle charging; and
- Supporting the use of active travel within Grantham.

### **Conclusions and Priorities**

The passive monitoring results in 2022 report that all monitoring locations are compliant and record concentrations below the NO<sub>2</sub> annual mean AQS objective of 40µg/m<sup>3</sup>. All fifty-eight passive monitoring tubes at thirty five passive monitoring locations have reported NO<sub>2</sub> compliance for the previous 3 years, South Kesteven District Council will continue to use the passive monitoring network to monitor air quality levels, and to ensure that compliance is maintained throughout the district.

The following actions are considered to be key priorities in ensuring the air quality conditions within South Kesteven continue to comply with the AQS objectives:

- Continue passive monitoring within the AQMA to ensure the NO<sub>2</sub> concentration remains below 40 µg/m<sup>3</sup>, in particular at monitoring locations currently within 10% of the AQS objectives;
- Continue to consider amending AQMA No.6 to remove the pollution declaration of 1-hour NO<sub>2</sub> exceedances and potential revocation of the AQMA. A public consultation is planned to consider the revocation.

## Local Engagement and How to get Involved

South Kesteven District Council engage with the public via their website which contains information on how individuals can help improve the local air quality. Some of the actions individuals can do to contribute to a reduction in local air quality pollution go as follows:

### Reducing Idling Engines

*Running your engine unnecessarily while stationary:*

- *Pollutes your local environment and turning off and restarting an engine causes less pollution than keeping the engine running.*
- *Effects health for all – you could help to reduce heart disease, asthma and lung cancer associated with polluted air simply by turning off.*
- *Costs you money – it wastes fuel and money whilst increasing wear and tear on your engine and adding to repair bills. You could save £53 a year by not idling.*
- *Is illegal – for unnecessarily leaving your car idling – you could be fined*

*So what can you do:*

- *You can do your bit by switching off the engine if it looks like you could be waiting for more than a minute. Modern cars use virtually no extra fuel when they're re-started without pressing the accelerator, so you won't waste lots of fuel switching the engine back on.*
- *Also avoid idling whilst waiting in car parks, petrol stations, layby's and set down and pick up points.*
- *Be smart, stop/start.*

*Cutting down on these emissions can lead to better air quality and help reduce overall impacts on health. Switching the engine off while your vehicle is stationary reduces emissions and will have a positive environmental effect.*

### Drive Less and Get Cycling

*Why not use your car less in South Kesteven and enjoy the health and wellbeing of cycling?*

*Getting from A to B in anything else but a motor vehicle in our fast-paced lives may seem unrealistic but just a few small changes could make a huge difference to reducing congestion and air pollution here in the District.*

*So why not consider cycling more with the help of our handy cycling map? It details safe routes that you and your family can enjoy.*

*Remember this form of active travel is an excellent form of sustainable travel, tackling air pollution by reducing CO<sub>2</sub> emissions from vehicles and protecting the environment. Getting on your bike also has numerous health benefits and can save you money too on your overall travel costs.*

### **Woodsure Ready to Burn Initiative**

*As the colder months draw in and wood burning stove owners start thinking about stocking up on logs, Woodsure - the UK's only wood fuel quality assurance scheme - has launched a Ready to Burn initiative to help homeowners look after their stoves and improve air quality.*

*Air quality and wood fuel has become a hot topic and stove owners are being asked to think about the impact of burning poor quality logs has on the environment. A stove is only as good as the wood it burns and so the Ready to Burn stamp of approval will reassure those who purchase logs with its logo that they are dry enough and ready to burn.*

*There are new restrictions on the sale of solid fuels, please see the following link for more information: <https://www.gov.uk/guidance/domestic-solid-fuels-rules-for-local-authorities-in-england>.*

## **Local Responsibilities and Commitment**

This ASR was prepared by Bureau Veritas on behalf of the Public Protection Service of South Kesteven Council with the support and agreement of the following officers and departments:

Ayeisha Kirkham - Public Protection Manager

Serena Brown- Sustainability and Climate Change Officer

Phil Jordan – Planning Team

This ASR has been agreed by: Anne-Marie Coulthard, Assistant Director of Operations and Public Protection

This ASR has been shared with the Director of Public Heath for Lincolnshire.

If you have any comments on this ASR please send them to Ayeisha Kirkham at:

Council Offices

The Picture House

St Catherine's Road

Grantham

NG31 6TT

07712199042

[ehs@southkesteven.gov.uk](mailto:ehs@southkesteven.gov.uk)

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## 1 Local Air Quality Management

This report provides an overview of air quality in South Kesteven during 2022. It fulfils the requirements of Local Air Quality Management (LAQM) as set out in Part IV of the Environment Act (1995), as amended by the Environment Act (2021), and the relevant Policy and Technical Guidance documents.

The LAQM process places an obligation on all 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 an exceedance is considered likely the local authority must 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 order to achieve and maintain the objectives and the dates by which each measure will be carried out. This Annual Status Report (ASR) is an annual requirement showing the strategies employed by South Kesteven to improve air quality and any progress that has been made.

The statutory air quality objectives applicable to LAQM in England are presented in Table E.1.

## 2 Actions to Improve Air Quality

### Air Quality Management Areas

Air Quality Management Areas (AQMAs) are declared when there is an exceedance or likely exceedance of an air quality objective. After declaration, the authority should prepare an Air Quality Action Plan (AQAP) within 18 months. The AQAP should specify how air quality targets will be achieved and maintained, and provide dates by which measures will be carried out.

A summary of AQMAs declared by South Kesteven can be found in Table 2.1. The table presents a description of the AQMA that is currently designated within South Kesteven.

[Appendix D: Maps of Monitoring Locations and AQMAs](#) provides maps of the AQMA and also the air quality monitoring locations in relation to the AQMA. The air quality objectives pertinent to the current AQMA designation are as follows:

- NO<sub>2</sub> annual mean; and
- NO<sub>2</sub> 1 hour mean.

**Table 2.1 – Declared Air Quality Management Areas**

AQMA Name	Date of Declaration	Pollutants and Air Quality Objectives	One Line Description	Is air quality in the AQMA influenced by roads controlled by Highways England?	Level of Exceedance: Declaration	Level of Exceedance: Current Year	Number of Years Compliant with Air Quality Objective	Name and Date of AQAP Publication	Web Link to AQAP
SKDC AQMA No.6	08/08/2013	NO <sub>2</sub> Annual Mean	Manthorpe Road, Wharf Road, High Street and London Road	No	58.2 µg/m <sup>3</sup>	34.4 µg/m <sup>3</sup>	3	SKDC Air Quality Action Plan 2016	SKDC AQAP
SKDC AQMA No.6	08/08/2013	NO <sub>2</sub> 1 Hour Mean	Manthorpe Road, Wharf Road, High Street and London Road	No	None predicated as annual mean is below 60 µg/m <sup>3</sup>	None predicated as annual mean is below 60 µg/m <sup>3</sup>	10	SKDC Air Quality Action Plan 2016	SKDC AQAP

**South Kesteven District Council confirm the information on UK-Air regarding their AQMA(s) is up to date.**

**South Kesteven District Council confirm that all current AQAPs have been submitted to Defra.**

## Progress and Impact of Measures to address Air Quality in South Kesteven District Council

Defra's appraisal of last year's ASR concluded:

- *Comments from last year's ASR have been mentioned and addressed, which is welcomed, and it is encouraged that this continues with future ASRs.*

Comments from the 2021 ASR have been addressed below.

- *The AQAP is now six years old and is therefore due for review next year.*

Due to lack of resources in 2022, the AQAP was not reviewed, when additional staffing resources are available this will be reviewed. However, a report was sent to the Environment Overview and Scrutiny Committee in November 2022 to propose that a review of AQMA No.6 is considered to remove the pollution declaration of 1-hour NO<sub>2</sub> mean exceedances, through an amendment to the AQMA order. It was recommended that public consultation is undertaken to consider this proposed amendment to the AQMA. The consultation is due to be undertaken this year and following that a further report be taken to Cabinet to approve a change if proposed.

- *All graphs are well presented and are clear to read, with the addition of the AQO allowing for visual analysis of the monitoring data. Formatting is consistent between all charts. The Council have also provided a detailed discussion of these trends.*

Graphs and discussion of trends have been provided again in this ASR.

- *The Council should consider the relocation of some monitoring sites where there has been continuously low concentrations for a number of years, for example site SK3.*

South Kesteven District Council were unable to review the diffusion tube locations in 2022 but this will be reviewed when additional staffing resource is available.

- *Overall, the report is detailed and provides a good insight into the work that South Kesteven District Council are doing within its area, and all of the measures it has put in place to improve air quality.*

South Kesteven has taken forward a number of direct measures during the current reporting year of 2022 in pursuit of improving local air quality. Details of all measures completed, in progress or planned are set out in Table 2.2. Ten measures are included within Table 2.2, with the type of measure and the progress South Kesteven have made during the reporting

year of 2022 presented. Where there have been, or continue to be, barriers restricting the implementation of the measure, these are also presented within Table 2.2.

More detail on these measures can be found in South Kesteven District Council's 2016 Air Quality Action plan. Key completed measures are:

- Reduction in idling traffic;
- Promoting the use of cleaner or alternative fuels where possible;
- Investigate options for better travel planning amongst the council's employees; and
- Promotion of walking, cycling and public transport.

South Kesteven District Council have four remaining measures to be completed, M2, M4, M6 and M7 are on-going, whilst M1 is expected to be completed in 2025. A review of the AQAP will be undertaken when staffing resources are available.

Table 2.2 – Progress on Measures to Improve Air Quality

Measure No.	Measure	Category	Classification	Year Measure Introduced in AQAP	Estimated / Actual Completion Date	Organisations Involved	Funding Source	Defra AQ Grant Funding	Funding Status	Estimated Cost of Measure	Measure Status	Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Barriers to Implementation
M1	Grantham Southern Quadrant East West Relief Road	Traffic Management	Strategic highway improvements, Re- prioritising road space away from cars, including Access management, Selective vehicle priority, bus priority, high vehicle occupancy lane	2016	2023	Lincolnshire County Council Highways & South Kesteven DC	Lincolnshire County Council	NO	Funded	> £10 million	Implementation	0.5 - 1µg/m³	Reduced HGV through traffic in the town centre – reduced overall traffic flows through the town.	Under construction	
M2	Improve traffic management at key junctions	Traffic Management	Strategic highway improvements, Re- prioritising road space away from cars, including Access management, Selective vehicle priority, bus priority, high vehicle occupancy lane	2016	Ongoing	Lincolnshire County Council Highways	Lincolnshire County Council	NO	Funded	£100k - £500k	Implementation	1 - 2µg/m³	Reduced congestion and increased average speeds through the AQMA.	Lincolnshire County Council consulted on an Active Travel Zone for Grantham in 2021. The Proposal would see the High Street become one-way, with the creation of a 'sustainable travel corridor', while the footpath on St Peter's Hill would be extended into one lane of the road and the junction between Guildhall Street and High Street closed. Ongoing contributions from developments. SCOOT in operation at 4 key junctions in Grantham.	
M3	Improvements in Bus fleet emissions	Promoting Low Emission Transport	Other	2016	-	Lincolnshire County Council Highways & South Kesteven DC	Lincolnshire County Council	NO	Not Funded	£50k - £100k	Aborted	1 - 2µg/m³	Improved bus fleet composition but no direct traffic reduction. Bus use more attractive to potential users – increased bus use.	We currently have no plans to increase the emission standard or to change the age of vehicles operating within the passenger transport contracts. It is worth noting that not all vehicles will be operating as a contract for LCC.	
M4	Encouraging modal shift	Promoting Travel Alternatives	Intensive active travel campaign & infrastructure	2016	Ongoing	Lincolnshire County Council & South Kesteven DC	Lincolnshire County Council	NO	Funded	< £10k	Implementation	0.2 - 0.5µg/m³	Reduced vehicle use and increased use of public transport.	Grantham Transport Strategy was published in 2022 following a public consultation. Full and summary versions can be seen here: <a href="#">Grantham transport strategy – Lincolnshire County Council</a> Local Cycling and Walking Infrastructure Plan development for Grantham Other smaller plans being considered in other areas of SK District. Draft LCWIP in existence.	
M5	Reduction in Idling Traffic	Public Information	Via leaflets	2016	2020	South Kesteven DC	South Kesteven DC	NO	Funded	< £10k	Completed	0 - 0.2µg/m³	Reduced idling in key areas.	Public information is provided at the Council's web site on reducing idling time in vehicles. <a href="http://www.southkesteven.gov.uk/index.aspx?articleid=8323">http://www.southkesteven.gov.uk/index.aspx?articleid=8323</a>	
M6	Provision of Cycling infrastructure	Promoting Travel Alternatives	School Travel Plans	2016	Ongoing	Lincolnshire County Council Highways	Lincolnshire County Council	NO	Funded	£50k - £100k	Implementation	0 - 0.2µg/m³	Increased number of cycle lanes makes cycling a more attractive alternative method of transport.	There is no update on the Walking and Cycling Strategy. However, with this document in place any future opportunities arising from the developments or highway improvements will be taken.	
M7	Rolling programme of replacing older more polluting vehicles with newer cleaner vehicles	Promoting Low Emission Transport	Company Vehicle Procurement - Prioritising uptake of low emission vehicles	2016	Ongoing	South Kesteven DC	South Kesteven DC	NO	Funded	£10k - 50k	Implementation	0 - 0.2µg/m³	Improve average euro class of the whole council owned fleet.	The Fleet has been improved with vehicles being replaced through a rolling program. Two pool cars used by staff are fully electric Work to consider options for decarbonisation of the fleet is in progress.	
M8	Promote the use of cleaner or alternative	Promoting Low Emission Transport	Low Emission Zone (LEZ)	2016	2020	South Kesteven DC	South Kesteven DC	NO	Funded	£10k - 50k	Completed	0 - 0.2µg/m³	Introduce new electric and hybrid	The Council is promoting the Woodsure Ready to Burn scheme for log burners to improve air quality on their website.	

Measure No.	Measure	Category	Classification	Year Measure Introduced in AQAP	Estimated / Actual Completion Date	Organisations Involved	Funding Source	Defra AQ Grant Funding	Funding Status	Estimated Cost of Measure	Measure Status	Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Barriers to Implementation
	fuels where possible											vehicles to the council fleet.		<a href="http://www.southkesteven.gov.uk/index.aspx?articleid=8323">http://www.southkesteven.gov.uk/index.aspx?articleid=8323</a>	
<b>M9</b>	Investigate options for better travel planning amongst the council's employees	Public Information	Via other mechanisms	2016	2020	South Kesteven DC	South Kesteven DC	NO	Not Funded	< £10k	Completed	0 - 0.2µg/m <sup>3</sup>	Reduce number of council staff driving to work.	Public information is provided at the Council's web site on driving less and cycling. <a href="http://www.southkesteven.gov.uk/index.aspx?articleid=8323">http://www.southkesteven.gov.uk/index.aspx?articleid=8323</a> The Council has implemented flexible working arrangements which enable many staff to work from home for a proportion of the working week, reducing travel to and from the offices	
<b>M10</b>	Promotion of walking, cycling and public transport	Public Information	Via the Internet	2016	2017	South Kesteven DC	South Kesteven DC	NO	Not Funded	< £10k	Completed	0 - 0.2µg/m <sup>3</sup>	Increased public awareness of air quality issues and ultimate shift to less polluting forms of transport. Increased uptake of bicycle use and walking. Removal of existing road traffic from the road network and minimisation of that introduced by new schemes. Provision of cycle route maps.	Implemented. Further updates to the Air Quality page on the SKDC website have been carried out. <a href="http://www.southkesteven.gov.uk/index.aspx?articleid=8323">http://www.southkesteven.gov.uk/index.aspx?articleid=8323</a> . Continued work with Active Lincs and Love to Ride, exploration of Grantham based projects.	

## PM<sub>2.5</sub> – Local Authority Approach to Reducing Emissions and/or Concentrations

As detailed in Policy Guidance LAQM.PG22 (Chapter 8), local authorities are expected to work towards reducing emissions and/or concentrations of PM<sub>2.5</sub> (particulate matter with an aerodynamic diameter of 2.5µm or less). There is clear evidence that PM<sub>2.5</sub> has a significant impact on human health, including premature mortality, allergic reactions, and cardiovascular diseases.

The current Defra 2022 background maps for South Kesteven District Council (2018 based) show that all background concentrations of PM<sub>2.5</sub> are far below the recommended 2022 annual mean AQS objective for PM<sub>2.5</sub> of 20µg/m<sup>3</sup>. The highest concentration is predicted to be 10.4µg/m<sup>3</sup> within the 1km x 1km grid square with the centroid grid reference of 490500, 337500. This is an area located on Cliffe Road, situated next to Gonerby Road.

The Department of Health's Public Health Outcomes Framework<sup>7</sup> has a number of public health indicators that are used focus public health action, identify areas of health inequality and concern, and monitor the differences in health impacts across regions in the UK. This framework includes an indicator "D01- Fraction of Mortality Attributable to Particulate Air Pollution" which is calculated using background annual average PM<sub>2.5</sub> concentrations, modelled at a 1km<sup>2</sup> resolution based on measured concentrations from the AURN. South Kesteven has a 5.2% fraction of mortality calculated for 2021, which is below both the average for England overall (5.5%), and the East Midlands Region (5.6%). The 2021 data is used as the 2022 dataset has not been made available at the time of writing and is available via the Fingertips Public Health Outcomes Framework website.

Within South Kesteven District Council, 42 Smoke Control Areas (SCA's) are declared. These areas are defined regions throughout Grantham and Stamford where smoke emissions from chimney's are legally prohibited. Only authorised fuels and 'exempt appliances' are not subject to these rules. More information including maps of the SCA enforcement area's within South Kesteven can be found via the following link: <http://www.southkesteven.gov.uk/index.aspx?articleid=8321>.

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<sup>7</sup> Public Health Outcomes Framework: D01- Fraction of Mortality Attributable to Particulate Air Pollution

### 3 Air Quality Monitoring Data and Comparison with Air Quality Objectives and National Compliance

This section sets out the monitoring undertaken within 2022 by South Kesteven and how it compares with the relevant air quality objectives. In addition, monitoring results are presented for a five-year period between 2018 and 2022 to allow monitoring trends to be identified and discussed.

#### Summary of Monitoring Undertaken

##### 3.1.1 Automatic Monitoring Sites

South Kesteven did not undertake any automatic (continuous) monitoring during 2022.

##### 3.1.2 Non-Automatic Monitoring Sites

South Kesteven undertook non-automatic (i.e. passive) monitoring of NO<sub>2</sub> at 35 sites during 2022 with 58 individual diffusion tubes, no new monitoring locations commenced in 2022. Table A.1 in Appendix A presents the details of the non-automatic sites.

Maps showing the location of the monitoring sites are provided in Appendix D. Further details on Quality Assurance/Quality Control (QA/QC) for the diffusion tubes, including bias adjustments and any other adjustments applied (e.g. annualisation and/or distance correction), are included in Appendix C.

#### Individual Pollutants

The air quality monitoring results presented in this section are, where relevant, adjusted for bias, annualisation (where the annual mean data capture is below 75% and greater than 25%), and distance correction. Further details on adjustments are provided in Appendix C.

##### 3.1.3 Nitrogen Dioxide (NO<sub>2</sub>)

Table A.2 in Appendix A compares the ratified and adjusted monitored NO<sub>2</sub> annual mean concentrations for the past five years with the air quality objective of 40µg/m<sup>3</sup>. Note that the concentration data presented represents the concentration at the location of the

monitoring site, following the application of bias adjustment and annualisation, as required (i.e. the values are exclusive of any consideration to fall-off with distance adjustment).

For diffusion tubes, the full 2022 dataset of monthly mean values is provided in Appendix B. Note that the concentration data presented in Table B.1 includes distance corrected values, only where relevant.

All passive monitoring locations within South Kesteven recorded annual mean NO<sub>2</sub> concentrations below the 40µg/m<sup>3</sup> NO<sub>2</sub> AQS objective in 2022. Following bias adjustment and annualisation, where required, the maximum reported concentration in 2022 was 37.8 µg/m<sup>3</sup> at diffusion tube duplicate monitoring location SK33,34, located on A607 Manthorpe Road in Grantham AQMA No.6 which is within 10% of the AQS objective. This monitoring location reports the maximum concentration consistently between 2018 – 2022, however is showing an overall decline in NO<sub>2</sub> concentrations, continuing to comply with the NO<sub>2</sub> AQS objective from 2021 – 2022. Until concentrations of NO<sub>2</sub> within the AQMA are consistently below 10% of the AQS objective, revocation of the AQMA cannot be considered.

Figure A.1 – Figure A.3 present graphs showing the annual mean NO<sub>2</sub> concentrations from 2018 – 2022. There is a general trend of reduction in NO<sub>2</sub> concentrations over the 5-year period of monitoring results for all monitoring sites. There is a significant decrease in NO<sub>2</sub> concentrations during 2020 compared to previous years. This is largely influenced by the result of the COVID-19 pandemic, whereby the UK government advised and initiated restrictions to limit travel and encourage working from home. This resulted in significant NO<sub>2</sub> emission decreases. From 2021 – 2022, the figures show an overall increase in NO<sub>2</sub> concentrations, which is likely to be attributed to traffic volumes in 2022, more representative of pre-pandemic levels, due to 2022 not experiencing government restrictions.

All monitoring results since 2020 are below the mean NO<sub>2</sub> AQS objective of 40µg/m<sup>3</sup>. There are no passive monitoring sites where the NO<sub>2</sub> annual mean is greater than 60µg/m<sup>3</sup>, therefore in accordance with Defra LAQM.TG(16) there are no sites likely to be at risk of exceeding the 1-hour mean AQS objective.

## Appendix A: Monitoring Results

Table A.1 – Details of Non-Automatic Monitoring Sites

Diffusion Tube ID	Site Name	Site Type	Town Location	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube Co-located with a Continuous Analyser?	Tube Height (m)
SK1	Scotgate	Roadside	Stamford	502659	307218	NO <sub>2</sub>	N	3.2	1.6	No	2.5
SK2	Scotgate	Roadside	Stamford	502659	307218	NO <sub>2</sub>	N	3.2	1.6	No	2.5
SK3	Essex Road	Roadside	Stamford	502717	307750	NO <sub>2</sub>	N	14.3	23.4	No	2.5
SK4	Opp Stam' Sch	Roadside	Stamford	503291	307420	NO <sub>2</sub>	N	0.0	5.7	No	2.5
SK5	East St	Roadside	Stamford	503391	307396	NO <sub>2</sub>	N	0.0	3.2	No	2.5
SK6	East St	Roadside	Stamford	503391	307396	NO <sub>2</sub>	N	0.0	3.2	No	2.5
SK7	Stam' School	Roadside	Stamford	503281	307398	NO <sub>2</sub>	N	0.0	2.5	No	2.5
SK8	London Inn	Roadside	Stamford	502910	307120	NO <sub>2</sub>	N	0.0	2.3	No	2.5
SK9	All Saints Rd	Roadside	Stamford	502873	307141	NO <sub>2</sub>	N	19.0	2.5	No	2.5
SK10	Avondale	Roadside	Stamford	502382	306890	NO <sub>2</sub>	N	4.7	1.3	No	2.5
SK11	Welwyn Close	Roadside	Grantham	490118	334165	NO <sub>2</sub>	N	5.0	2.0	No	2.5
SK12	Welwyn Close	Roadside	Grantham	490118	334165	NO <sub>2</sub>	N	5.0	2.0	No	2.5
SK13	Welwyn Close	Roadside	Grantham	490118	334165	NO <sub>2</sub>	N	5.0	2.0	No	2.5
SK14	Springfield Rd	Roadside	Grantham	490877	334642	NO <sub>2</sub>	N	24.5	2.1	No	2.5
SK15	Springfield Rd	Roadside	Grantham	490877	334642	NO <sub>2</sub>	N	24.5	2.1	No	2.5
SK16	Meres Rd	Roadside	Grantham	489263	335353	NO <sub>2</sub>	N	26.0	12.1	No	2.5
SK17	Meres Rd	Roadside	Grantham	489263	335353	NO <sub>2</sub>	N	26.0	12.1	No	2.5
SK18	Balmoral Drive	Urban Background	Grantham	489956	336574	NO <sub>2</sub>	N	32.1	0.8	No	2.5
SK19	Opp Asda	Roadside	Grantham	491067	336209	NO <sub>2</sub>	Y – No.6	2.6	5.4	No	2.5
SK20	Opp Asda	Roadside	Grantham	491067	336209	NO <sub>2</sub>	Y – No.6	2.6	5.4	No	2.5
SK21	Broad Street Scout Hut	Roadside	Grantham	491270	336256	NO <sub>2</sub>	Y – No.6	0.0	7.6	No	2.5
SK22	Brook Street	Roadside	Grantham	491260	336188	NO <sub>2</sub>	Y – No.6	0.5	6.0	No	2.5
SK23	GT. Gonerby Pond Street	Roadside	Grantham	489720	338204	NO <sub>2</sub>	N	16.0	9.5	No	2.5

Diffusion Tube ID	Site Name	Site Type	Town Location	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube Co-located with a Continuous Analyser?	Tube Height (m)
SK24	Gt Goverby Park	Roadside	Grantham	489870	338683	NO <sub>2</sub>	N	10.8	5.0	No	2.5
SK25	Manthorpe	Roadside	Grantham	492069	337874	NO <sub>2</sub>	N	49.6	7.6	No	2.5
SK26	Belton Lane	Roadside	Grantham	491280	336573	NO <sub>2</sub>	N	9.9	7.0	No	2.5
SK27	Jet Garage	Roadside	Grantham	491496	336354	NO <sub>2</sub>	Y – No.6	0.0	2.3	No	2.5
SK28	Jet Garage	Roadside	Grantham	491496	336354	NO <sub>2</sub>	Y – No.6	0.0	2.3	No	2.5
SK29	Jet Garage	Roadside	Grantham	491496	336354	NO <sub>2</sub>	Y – No.6	0.0	2.3	No	2.5
SK30	King's Sch	Roadside	Grantham	491472	336315	NO <sub>2</sub>	Y – No.6	2.2	2.7	No	2.5
SK31	King's Sch	Roadside	Grantham	491472	336315	NO <sub>2</sub>	Y – No.6	2.2	2.7	No	2.5
SK32	King's Sch	Roadside	Grantham	491472	336315	NO <sub>2</sub>	Y – No.6	2.2	2.7	No	2.5
SK33	Opp Jet Garage	Roadside	Grantham	491515	336389	NO <sub>2</sub>	Y – No.6	0.0	1.7	No	2.5
SK34	Opp Jet Garage	Roadside	Grantham	491515	336389	NO <sub>2</sub>	Y – No.6	0.0	1.7	No	2.5
SK35	Black Dog	Roadside	Grantham	491330	336022	NO <sub>2</sub>	Y – No.6	5.0	1.0	No	2.5
SK36	Black Dog	Roadside	Grantham	491330	336022	NO <sub>2</sub>	Y – No.6	5.0	1.0	No	2.5
SK37	High St	Roadside	Grantham	491460	335715	NO <sub>2</sub>	Y – No.6	1.2	0.8	No	2.5
SK38	High St	Roadside	Grantham	491460	335715	NO <sub>2</sub>	Y – No.6	1.2	0.8	No	2.5
SK39	High St	Roadside	Grantham	491460	335715	NO <sub>2</sub>	Y – No.6	1.2	0.8	No	2.5
SK40	Old Job Centre	Roadside	Grantham	491512	335719	NO <sub>2</sub>	Y – No.6	51.2	1.7	No	2.5
SK41	London Rd	Roadside	Grantham	491602	335485	NO <sub>2</sub>	Y – No.6	2.4	3.9	No	2.5
SK42	London Rd	Roadside	Grantham	491602	335485	NO <sub>2</sub>	Y – No.6	2.4	3.9	No	2.5
SK43	Welcome TA	Roadside	Grantham	491734	335196	NO <sub>2</sub>	N	2.0	0.5	No	2.5
SK44	Welcome TA	Roadside	Grantham	491734	335196	NO <sub>2</sub>	N	2.0	0.5	No	2.5
SK45	Sth Parade	Roadside	Grantham	491869	334960	NO <sub>2</sub>	N	0.0	3.5	No	2.5
SK46	Sth Parade	Roadside	Grantham	491869	334960	NO <sub>2</sub>	N	0.0	3.5	No	2.5
SK47	The White Lion	Roadside	Grantham	492067	334922	NO <sub>2</sub>	N	5.0	1.0	No	2.5
SK48	The White Lion	Roadside	Grantham	492067	334922	NO <sub>2</sub>	N	5.0	1.0	No	2.5
SK49	Launder Terrace	Roadside	Grantham	491427	335193	NO <sub>2</sub>	N	4.0	1.4	No	2.5
SK50	Gt Northern Court	Roadside	Grantham	491184	335575	NO <sub>2</sub>	Y – No.6	0.0	3.6	No	2.5
SK51	Gt Northern Court	Roadside	Grantham	491184	335575	NO <sub>2</sub>	Y – No.6	0.0	3.6	No	2.5
SK52	Blue Bull	Roadside	Grantham	491200	335636	NO <sub>2</sub>	Y – No.6	2.0	0.5	No	2.5
SK53	Blue Bull	Roadside	Grantham	491200	335636	NO <sub>2</sub>	Y – No.6	2.0	0.5	No	2.5

Diffusion Tube ID	Site Name	Site Type	Town Location	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube Co-located with a Continuous Analyser?	Tube Height (m)
SK54	Bus Station	Roadside	Grantham	491492	335505	NO <sub>2</sub>	Y – No.6	1.5	1.4	No	2.5
SK55	Bus Station	Roadside	Grantham	491492	335505	NO <sub>2</sub>	Y – No.6	1.5	1.4	No	2.5
SK56	Wharf Rd Morrisons	Roadside	Grantham	491402	335501	NO <sub>2</sub>	Y – No.6	0.8	0.9	No	2.5
SK57	Wharf Rd Morrisons	Roadside	Grantham	491402	335501	NO <sub>2</sub>	Y – No.6	0.8	0.9	No	2.5
SK58	Wharf Rd Stamford	Roadside	Stamford	503070	306957	NO <sub>2</sub>	N	3.4	1.5	No	2.5

**Notes:**

(1) 0m if the monitoring site is at a location of exposure (e.g. installed on the façade of a residential property).

(2) N/A if not applicable.

**Table A.2 – Annual Mean NO<sub>2</sub> Monitoring Results: Non-Automatic Monitoring (µg/m<sup>3</sup>)**

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Town Location	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2022 (%) <sup>(2)</sup>	2018	2019	2020	2021	2022
<b>SK1a, SK2b</b>	502659	307218	Roadside	Stamford	100.0	100.0	30.7	28.4	21.4	24.3	24.3
<b>SK3</b>	502717	307750	Roadside	Stamford	100.0	100.0	13.8	13.1	9.5	11.0	8.7
<b>SK4</b>	503291	307420	Roadside	Stamford	100.0	100.0	29.9	30.3	21.3	24.9	26.2
<b>SK5a, SK6b</b>	503391	307396	Roadside	Stamford	100.0	100.0	31.1	30.1	23.5	27.0	24.6
<b>SK7</b>	503281	307398	Roadside	Stamford	100.0	100.0	32.7	32.8	25.5	28.0	28.3
<b>SK8</b>	502910	307120	Roadside	Stamford	100.0	100.0	25.7	22.5	15.8	18.4	17.3
<b>SK9</b>	502873	307141	Roadside	Stamford	92.3	92.3	25.0	23.9	17.9	19.2	17.5
<b>SK10</b>	502382	306890	Roadside	Stamford	100.0	100.0	20.2	18.3	14.7	15.1	14.5
<b>SK11a, SK12b, SK13c</b>	490118	334165	Roadside	Grantham	100.0	100.0	21.9	19.6	13.4	15.1	14.9
<b>SK14a, SK15b</b>	490877	334642	Roadside	Grantham	100.0	100.0	27.7	23.9	20.9	21.2	22.4
<b>SK16a, SK17b</b>	489263	335353	Roadside	Grantham	100.0	100.0	27.6	27.3	19.7	20.4	20.8
<b>SK18</b>	489956	336574	Urban Background	Grantham	100.0	100.0	17.0	15.3	12.2	13.1	11.5
<b>SK19a, SK20b</b>	491067	336209	Roadside	Grantham	100.0	100.0	30.4	27.9	18.2	25.8	25.5
<b>SK21</b>	491270	336256	Roadside	Grantham	100.0	100.0	27.5	25.0	18.8	22.4	20.6
<b>SK22</b>	491260	336188	Roadside	Grantham	100.0	100.0	30.0	27.1	20.3	23.2	24.5
<b>SK23</b>	489720	338204	Roadside	Grantham	100.0	100.0	20.7	18.7	14.3	16.2	15.1
<b>SK24</b>	489870	338683	Roadside	Grantham	100.0	100.0	21.2	19.4	15.2	15.5	15.1
<b>SK25</b>	492069	337874	Roadside	Grantham	82.7	82.7	19.9	17.8	13.2	15.3	14.7
<b>SK26</b>	491280	336573	Roadside	Grantham	100.0	100.0	24.4	22.2	15.7	21.1	19.1
<b>SK27a, SK28b, SK29c</b>	491496	336354	Roadside	Grantham	100.0	100.0	<b>45.3</b>	39.1	27.3	35.1	34.3
<b>SK30a, SK31b, SK32c</b>	491472	336315	Roadside	Grantham	100.0	100.0	31.9	28.5	22.0	24.6	24.5

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Town Location	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2022 (%) <sup>(2)</sup>	2018	2019	2020	2021	2022
<b>SK33a, SK34b</b>	491515	336389	Roadside	Grantham	100.0	100.0	<b>45.9</b>	<b>40.7</b>	31.3	36.6	37.8
<b>SK35a, SK36b</b>	491330	336022	Roadside	Grantham	100.0	100.0	36.0	31.8	25.3	26.8	27.4
<b>SK37a, SK38b, SK39c</b>	491460	335715	Roadside	Grantham	67.3	67.3	34.0	30.6	22.1	27.5	24.4
<b>SK40</b>	491512	335719	Roadside	Grantham	75.0	75.0	25.8	21.9	18.7	19.8	28.5
<b>SK41a, SK42b</b>	491602	335485	Roadside	Grantham	92.3	92.3	33.7	30.8	22.5	27.7	18.7
<b>SK43a, SK44b</b>	491734	335196	Roadside	Grantham	100.0	100.0	31.6	27.9	21.2	26.0	25.2
<b>SK45a, SK46b</b>	491869	334960	Roadside	Grantham	100.0	100.0	37.5	34.5	26.4	29.7	26.3
<b>SK47a, SK48b</b>	492067	334922	Roadside	Grantham	100.0	100.0	33.2	30.2	25.2	24.9	31.2
<b>SK49</b>	491427	335193	Roadside	Grantham	100.0	100.0	20.3	19.7	14.7	15.3	25.5
<b>SK50a, SK51b</b>	491184	335575	Roadside	Grantham	100.0	100.0	36.1	32.1	24.2	27.0	15.1
<b>SK52a, SK53b</b>	491200	335636	Roadside	Grantham	100.0	100.0	35.0	31.9	31.9	28.9	27.4
<b>SK54a, SK55b</b>	491492	335505	Roadside	Grantham	100.0	100.0	<b>43.3</b>	39.6	29.1	35.2	29.1
<b>SK56a, SK57b</b>	491402	335501	Roadside	Grantham	100.0	100.0	37.2	33.1	26.1	29.8	34.4
<b>SK58</b>	503070	306957	Roadside	Stamford	100.0	100.0	31.1	24.6	19.3	18.5	29.4

Annualisation has been conducted where data capture is <75% and >25% in line with LAQM.TG22.

Diffusion tube data has been bias adjusted.

Reported concentrations are those at the location of the monitoring site (bias adjusted and annualised, as required), i.e. prior to any fall-off with distance correction.

#### Notes:

The annual mean concentrations are presented as  $\mu\text{g}/\text{m}^3$ .

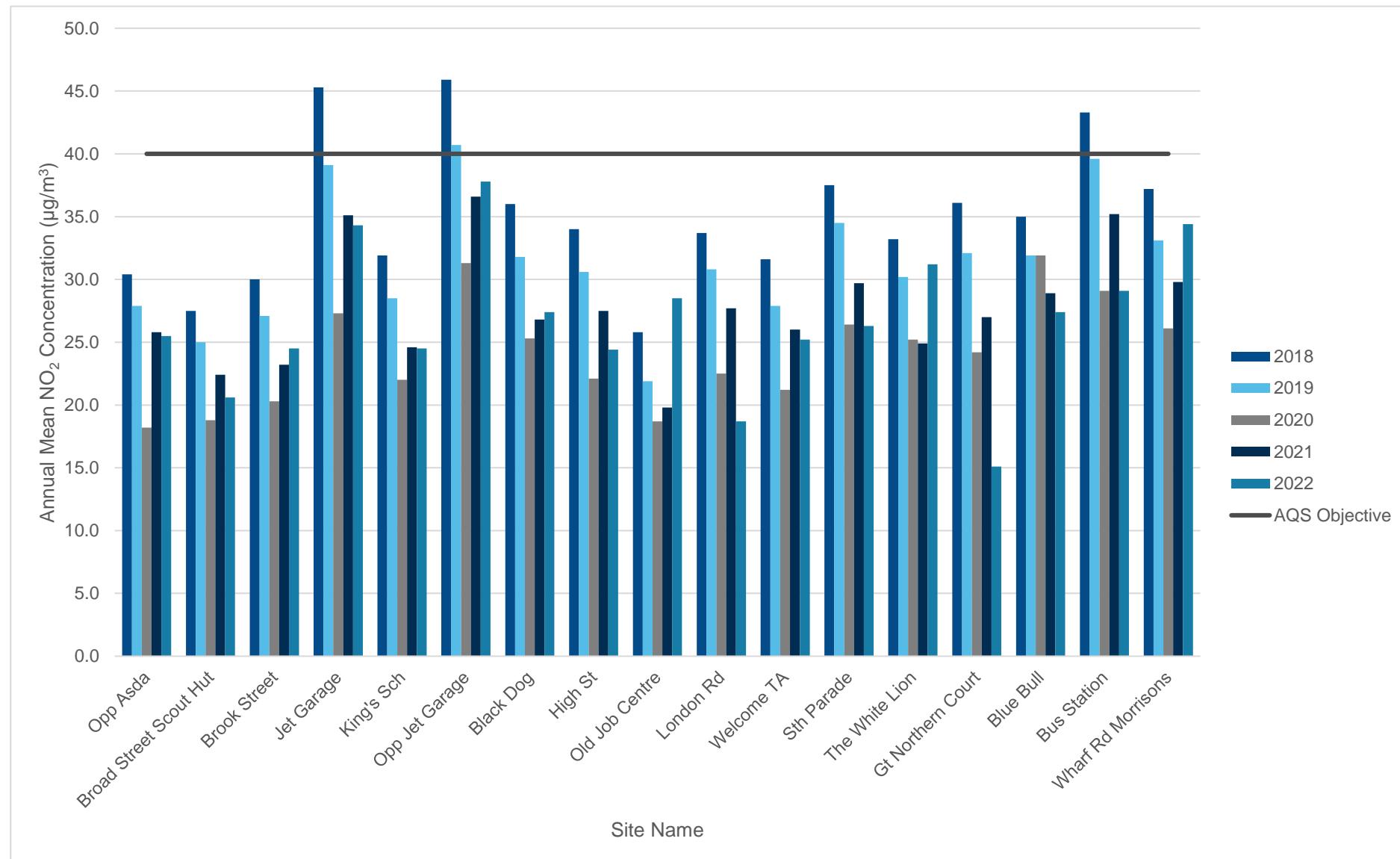
Exceedances of the NO<sub>2</sub> annual mean objective of 40µg/m<sup>3</sup> are shown in **bold**.

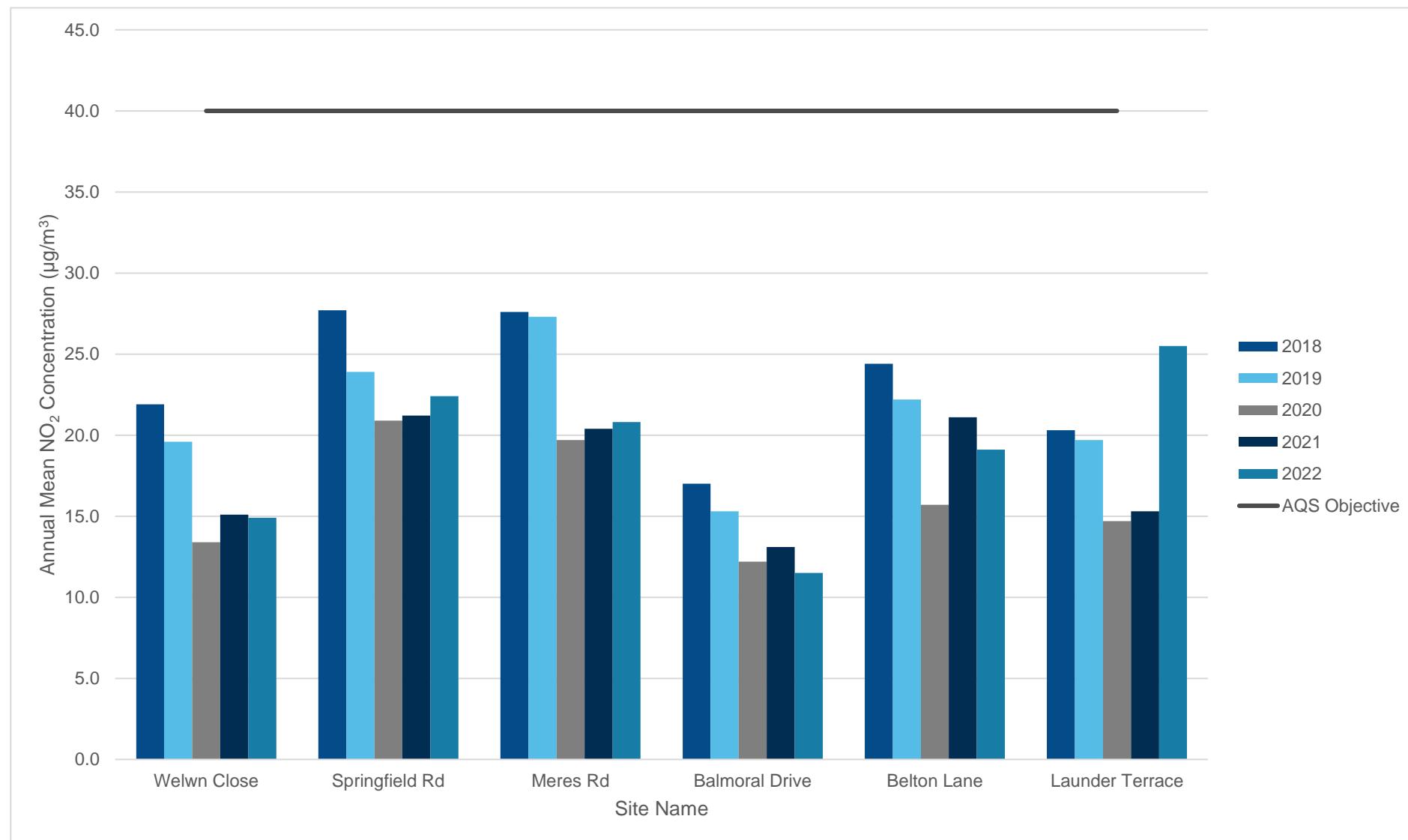
NO<sub>2</sub> annual means exceeding 60µg/m<sup>3</sup>, indicating a potential exceedance of the NO<sub>2</sub> 1-hour mean objective are shown in **bold and underlined**.

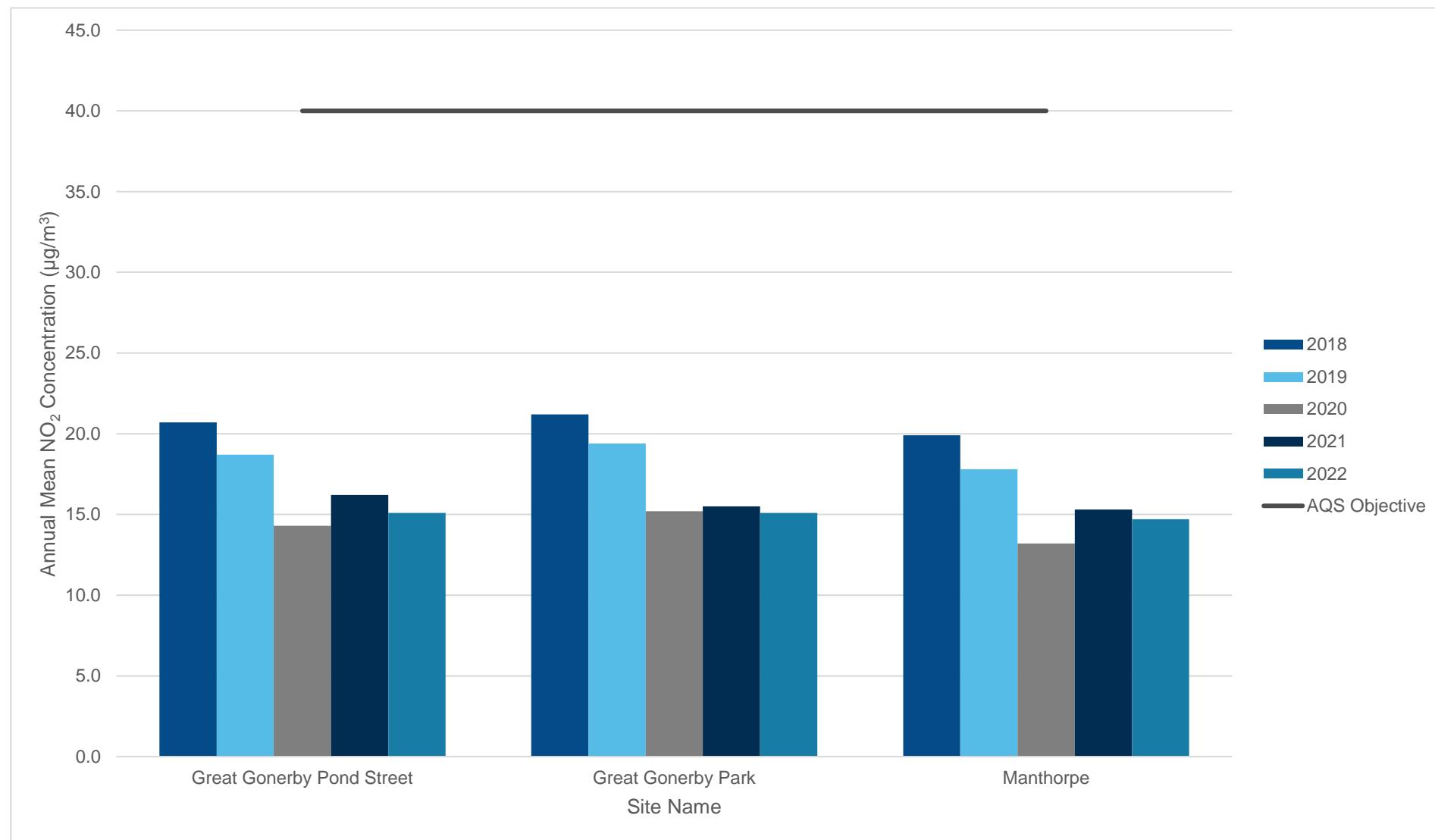
Means for diffusion tubes have been corrected for bias. All means have been “annualised” as per LAQM.TG22 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

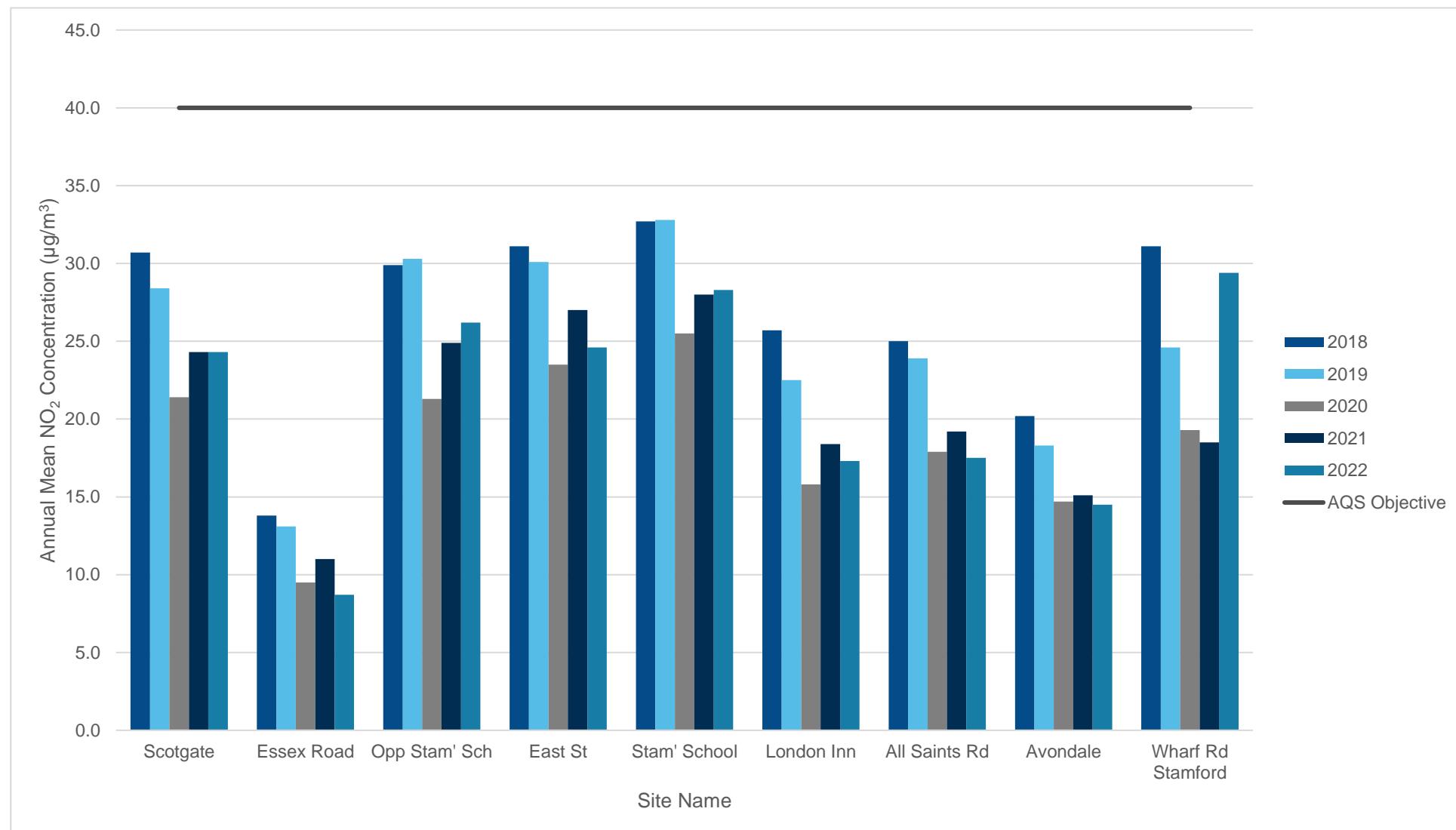
Concentrations are those at the location of monitoring and not those following any fall-off with distance adjustment.

- (1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.
- (2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

**Figure A.1 – Trends in Annual Mean NO<sub>2</sub> Concentrations in AQMA No.6 Grantham**

**Figure A.2 – Trends in Annual Mean NO<sub>2</sub> Concentrations in West Grantham**

**Figure A.3 – Trends in Annual Mean NO<sub>2</sub> Concentrations in North Grantham**

**Figure A.4 – Trends in Annual Mean NO<sub>2</sub> Concentrations in Stamford**

## Appendix B: Full Monthly Diffusion Tube Results for 2022

Table B.1 – NO<sub>2</sub> 2022 Diffusion Tube Results (µg/m<sup>3</sup>)

DT ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Mean: Raw Data	Annual Mean: Annualised and Bias Adjusted (0.82)	Annual Mean: Distance Corrected to Nearest Exposure	Comment
SK1	502659	307218	37.4	31.4	37.1	29.9	26.7	21.6	34.5	32.3	31.5	24.4	32.6	19.4	-	-		Duplicate Site with SK1a and SK2b - Annual data provided for SK2b only
SK2	502659	307218	42.0	28.7	42.1	30.9	26.0	27.2	24.9	30.1	30.8	21.7	33.0	15.5	29.7	24.3		Duplicate Site with SK1a and SK2b - Annual data provided for SK2b only
SK3	502717	307750	22.6	13.9	7.9	8.2	6.6	7.4	7.0	7.3	8.0	11.4	19.3	8.2	10.7	8.7		
SK4	503291	307420	54.5	34.2	38.3	26.6	29.1	30.3	28.0	24.3	32.1	27.7	40.2	18.8	32.0	26.2		
SK5	503391	307396	40.6	27.4	40.1	32.6	27.1	23.5	28.6	33.6	30.9	27.9	31.8	17.9	-	-		Duplicate Site with SK5a and SK6b - Annual data provided for SK6b only
SK6	503391	307396	40.0	29.9	41.0	33.5	22.9	25.1	28.0	33.4	30.6	24.9	32.0	16.1	30.0	24.6		Duplicate Site with SK5a and SK6b - Annual data provided for SK6b only
SK7	503281	307398	46.6	38.1	45.9	35.4	29.6	33.0	31.7	35.5	33.9	29.5	34.9	20.3	34.5	28.3		
SK8	502910	307120	30.2	20.9	31.3	21.5	16.3	15.5	22.3	20.5	22.0	18.5	22.4	12.3	21.1	17.3		
SK9	502873	307141	30.8	30.6	30.0	20.1	18.2	18.5	17.8	16.8	20.6	17.5		13.2	21.3	17.5		
SK10	502382	306890	32.4	23.9	21.8	15.1	10.6	14.1	14.7	14.0	15.3	17.7	21.7	11.3	17.7	14.5		
SK11	490118	334165	33.3	20.8	25.1	16.0	11.5	16.0	15.5	15.0	17.1	16.8	24.2	10.0	-	-		Triplicate Site with SK11a, SK12b and SK13c - Annual data provided for SK13c only
SK12	490118	334165	26.9	21.0	26.0	16.3	15.8	15.6	16.2	15.1	17.1	17.5	20.8	10.6	-	-		Triplicate Site with SK11a, SK12b and SK13c - Annual data provided for SK13c only
SK13	490118	334165	30.5	22.6	21.4	14.9	14.6	14.5	15.3	16.0	17.7	12.9	22.3	11.5	18.2	14.9		Triplicate Site with SK11a, SK12b and SK13c - Annual data provided for SK13c only
SK14	490877	334642	47.6	32.6	29.7	26.3	21.1	21.9	23.9	25.3	27.9	25.9	31.0	19.4	-	-		Duplicate Site with SK14a and SK15b - Annual data provided for SK15b only
SK15	490877	334642	42.5	37.3	28.5	24.1	20.2	23.5	23.7	25.5	26.3	23.9	28.7	17.9	27.3	22.4		Duplicate Site with SK14a and SK15b - Annual data provided for SK15b only
SK16	489263	335353	36.9	32.5	21.5	16.8	26.1	33.5	26.2	22.0	21.3	30.2	25.2	13.4	-	-		Duplicate Site with SK16a and SK17b - Annual data provided for SK17b only
SK17	489263	335353	39.5	28.7	24.5	17.8	27.3	31.4	25.9	22.2	25.1	19.5	30.2	12.5	25.4	20.8		Duplicate Site with SK16a and SK17b - Annual data provided for SK17b only
SK18	489956	336574	23.0	18.2	19.4	10.5	10.3	10.1	10.4	10.4	13.7	13.5	19.8	9.6	14.1	11.5		
SK19	491067	336209	40.9	36.1	43.2	26.3	28.4	29.3	30.8	25.7	24.6	29.6	35.2	17.8	-	-		Duplicate Site with SK19a and SK20b - Annual data provided for SK20b only

DT ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Mean: Raw Data	Annual Mean: Annualised and Bias Adjusted (0.82)	Annual Mean: Distance Corrected to Nearest Exposure	Comment
<b>SK20</b>	491067	336209	43.3	41.9	42.4	26.9	24.0	28.7	30.3	25.6	27.0	28.7	38.9	19.9	31.1	25.5		Duplicate Site with SK19a and SK20b - Annual data provided for SK20b only
<b>SK21</b>	491270	336256	43.6	34.6	32.1	19.4	20.9	20.2	20.5	18.6	21.7	21.1	32.9	15.2	25.1	20.6		
<b>SK22</b>	491260	336188	46.7	42.0	44.8	25.9	25.4	23.8	25.2	25.9	27.0	23.7	33.5	14.9	29.9	24.5		
<b>SK23</b>	489720	338204	29.8	26.1	21.3	15.0	14.7	13.6	14.4	14.3	18.0	15.5	26.2	12.3	18.4	15.1		
<b>SK24</b>	489870	338683	32.8	25.9	20.6	12.9	17.3	16.3	16.3	12.4	16.2	15.8	21.2	13.0	18.4	15.1		
<b>SK25</b>	492069	337874	33.6	19.1	20.5	14.8	11.0	7.8 (Found on ground)	15.3	13.9	16.3		22.1	12.8	17.9	14.7		
<b>SK26</b>	491280	336573	40.3	24.1	31.1	22.4	19.4		18.7	22.4	19.4	22.8	22.3	28.0	8.3	23.3	19.1	
<b>SK27</b>	491496	336354	61.4	38.4	54.5	41.1	32.6	36.3	39.9	40.2	45.3	38.1	43.7	22.9	-	-		Triplicate Site with SK27a, SK28b and SK29c - Annual data provided for SK29c only
<b>SK28</b>	491496	336354	58.7	38.3	52.4	42.4	35.8	33.9	41.8	38.3	44.2	36.8	48.3	27.0	-	-		Triplicate Site with SK27a, SK28b and SK29c - Annual data provided for SK29c only
<b>SK29</b>	491496	336354	60.2	40.4	60.7	43.9	37.4	36.6	40.4	38.1	42.5	38.3	52.0	21.7	41.8	34.3		Triplicate Site with SK27a, SK28b and SK29c - Annual data provided for SK29c only
<b>SK30</b>	491472	336315	47.4	39.0	32.5	31.8	26.4	25.5	28.9	26.0	33.1	25.7	27.5	17.4	-	-		Triplicate Site with SK30a, SK31b and SK32c - Annual data provided for SK32c only
<b>SK31</b>	491472	336315	45.9	36.5	31.6	31.6	27.9	28.0	28.0	23.2	31.5	25.9	29.2	18.3	-	-		Triplicate Site with SK30a, SK31b and SK32c - Annual data provided for SK32c only
<b>SK32</b>	491472	336315	46.6	37.2	29.2	27.9	31.2	25.7	27.9	25.7	31.0	24.2	31.3	17.9	29.9	24.5		Triplicate Site with SK30a, SK31b and SK32c - Annual data provided for SK32c only
<b>SK33</b>	491515	336389	69.1	60.7	45.8	42.9	43.4	43.8	46.8	37.3	46.1	43.9	40.8	25.4	-	-		Duplicate Site with SK33a and SK34b - Annual data provided for SK34b only
<b>SK34</b>	491515	336389	70.0	62.1	42.5	45.4	43.1	44.1	46.9	42.4	50.3	40.3	48.9	25.4	46.1	37.8		Duplicate Site with SK33a and SK34b - Annual data provided for SK34b only
<b>SK35</b>	491330	336022	46.1	35.7	44.9	39.9	29.1	26.4	30.8	31.9	33.5	29.3	35.6	20.3	-	-		Duplicate Site with SK35a and SK36b - Annual data provided for SK36b only
<b>SK36</b>	491330	336022	47.0	36.9	45.7	38.6	27.6	26.6	28.7	33.8	36.4	28.1	31.4	17.9	33.4	27.4		Duplicate Site with SK35a and SK36b - Annual data provided for SK36b only
<b>SK37</b>	491460	335715	43.3	44.3	46.7	35.0						28.0	29.2	19.7	-	-		Triplicate Site with SK37a, SK38b and SK39c - Annual data provided for SK39c only
<b>SK38</b>	491460	335715	42.4	33.3	48.8	39.2		23.5				28.9	30.0	18.9	33.4	-		Triplicate Site with SK37a, SK38b and SK39c - Annual data provided for SK39c only
<b>SK39</b>	491460	335715	42.9	39.4	54.7	40.7		25.9	32.0			28.9	31.2	17.3	34.8	27.7		Triplicate Site with SK37a, SK38b and SK39c - Annual data provided for SK39c only

DT ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Mean: Raw Data	Annual Mean: Annualised and Bias Adjusted (0.82)	Annual Mean: Distance Corrected to Nearest Exposure	Comment
<b>SK40</b>	491512	335719	35.1	24.8	32.0	19.4	19.2	18.6	19.2		23.6	23.6	24.6	10.6	22.8	18.7		
<b>SK41</b>	491602	335485	<b>43.4</b>	37.3	34.1	29.7	30.8	24.9	31.4	35.1	34.3	21.6	31.0	17.0	-	-		Duplicate Site with SK41a and SK42b - Annual data provided for SK42b only
<b>SK42</b>	491602	335485	<b>48.0</b>	33.0	42.5	31.9	23.4	24.0	30.8	31.3	37.0	21.4	30.1	13.8	30.7	25.2		Duplicate Site with SK41a and SK42b - Annual data provided for SK42b only
<b>SK43</b>	491734	335196	<b>42.6</b>	28.5	36.8	31.5	37.9	26.2	24.5	29.3	<b>40.0</b>	38.4	<b>44.4</b>	18.9	-	-		Duplicate Site with SK43a and SK44b - Annual data provided for SK44b only
<b>SK44</b>	491734	335196	39.4	41.2	52.7	25.9	22.9	21.1	30.9	27.7	30.5	25.9	35.9	17.7	32.1	26.3		Duplicate Site with SK43a and SK44b - Annual data provided for SK44b only
<b>SK45</b>	491869	334960	<b>53.6</b>	<b>48.6</b>	<b>40.7</b>	32.4	38.4	28.6	32.6	37.3	<b>40.6</b>	26.2	<b>47.8</b>	24.8	-	-		Duplicate Site with SK45a and SK46b - Annual data provided for SK46b only
<b>SK46</b>	491869	334960	<u><b>65.1</b></u>	<b>44.2</b>	<b>41.7</b>	<b>40.4</b>	35.4	30.8	30.5	33.0	36.8	39.2	<b>42.4</b>	22.2	38.1	31.2		Duplicate Site with SK45a and SK46b - Annual data provided for SK46b only
<b>SK47</b>	492067	334922	<b>44.1</b>	35.0	39.4	24.7	29.1	29.6	29.1	27.2	25.9	32.4	37.2	16.8	-	-		Duplicate Site with SK47a and SK48b - Annual data provided for SK48b only
<b>SK48</b>	492067	334922	<b>45.2</b>	<b>40.6</b>	38.5	25.3	29.9	29.4	28.1	25.0	28.1	31.6	38.8		31.2	25.5		Duplicate Site with SK47a and SK48b - Annual data provided for SK48b only
<b>SK49</b>	491427	335193	32.9	31.2	22.1	14.2	13.9	12.0	15.4	13.8	17.2	13.9	22.4	11.4	18.4	15.1		
<b>SK50</b>	491184	335575	<b>48.9</b>	<b>40.6</b>	35.3	31.2		29.5	30.4	33.2	33.2	31.1	39.5	18.5	-	-		Duplicate Site with SK50a and SK51b - Annual data provided for SK51b only
<b>SK51</b>	491184	335575	<b>46.2</b>	<b>41.7</b>	<b>41.9</b>		30.9	29.1		32.3	29.7	31.1	34.4	22.0	33.5	27.4		Duplicate Site with SK50a and SK51b - Annual data provided for SK51b only
<b>SK52</b>	491200	335636	<b>49.8</b>	39.9	<b>47.7</b>	33.4	<b>43.1</b>	26.3	34.2	32.7	36.5	33.3	35.1	17.9	-	-		Duplicate Site with SK52a and SK53b - Annual data provided for SK53b only
<b>SK53</b>	491200	335636	<b>51.7</b>	<b>40.9</b>	<b>43.1</b>	33.6	32.6	31.1	34.3	29.7	36.9	24.6	<b>42.9</b>	19.2	35.4	29.1		Duplicate Site with SK52a and SK53b - Annual data provided for SK53b only
<b>SK54</b>	491492	335505	<b>55.8</b>	<b>47.2</b>	<b>54.0</b>	32.3	36.6	36.6	<b>40.9</b>	42.3	<b>42.3</b>	34.8	<b>49.6</b>	23.7	-	-		Duplicate Site with SK54a and SK55b - Annual data provided for SK55b only
<b>SK55</b>	491492	335505	<b>59.7</b>	<b>49.5</b>	<b>54.9</b>	<b>40.9</b>	38.2	36.7	<b>41.2</b>	39.4	<b>41.1</b>	37.3	<b>48.7</b>	22.6	<b>41.9</b>	34.4		Duplicate Site with SK54a and SK55b - Annual data provided for SK55b only
<b>SK56</b>	491402	335501	<b>51.7</b>	<b>42.8</b>	<b>41.6</b>	32.0	34.6	31.5	35.7	29.8	31.2	33.4	<b>41.8</b>	19.0	-	-		Duplicate Site with SK56a and SK57b - Annual data provided for SK57b only
<b>SK57</b>	491402	335501	<b>53.2</b>	<b>45.1</b>	<b>51.9</b>	29.3	34.0	31.1	35.1	29.8	33.8	33.8	38.5	18.6	35.8	29.4		Duplicate Site with SK56a and SK57b - Annual data provided for SK57b only
<b>SK58</b>	503070	306957	37.7	26.7	39.1	22.7	21.0	20.9	22.0	22.7	23.0	17.9	26.4	13.7	24.5	20.1		

All erroneous data has been removed from the NO<sub>2</sub> diffusion tube dataset presented in Table B.1.

- Annualisation has been conducted where data capture is <75% and >25% in line with LAQM.TG22.**
- Local bias adjustment factor used.**
- National bias adjustment factor used.**
- Where applicable, data has been distance corrected for relevant exposure in the final column.**
- South Kesteven District Council confirm that all 2022 diffusion tube data has been uploaded to the Diffusion Tube Data Entry System.**

**Notes:**

Exceedances of the NO<sub>2</sub> annual mean objective of 40µg/m<sup>3</sup> are shown in **bold**.

NO<sub>2</sub> annual means exceeding 60µg/m<sup>3</sup>, indicating a potential exceedance of the NO<sub>2</sub> 1-hour mean objective are shown in **bold and underlined**.

See Appendix C for details on bias adjustment and annualisation.

## Appendix C: Supporting Technical Information / Air Quality Monitoring Data QA/QC

### New or Changed Sources Identified Within South Kesteven District Council During 2022

South Kesteven have not identified any planning applications as having the potential to impact air quality as part of Environmental Statement documents for developments in Grantham.

### Additional Air Quality Works Undertaken by South Kesteven District Council During 2022

#### QA/QC of Diffusion Tube Monitoring

The diffusion tubes for the year 2022 were supplied and analysed by Gradko International Ltd for the whole year. All tubes were prepared using 50% TEA v/v in acetone method. All results have been bias adjusted before being presented in Table B.1.

Gradko International Ltd are UKAS accredited laboratories and participate in the AIR-PT Scheme (a continuation of the former Workplace Analysis Scheme for Proficiency (WASP)) for NO<sub>2</sub> tube analysis and the Annual Field Inter-Comparison Exercise. These provide strict performance criteria for participating laboratories to meet, thereby ensuring NO<sub>2</sub> concentrations reported are of a high calibre. The labs follow the procedures set out in the Harmonisation Practical Guidance. In the 2022 AIR-PT results, AIR-PT AR049 (January – February 2022) and AR050 (May – June 2022) Gradko scored 100%. The percentage score reflects the results deemed to be satisfactory based upon the z-score of < ±2. Results for July – December 2022 were not available at the time of writing.

#### Diffusion Tube Annualisation

Annualisation was required for monitoring locations SK37a and SK38b located on High Street, Grantham which had data capture of 58.3 and 66.7% respectively in 2022. The annualisation process in accordance with LAQM.TG.22 was undertaken utilising the

AURN sites from Nottingham Centre, Leicester University and Northampton Spring Park. The calculated annualisation factor are detailed in Table C.1 below.

**Table C.1 – Annualisation Summary (concentrations presented in  $\mu\text{g}/\text{m}^3$ )**

Site ID	Nottingham Centre	Leicester University	Northampton Spring Park	Average Annualisation Factor	Raw Data Annual Mean	Annualised Annual Mean
SK37a	0.8761	0.8688	0.8084	0.8511	35.2	29.9
SK38b	0.9178	0.9036	0.8514	0.8909	33.1	29.5

### Diffusion Tube Bias Adjustment Factors

The diffusion tube data presented within the 2022 ASR have been corrected for bias using an adjustment factor. Bias represents the overall tendency of the diffusion tubes to under or over-read relative to the reference chemiluminescence analyser. LAQM.TG22 provides guidance with regard to the application of a bias adjustment factor to correct diffusion tube monitoring. Triplicate co-location studies can be used to determine a local bias factor based on the comparison of diffusion tube results with data taken from  $\text{NO}_x/\text{NO}_2$  continuous analysers. Alternatively, the national database of diffusion tube co-location surveys provides bias factors for the relevant laboratory and preparation method.

South Kesteven have applied a national bias adjustment factor of 0.82 to the 2022 monitoring data. A summary of bias adjustment factors used by South Kesteven over the past five years is presented in Table C.2.

**Table C.2 – Bias Adjustment Factor**

Monitoring Year	Local or National	If National, Version of National Spreadsheet	Adjustment Factor
2022	National	03/23	0.82
2021	National	03/22	0.83
2020	National	03/21	0.84
2019	National	03/20	0.89
2018	National	03/19	0.89

### $\text{NO}_2$ Fall-off with Distance from the Road

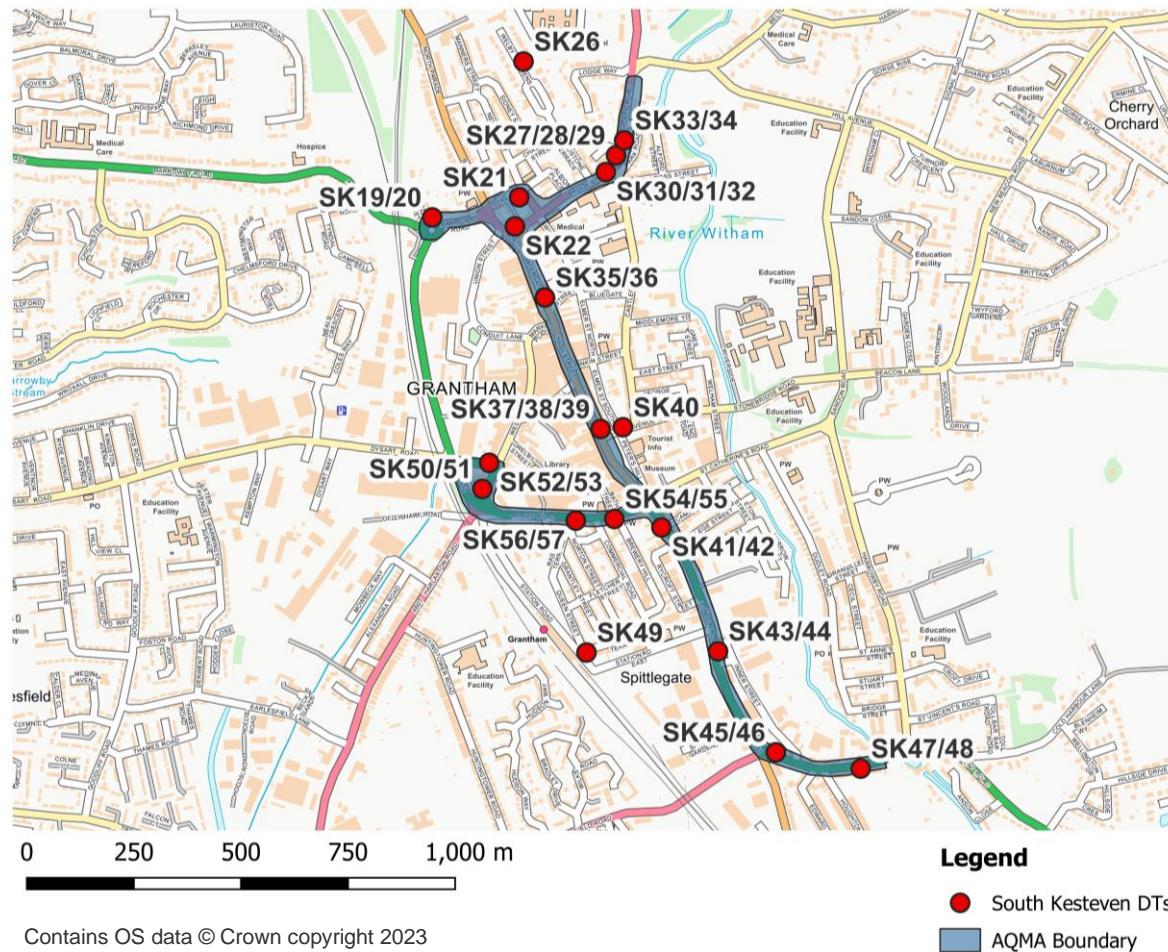
No diffusion tube  $\text{NO}_2$  monitoring locations within South Kesteven required distance correction during 2022.

## **NO<sub>2</sub> Fall-off with Distance from the Road**

No automatic NO<sub>2</sub> monitoring locations within South Kesteven required distance correction during 2022.

## Appendix D: Maps of Monitoring Locations and AQMAs

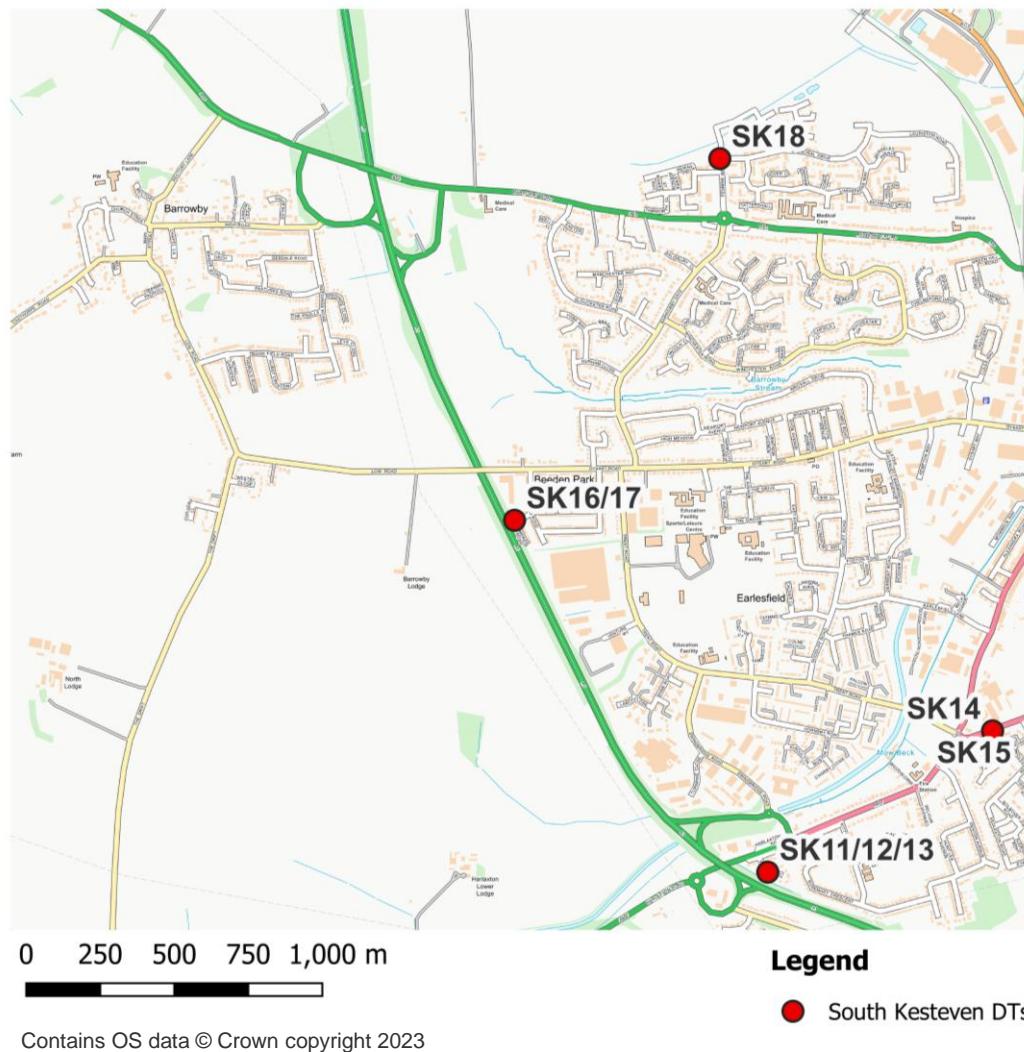
Figure D.1 – Map of Non-Automatic Monitoring Sites within/near AQMA No. 6 Grantham



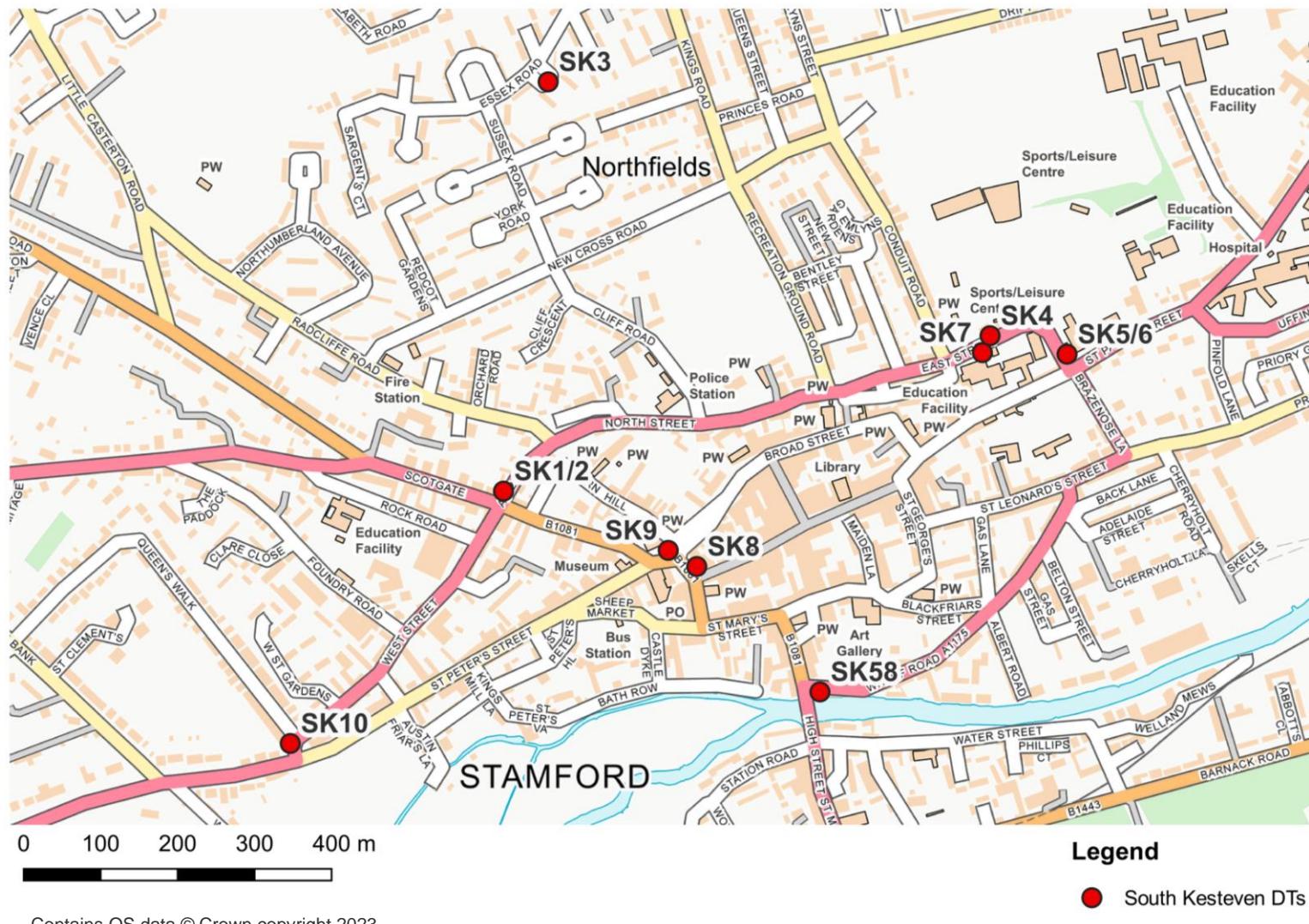
**Figure D.2 – Map of Non-Automatic Monitoring Sites in North Grantham**

Contains OS data © Crown copyright 2023

**Figure D.3 – Map of Non-Automatic Monitoring Sites in West Grantham**



#### Figure D.4 – Map of Non-Automatic Monitoring Sites in Stamford



Contains OS data © Crown copyright 2023

## Appendix E: Summary of Air Quality Objectives in England

**Table E.1 – Air Quality Objectives in England<sup>8</sup>**

Pollutant	Air Quality Objective: Concentration	Air Quality Objective: Measured as
Nitrogen Dioxide (NO <sub>2</sub> )	200µg/m <sup>3</sup> not to be exceeded more than 18 times a year	1-hour mean
Nitrogen Dioxide (NO <sub>2</sub> )	40µg/m <sup>3</sup>	Annual mean
Particulate Matter (PM <sub>10</sub> )	50µg/m <sup>3</sup> , not to be exceeded more than 35 times a year	24-hour mean
Particulate Matter (PM <sub>10</sub> )	40µg/m <sup>3</sup>	Annual mean
Sulphur Dioxide (SO <sub>2</sub> )	350µg/m <sup>3</sup> , not to be exceeded more than 24 times a year	1-hour mean
Sulphur Dioxide (SO <sub>2</sub> )	125µg/m <sup>3</sup> , not to be exceeded more than 3 times a year	24-hour mean
Sulphur Dioxide (SO <sub>2</sub> )	266µg/m <sup>3</sup> , not to be exceeded more than 35 times a year	15-minute mean

<sup>8</sup> The units are in microgrammes of pollutant per cubic metre of air (µg/m<sup>3</sup>).

## Glossary of Terms

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality limit values'
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
AQS	Air Quality Strategy
ASR	Annual Status Report
Defra	Department for Environment, Food and Rural Affairs
DMRB	Design Manual for Roads and Bridges – Air quality screening tool produced by National Highways
EU	European Union
FDMS	Filter Dynamics Measurement System
LAQM	Local Air Quality Management
NO <sub>2</sub>	Nitrogen Dioxide
NO <sub>x</sub>	Nitrogen Oxides
PM <sub>10</sub>	Airborne particulate matter with an aerodynamic diameter of 10µm or less
PM <sub>2.5</sub>	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less
QA/QC	Quality Assurance and Quality Control
SO <sub>2</sub>	Sulphur Dioxide
WASP	Workplace Analysis Scheme for Proficiency

## References

- Local Air Quality Management Technical Guidance LAQM.TG22. August 2022. Published by Defra in partnership with the Scottish Government, Welsh Assembly Government and Department of the Environment Northern Ireland.
- Local Air Quality Management Policy Guidance LAQM.PG22. August 2022. Published by Defra in partnership with the Scottish Government, Welsh Assembly Government and Department of the Environment Northern Ireland.
- Public Health England. Air Quality: A Briefing for Directors of Public Health, 2017
- Defra. Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006
- Defra. Air quality appraisal: damage cost guidance, January 2023
- Public Health England. Estimation of costs to the NHS and social care due to the health impacts of air pollution: summary report, May 2018
- Defra. Environmental Improvement Plan 2023, January 2023
- DfT. The Road to Zero: Next steps towards cleaner road transport and delivering our Industrial Strategy, July 2018
- Public Health Outcomes Framework: D01- Fraction of Mortality Attributable to Particulate Air Pollution

# Appendix 2



## Air Quality Management Area Order 2013

### Environment Act 1995 Part IV Section 83(1)

#### **South Kesteven District Council No 6 Grantham, Lincolnshire**

South Kesteven District 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 as the South Kesteven District Council Air Quality Management Area No 6 and shall come into effect on **8 AUGUST 2013**

This Order replaces the previous Air Quality Management Order No 5.

The area shown on the attached map in red marked "South Kesteven District Council No 6 Air Quality Management Area 2013" is hereby declared to be an Air Quality Management Area.

The designated area extends the existing Air Quality Management Area along Manthorpe Road and Wharf Road to include High Street and London Road, Grantham.

One duplicate of the map is deposited at Council offices, St Peters Hill, Grantham, NG31 6PZ and is available for viewing during normal working hours.

This area is designated in relation to a likely breach of Nitrogen Dioxide objections for annual and hourly mean as specified in the Air Quality Regulations 2000.

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

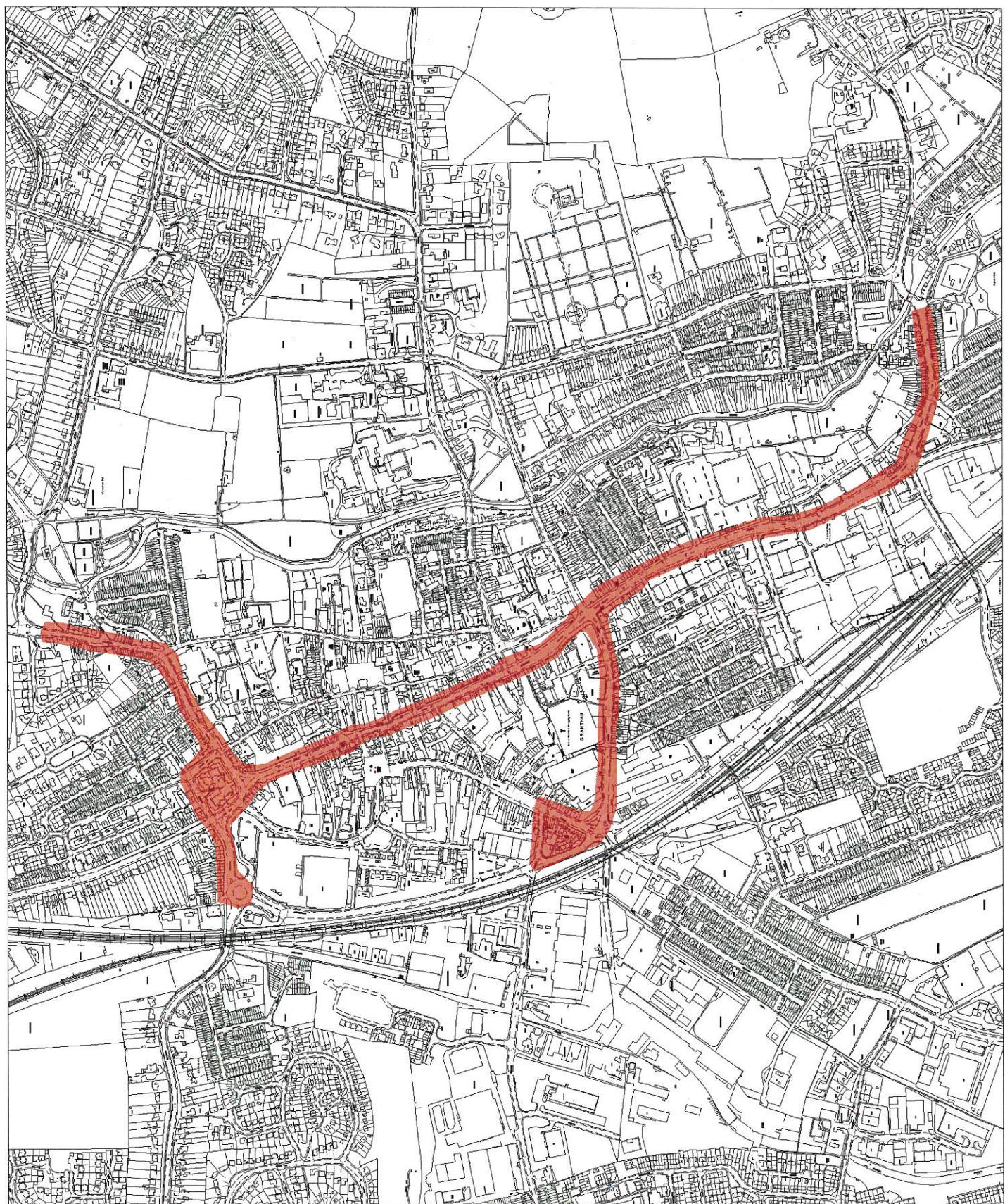
Executed as a deed by affixing  
The common seal of SOUTH  
KESTEVEN DISTRICT COUNCIL  
In the presence of:

Authorised Officer:



Air Quality Management Area Order 2013  
South Kesteven District Council No. 6  
Grantham Consolidated Area

South Kesteven DC Licence Number 100018662



Local Authority:	South Kesteven District Council
Reference:	AS23-1919
Date of issue	October 2023

## Annual Status Report Appraisal Report

The Annual Status Report sets out new information on air quality obtained by South Kesteven District Council (SKDC) as part of the Review & Assessment process required under the Environment Act 1995 (as amended by the Environment Act 2021) and subsequent Regulations.

**The original report was rejected in August 2023. The major issues identified in the original appraisal have been sufficiently rectified, and the report is now considered acceptable.**

There is one Air Quality Management Area (AQMA) declared across South Kesteven District Council, which encompasses Manthorpe Road, Wharf Road, High Street and London Road within Grantham. As a result, South Kesteven District Council published their standalone Air Quality Action Plan (AQAP) in 2016. The AQAP was not reviewed due to lack of local authority resources in 2022. This will be reviewed by the Council when additional staffing resources are available. However, since this is now 7 years old, the Council must update this within the next reporting year when additional resources are available, or if it is determined that the AQMA is no longer required, they should begin the process of revoking the AQMA and preparing a replacement Air Quality Strategy (AQS).

SKDC did not undertake any automatic (continuous) monitoring during 2022. SKDC undertook non-automatic (i.e. passive) monitoring of NO<sub>2</sub> at 35 sites during 2022 with 58 individual diffusion tubes, though no new monitoring locations commenced in 2022. There were no exceedances of the AQS recorded at any of the passive monitoring sites. The maximum reported concentration in 2022 was 37.8 µg/m<sup>3</sup> at diffusion tube duplicate monitoring location SK33, 34, located on A607 Manthorpe Road in Grantham, which is slightly higher than in 2021. Overall, the trend shows that the NO<sub>2</sub> concentrations are increasing in the area since 2020.

The Council have included a detailed discussion of their approach to reducing PM<sub>2.5</sub> concentrations and emissions in the local area, and the Council have declared 42 Smoke Control Areas (SCA's), where only authorised fuels and 'exempt appliances' are not subject to the rules. The Council have also included the "D01-Fraction of Mortality Attributable to Particulate Air Pollution" indicator from the Public Health Outcomes Framework, which shows that the area has a 5.2% fraction of mortality, which is both below the average for England overall (5.5%) and the East Midlands region (5.6%).

The Council has robust QA/QC procedures, which were applied appropriately and accurately to the 2022 monitoring data with a relevant national bias adjustment factor having been determined

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Date of issue	<b>October 2023</b>

and selected, as a local bias adjustment factor could not be derived due to a lack of co-location studies at any roadside locations. Annualisation was applied to one diffusion tube triplicate (SK37,38,39) monitoring location, where the data capture was 67.3%. No distance correction was carried out for the 2022 monitoring data. All calculations that were carried out were clearly outlined and justified.

The revocation of an AQMA should be considered following three consecutive years of compliance with the relevant objective as evidenced through monitoring. Where there have been no exceedances for the past five years, local authorities must proceed with plans to revoke the AQMA. The LAQM Technical Guidance 2022 is clear in this respect:

"There should not be any declared AQMAs for which compliance with the relevant objective has been achieved for a consecutive five-year period." (Point 3.57, page 50).

Please be aware that unless a likely exceedance has been identified in the area, Defra will not appraise AQAPs for AQMAs that have been in compliance for five years. Local Authorities will instead be advised to revoke the AQMA.

AQMAs should identify areas where air quality objectives are not being met or are likely to be at risk of not meeting them. Keeping AQMAs in place longer than required risks diluting their meaning and impacting public trust in LAQM.

Local authorities that do not have an AQMA should continue to monitor for exceedances and should still have a local air quality strategy in place to ensure air quality remains a high-profile issue, thereby enabling a quick response should there be any deterioration in condition. See LAQM Statutory Policy Guidance 2022 for more information.

On the basis of the evidence provided by the local authority the report is **accepted** for all sources and pollutants. Following the completion of this report, SKDC should review the AQAP which is now seven years old and submit their Annual Status Report in 2024.

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Reference:	<b>AS23-1919</b>
Date of issue	<b>October 2023</b>

## Commentary

The report is well structured, detailed, and provides the information specified in the Guidance.

The following comments have now been addressed for the report to be accepted:

1. Incorrect annual mean concentration data in Tables A.2 and B.1.
  - The 2022 annual mean concentration data in Table A.2 do not match with those provided in Table B.1 (from SK37 and below).

**The annual mean concentration data have now been corrected.**

The following comments are designed to help inform future reports:

2. Comments from last year's ASR have been mentioned and addressed, which is welcomed, and it is encouraged that this continues with future ASRs.
3. The AQAP is now seven years old and is therefore due for review. If it is determined by the Council that the AQMA is no longer required due to the completion of three consecutive years of compliance, an AQS should be prepared.
4. All graphs are well presented and are clear to read, with the addition of the AQQ allowing for visual analysis of the monitoring data. Formatting is consistent between all charts. The Council have also provided a detailed discussion of these trends.
5. When additional staffing resource is available, the Council should consider the relocation of some monitoring sites that continuously show low concentrations, such as site SK3.
6. NO<sub>2</sub> 1 hour mean is compliant with Air Quality Objective for ten years and the AQMA declaration for the NO<sub>2</sub> 1 hour mean objective should be revoked.
7. Defra recommends that Directors of Public Health approve draft ASRs. Sign off is not a requirement, however collaboration and consultation with those who have responsibility for Public Health is expected to increase support for measures to improve air quality, with co-benefits for all. Please bear this in mind for the next annual reporting process too.
8. A national bias adjustment factor has been applied. It would be beneficial to include a screenshot of the tool so the factor can be verified.

Local Authority:	<b>South Kesteven District Council</b>
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9. All DT locations are illustrated on four different maps. However, it would be helpful to include a map that shows all DT locations within the SKDC boundaries.

This commentary is not designed to deal with every aspect of the report. It highlights a number of issues that should help the local authority either in completing the Annual Status Report adequately (if required) or in carrying out future Review & Assessment work.

**Issues specifically related to this appraisal can be followed up by returning the attached comment form to Defra, Welsh Government, Scottish Government or DOE.**

For any other queries please contact the Local Air Quality Management Helpdesk:

Telephone: 0800 0327 953

Email: LAQMHelpdesk@bureauveritas.com

Local Authority:	South Kesteven District Council
Reference:	AS23-1919
Date of issue	October 2023

## LAQM Guidance Notes – 2023

### Changes to the Local Air Quality Management Framework

Through the Environment Act 2021 and updated Local Air Quality Management Statutory Policy Guidance 2022, the Local Air Quality Management (LAQM) framework has been considerably strengthened. This page highlights some of the changes for delivery to help you prioritise action for improved air quality:

#### 1. Strengthened Criteria for Air Quality Action Plans (AQAPs)

Where a Local Authority is not meeting air quality objectives, they must create an AQAP setting out their intentions to improve air quality in the area. Without current action plans in place, Local Authorities risk negatively impacting their communities by not proactively working to reduce air pollution in the area.

The requirements and guidance around AQAPs were recently strengthened under the Environment Act 2021 and revised LAQM Statutory policy guidance, which Local Authorities must have regard to. The key criteria for action plans are that they:

- set out the measures they will take to secure the achievement, and maintenance, of air quality standards and objectives
- specify a date by which each measure will be carried out
- are revised no later than every five years

#### 2. New Escalation Process for Reporting

Government is committed to increasing transparency by requiring timely and accurate publication of Annual Status Reports (ASRs) and AQAPs by local authorities, as set out in the [Environmental Improvement Plan 2023](#). These documents are public-facing and serve to keep local communities informed of the steps being taken by their local authority to improve air quality.

To ensure ASRs and AQAPs are delivered on time, Defra has introduced a new reminder and warning letter system for Local Authorities. This system was set out in the [LAQM Statutory Policy Guidance 2022](#) and started to apply from 30 June 2023.

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If reporting requirements continue to be missed, the matter can be escalated to a Section 85 Secretary of State direction to the relevant Local Authority Chief Executive specifying action. You are therefore advised to ensure all statutory reporting duties for LAQM are met on time.

### **3. Public Bodies Required to Contribute to Action Plans**

The Environment Act 2021 amended the Environment Act 1995 to increase the number of public bodies that have a duty to co-operate with Local Authorities for LAQM. Air quality partners are certain other public bodies that a Local Authority identifies as having responsibility for a source of emissions contributing to an exceedance of local air quality objectives. This could be a neighbouring authority, National Highways, or the Environment Agency. Once identified, there is a statutory requirement for such public bodies to engage and to contribute actions they will take to secure achievement of the local air quality objective and to maintain achievement thereafter.

All tiers of local Government are also now required by law to collaborate to address exceedances of Air Quality Objectives. County councils, the Mayor of London and combined authorities have similar duties to air quality partners. The difference is that, when requested, they must contribute to an action plan being prepared by a Local Authority, regardless of whether the local authority has identified them as being responsible for a source of emissions.

Under the new legislation, you may choose to request the support of another public body in the development of an AQAP and the same may be requested of your organisation.

Please refer to the LAQM Statutory Policy Guidance 2022 for more information. Should you require further assistance, please contact the LAQM Helpdesk: <https://laqm.defra.gov.uk/air-quality/featured/england-exc-london-policy-guidance/>

Web: <http://laqm.defra.gov.uk/helpdesks.html>

FAQs: <http://laqm.defra.gov.uk/laqm-faqs/>

Tel: 0800 032 7953

Email: [laqmhelpdesk@uk.bureauveritas.com](mailto:laqmhelpdesk@uk.bureauveritas.com)

The Air Quality Hub also provides free online information and is a knowledge sharing resource for local authority air quality professionals: <https://www.airqualityhub.co.uk/>

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Local Authority:	<b>South Kesteven District Council</b>
Reference:	<b>AS23-1919</b>
Date of issue	<b>October 2023</b>

## **Appraisal Response Comment Form**

Contact Name:	
Contact Telephone number:	
Contact email address:	UKLAQMApraisals@aecom.com

### **Comments on appraisal/Further information:**

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**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**



Environment Overview and Scrutiny Committee

Date: 13 February 2024

Report of Councillor Rhea Rayside  
Cabinet Member for People and Safer  
Communities

## Air Quality Action Plan 2024 Report

### Report Author

Ayeisha Kirkham, Head of Service – Public Protection

 [ayeisha.kirkham@southkesteven.gov.uk](mailto:ayeisha.kirkham@southkesteven.gov.uk)

### Purpose of Report

To provide an overview of the Air Quality Action Plan (AQAP) for awareness and noting.

### Recommendations

That the Environment Overview and Scrutiny Committee:

1. Note the content of the draft Air Quality Action Plan 2024

<b>Decision Information</b>	
Is this a Key Decision?	<b>No</b>
Does the report contain any exempt or confidential information not for publication?	<b>No</b>
What are the relevant corporate priorities?	<b>Clean and sustainable environment</b>
Which wards are impacted?	<b>Grantham wards only</b>

## **1. Implications**

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### **Finance**

1.1 The Council's current air quality monitoring and reporting programme is carried out within existing budgets which are reviewed annually.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

### **Legal and Governance**

1.2 The Local Air Quality Management ("LAQM") regime was introduced by the Environment Act 1995. The Council's duties under the Environmental Act 1995 are mandatory. The duties imposed on the Council are, to review air quality from time to time and, under Part IV of the Act, to develop and implement an air quality action plan to tackle air pollution.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

### **Climate Change**

1.3 South Kesteven District Council's declared an Air Quality Management Area which was primarily relates to the exceedance of Nitrogen Dioxide (NO<sub>2</sub>), one of a number of greenhouse gases contributing to an accelerated changing climate. The update of the Air Quality Action Plan sets out duties and actions for lower and upper tier authorities to improve air quality within Grantham, many of which can also contribute to lowering carbon emissions.

## 2. Background to the Report

- 2.1 Under the Environment Act 1995 and the associated Local Air Quality Management Framework, local authorities have a duty to review and assess air quality against National Air Quality Standards. When a pollutant fails to comply with an objective and there is relevant public exposure, an Air Quality Management Area (AQMA) must be declared and an Air Quality Action Plan (AQAP) prepared, detailing measures which will be implemented to improve air quality in the designated area.
- 2.2 South Kesteven District Council declared an AQMA in 2013 encompassing the main roads in the town centre of Grantham (see Appendix 1, figure 2). The main pollutant of concern is Nitrogen Dioxide (NO<sub>2</sub>), which is largely attributable to road transport emissions, with cars being the dominant source within the AQMA.
- 2.3 Local air quality in South Kesteven is managed via an extensive diffusion tube monitoring network comprising fifty-eight passive NO<sub>2</sub> diffusion tubes at thirty-five separate locations (some have triplicate/duplicate tubes at one location). The diffusion tube network is used to monitor NO<sub>2</sub> concentrations across the District, identify potential new areas of concern and monitor at known hotspot areas.
- 2.4 The Air Quality Strategy Objectives for England pertinent to the current AQMA designation are as follows:
  - NO<sub>2</sub> annual mean objective of 40µg/m<sup>3</sup>
  - NO<sub>2</sub> 1 hour mean objective of 200µg/m<sup>3</sup> not to be exceeded more than 18 times a year.
- 2.5 An Air Quality Action Plan (AQAP) (see Appendix 2) was approved in 2016 and since then progress has been made against the identified measures. Implementation of the actions is monitored as part of an Annual Air Quality Status Report (ASR) which the Council is required to produce. The AQAP lasts for a 5 year period before an updated AQAP is required. Therefore, the draft AQAP 2024 (see Appendix 3) is needed as the previous AQAP has exceeded the 5 year period.
- 2.6 Since the publication of the 2016 AQAP there has been a downward trend in the levels of NO<sub>2</sub> within the district and the last 2-3 years data for sites within the AQMA have indicated that the levels are below the National Air Quality Standards.
- 2.7 The draft 2024 AQAP reflects the updated positions of ongoing actions to continue the downward trend in NO<sub>2</sub> levels within the AQMA as well as removing completed actions.

- 2.8 It must be noted that the current draft AQAP is not completed and is awaiting the Source Apportionment Data, this has been commissioned to be undertaken and it is hoped that this will be completed by the end of February 2024.
- 2.9 The draft AQAP has been submitted to Department for Environment, Food and Rural Affairs (DEFRA) for comment as per the requirements.
- 2.10 On completion of the Source Apportionment the final version will be completed and signed off by relevant external stakeholders prior to a public consultation being completed. It is intended that once these stages have been completed the final AQAP will be taken to cabinet for approval and published via the (DEFRA) air quality portal.
- 2.11 Following completion of this AQAP the intention will be to review the AQMA and bring proposals forward on options identified.

### **3. Key Considerations**

- 3.1 The current AQAP 2016 is out of date and a new draft version has been produced, AQAP 2024 to provide an updated position on the key projects and actions identified to continue to decrease the levels of NO<sub>2</sub> within the AQMA.
- 3.2 following the completion of the AQAP 2024 a review will be undertaken into the AQMA for both the measures and the overall requirements for an AQMA to be in place.

### **4. Other Options Considered**

- 4.1 None.

### **5. Reasons for the Recommendations**

- 5.1 As stated the AQAP published in 2016 is now out of date and is required to be updated.

### **6. Consultation**

- 6.1 A consultation is required as part of the AQAP process prior to the final version and adoption. It is proposed that a 4 week consultation will be undertaken and this is proposed for early 2024 with the findings being added to the final AQAP.

## **7. Background Papers**

### 7.1 [Cabinet Report 4 April 2016](#)

ENV 639 -Approval for implementation of the 2016 AQMA Action Plan.

## **8. Appendices**

### 8.1 List any Appendices.

Appendix 1: AQMA Order No. 6

Appendix 2: The Air Quality Action Plan (AQAP) - 2016

Appendix 3: The Air Quality Action Plan 2024-2029

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# Appendix 1



## Air Quality Management Area Order 2013

### Environment Act 1995 Part IV Section 83(1)

#### **South Kesteven District Council No 6 Grantham, Lincolnshire**

South Kesteven District 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 as the South Kesteven District Council Air Quality Management Area No 6 and shall come into effect on **8 AUGUST 2013**

This Order replaces the previous Air Quality Management Order No 5.

The area shown on the attached map in red marked "South Kesteven District Council No 6 Air Quality Management Area 2013" is hereby declared to be an Air Quality Management Area.

The designated area extends the existing Air Quality Management Area along Manthorpe Road and Wharf Road to include High Street and London Road, Grantham.

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This area is designated in relation to a likely breach of Nitrogen Dioxide objections for annual and hourly mean as specified in the Air Quality Regulations 2000.

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

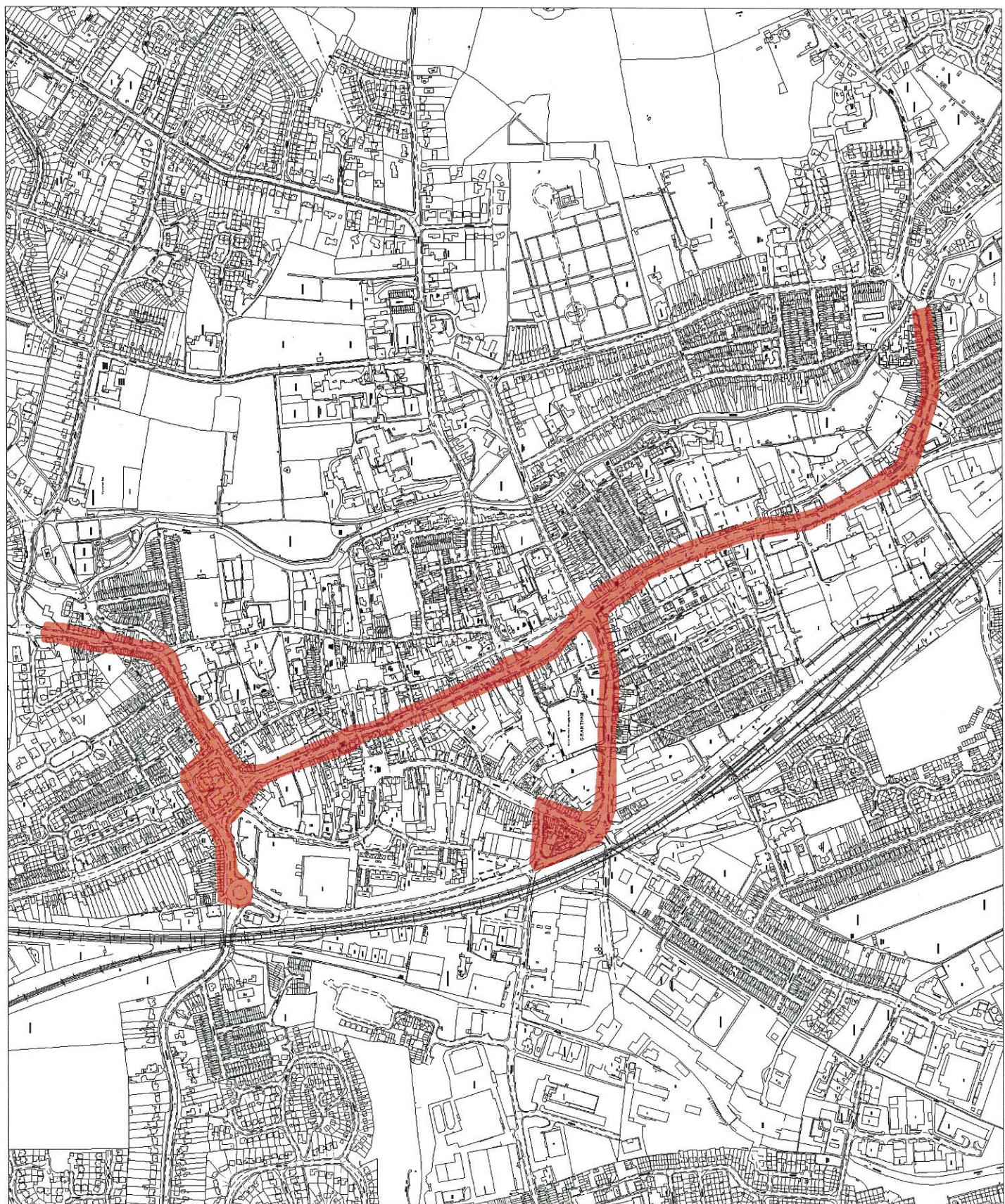
Executed as a deed by affixing  
The common seal of SOUTH  
KESTEVEN DISTRICT COUNCIL  
In the presence of:

Authorised Officer:



Air Quality Management Area Order 2013  
South Kesteven District Council No. 6  
Grantham Consolidated Area

South Kesteven DC Licence Number 100018662





your council working for you

# Air Quality Action Plan 2016

In fulfilment of Part IV of the Environment Act 1995  
Local Air Quality Management



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# 1. Introduction

South Kesteven District Council is committed to working to improve the air quality in our district where levels of air pollutants are exceeding air quality objectives.

Air quality in South Kesteven is generally good. However, there are locations where pollutant levels are high, with the highest levels being along narrow, congested street canyons (roads with properties close to the road on either side of the street) in Grantham.

Monitoring has revealed that the annual mean air quality objectives for  $\text{NO}_2$  are being exceeded at a number of locations in Grantham town centre, some of which were already declared as Air Quality Management Areas (AQMAs). In order to deal more effectively with these areas, in August 2013, the AQMA was extended and incorporated into one AQMA known as Air Quality Management Area (AQMA) No6.

This Air Quality Action Plan (AQAP) has been prepared and developed in partnership with other

relevant bodies, particularly the Highways team of Lincolnshire County Council (LCC) and the relevant teams of South Kesteven District Council to incorporate localised engineered measures in the AQMA. Whilst relevant actions to improve air quality are presented in this report, current budget and funding constraints within councils must be considered alongside the effectiveness of each action, to enable the actions to be realistically achieved.

## 1.1 South Kesteven

The district of South Kesteven is very diverse, comprising principal towns of Grantham, Stamford Bourne and The Deepings surrounded by small rural villages and hamlets.

The main source of air pollution in the district is road traffic emissions from major roads, notably the A1, A52, A15 and A607. The district and surrounding areas are illustrated in Figure 1.

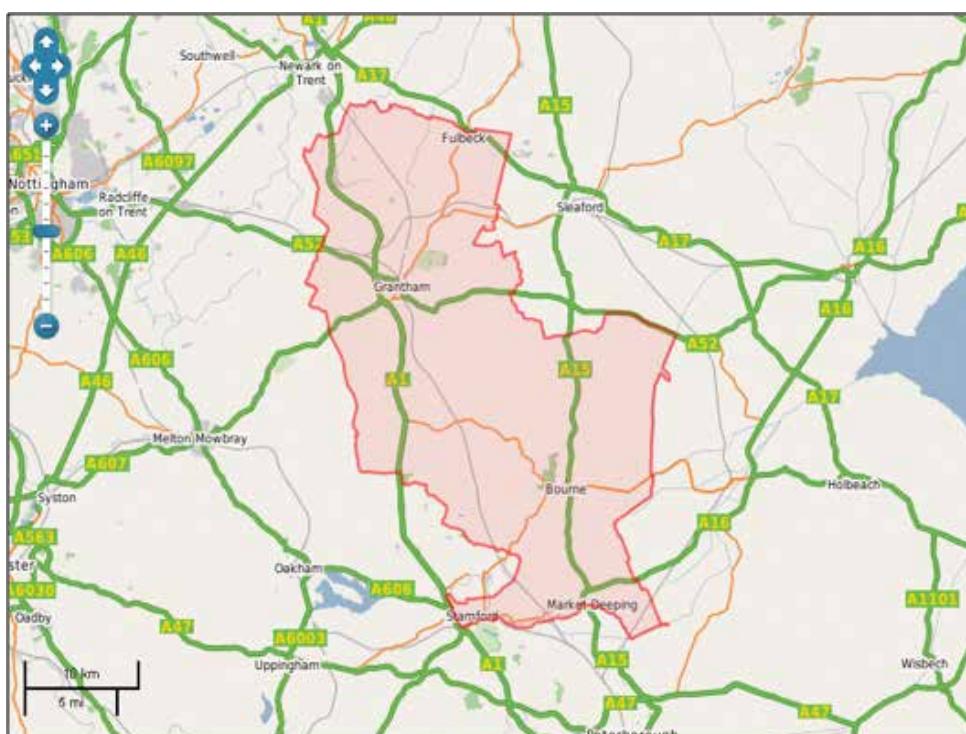


Figure 1 - South Kesteven District Council boundary and Surrounding Area

## 2.0 Overview of air quality

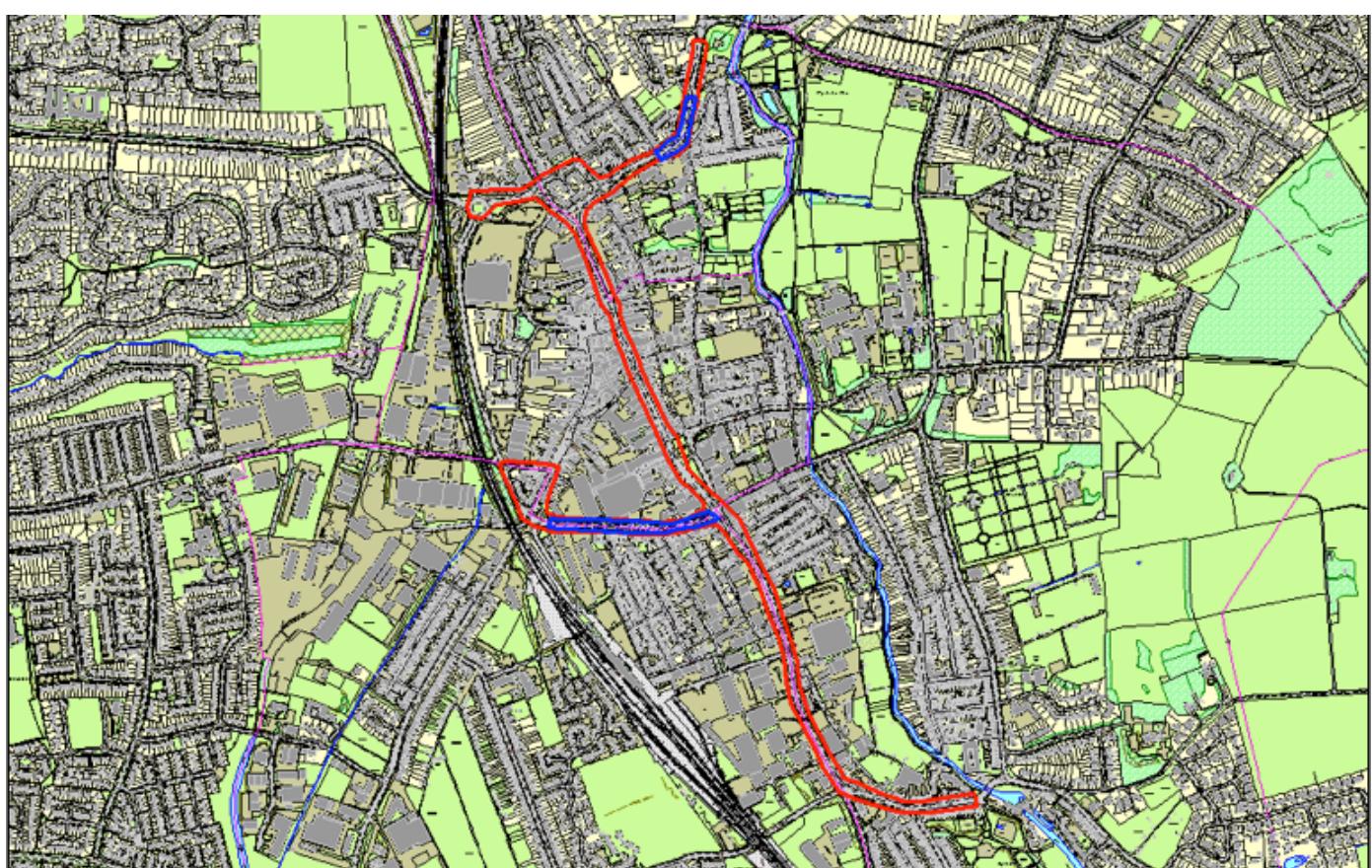
### 2.1 Grantham Air Quality Management Area

In 2013, the council declared an AQMA for the area encompassing the main roads in the town centre of Grantham. The AQMA is illustrated in Figure 2. A number of roads included within the AQMA are likely to lead to a “street canyon effect” due to the road and building layout, trapping and preventing the dispersion of air pollutant emissions from road-traffic, therefore explaining the high levels of pollution in these areas.

The 2011 Detailed / Further Assessment concluded that around 320 homes lie within the

Grantham town centre AQMA, equating to an exposed population of around 650. The necessary reduction in annual mean  $\text{NO}_2$  concentration required in order to achieve compliance with the Air Quality Standards objective at the worst case location was estimated to be around 30%.

Source apportionment indicated that emissions from local moving traffic are the main contributor to overall  $\text{NO}_2$  levels, although idling emissions due to queuing vehicles are also particularly important near traffic lights. Heavy-Duty Vehicles (HDVs) were estimated to be a main source of pollution, although important contributions are also noted from Light-Duty Vehicles (LDVs).



**Figure 2 - Grantham Air Quality Management Area**

In red, current AQMA boundary (declared in 2013). In blue, previous AQMA areas.

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## 2.2 Monitoring data

In 2014, the council carried out passive  $\text{NO}_2$  monitoring at 37 sites across the district using diffusion tubes. This included 15 duplicate tube and four triplicate tube locations, which are aimed at improving reliability of the data.

The monitoring data shows that three sites exceeded the annual mean  $\text{NO}_2$  air quality strategy objective in 2014; at sites SK4/SK32/ SK33 (Brook Street/Manthorpe Road),

SK37/SK38 (Wharf Road) and SK59/SK60 (Brook Street/Manthorpe Road). All of these sites are located within the AQMA.  $\text{NO}_2$  annual mean results at sites within the AQMA are shown in figure 3.

The number of sites showing an exceedence of the objective has decreased in the last few years, with 13 sites exceeding in 2010, 15 in 2011, 8 in 2012, 4 in 2013, and now only 3 in 2014.

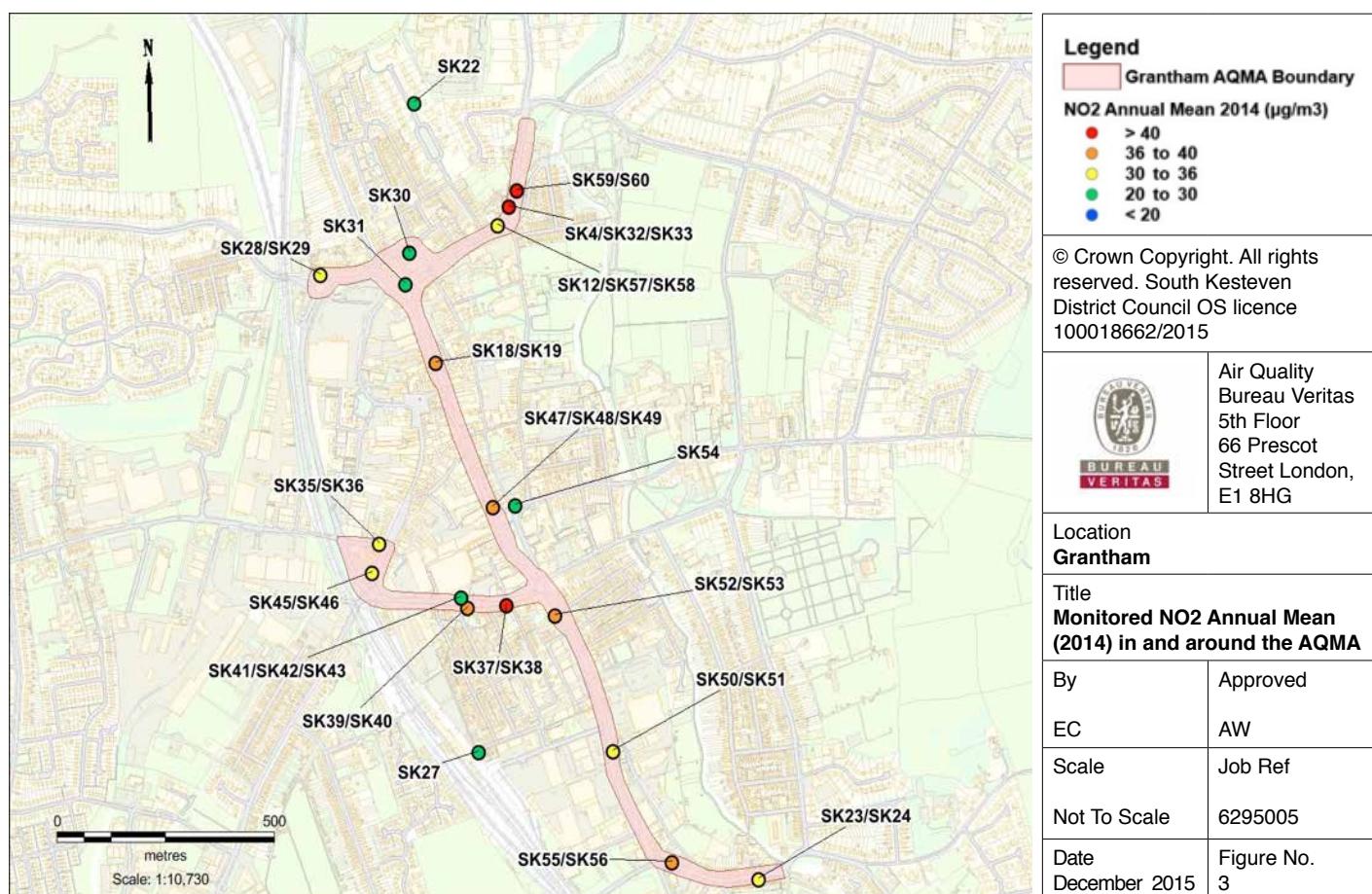


Figure 3 - Monitored NO2 Annual Mean (2014) in and around the AQMA

## 2.3 Source apportionment

A source apportionment study was carried out for the AQMA as part of the detailed/further assessment as required by the Governments Local Air Quality Management (LAQM) system. The source apportionment study has been updated as part of the development of this AQAP, using a 2014 base model. NOx source apportionment results for the baseline 2014 dispersion modelling scenario are discussed below.

The source apportionment was carried out for the following vehicle classes:

- Cars;
- Light-Goods Vehicles (LGVs);
- Buses; and
- Heavy-Goods Vehicles (HGVs).

Table 1 and Figure 4 present source apportionment results for NOx for three different selections of the modelled receptors:

- Average across all modelled receptors. This provides useful information when considering possible AQAP measures to test and adopt. It will however understate road NOx concentrations in problem areas;
- Average across all receptors with NO<sub>2</sub> concentration greater than 40µg/m<sup>3</sup>. This provides an indication of source apportionment in areas known to be a problem (i.e. only where the AQS objective is exceeded). As such, this information should be considered with more scrutiny when testing and adopting AQAP measures; and
- At receptor with maximum road NOx concentration. This is likely to be in the area of most concern and so a good place to test and adopt AQAP measures. Any gains predicted by AQAP measures are likely to be greatest at

this location and so would not represent gains across the whole modelled area.

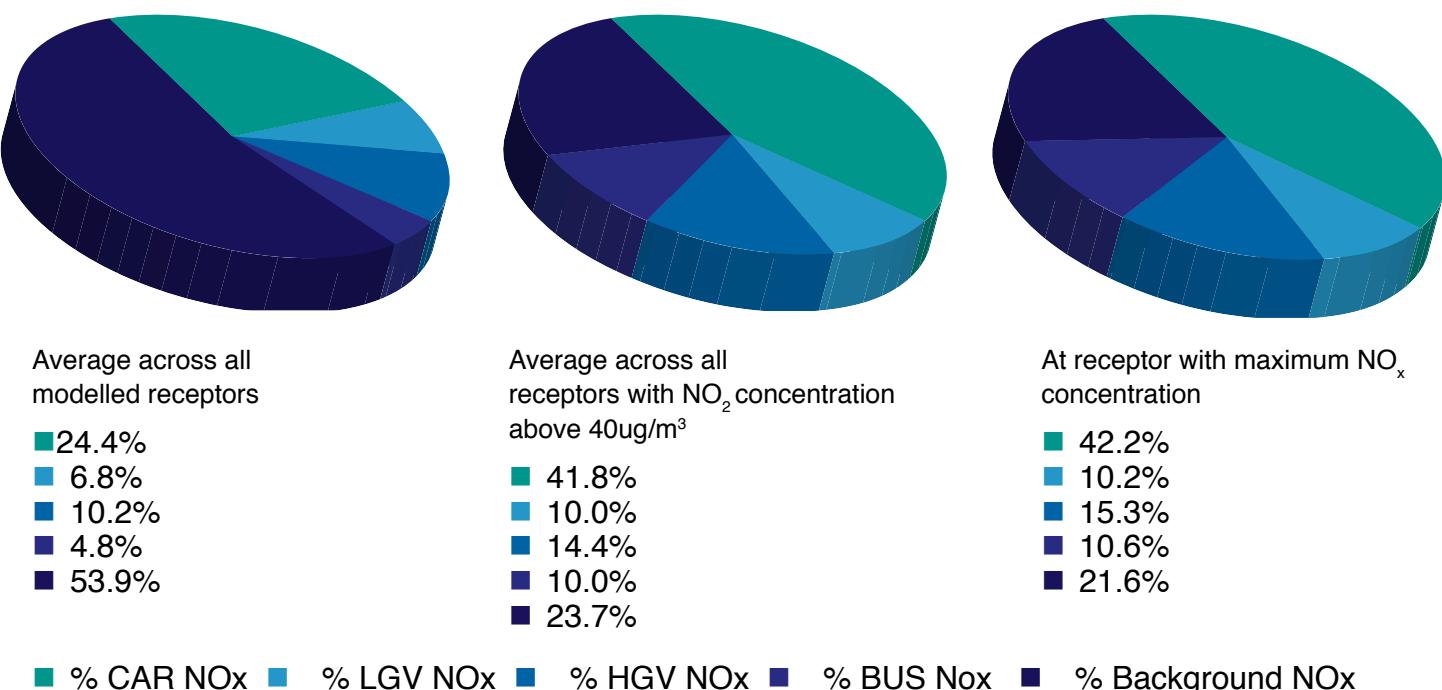
When considering the average NOx concentration across all modelled receptors, road traffic accounts for 23.3µg/m<sup>3</sup> (46.1%) of total NOx (44.6µg/m<sup>3</sup>). Of this total average NOx, cars account for the most (24.4%) of any of the vehicle types on average, followed by HGVs (10.2%). LGVs and buses account on average for 6.8% and 4.8% respectively of the overall predicted average NOx concentration.

When considering the average NOx concentration at receptors with an NO<sub>2</sub> concentration greater than 40µg/m<sup>3</sup>, road traffic contribution is much higher, accounting for 70.0µg/m<sup>3</sup> (76.2%) of total NOx (91.6µg/m<sup>3</sup>). Of this 91.6µg/m<sup>3</sup>, cars account for the most (41.8%) of any of the vehicle types, followed by HGVs (14.4%) then LGVs and buses (both 10%).

At the receptor with the maximum road NOx concentration (99.9µg/m<sup>3</sup>, predicted at receptor R22 along the A607 Manthorpe Road within the AQMA), road traffic accounts for 78.3% of the overall NOx. The contribution of vehicle types remains the same as discussed above, with cars accounting for 42.2% of the overall predicted NOx concentration, followed by HGVs (15.3%), buses and LGVs (both slightly above 10%).

**Table 1 - NOx source apportionment results**

Results	All Vehicles	Car	LGV	HGV	Bus	Background
Average across all modelled receptors						
NOx Concentration ( $\mu\text{g}/\text{m}^3$ )	23.3	12.2	3.4	5.2	2.5	21.3
Percentage	46.1%	24.4%	6.8%	10.2%	4.8%	53.9%
Percentage road contribution	100.0%	52.9%	14.8%	22.1%	10.4%	-
Average across all receptors with $\text{NO}_2$ concentration greater than $40\mu\text{g}/\text{m}^3$						
NOx concentration ( $\mu\text{g}/\text{m}^3$ )	70.0	38.3	9.2	13.3	9.2	21.6
Percentage	76.2%	41.8%	10.0%	14.4%	10.0%	23.7%
Percentage road contribution	100.0%	54.9%	13.1%	18.9%	13.1%	-
At receptor with maximum road NOx concentration (Receptor R22 – A607 Manthorpe Road)						
NOx concentration ( $\mu\text{g}/\text{m}^3$ )	78.3	42.2	10.2	15.3	10.6	21.6
Percentage	78.3%	42.2%	10.2%	15.3%	10.6%	21.6%
Percentage road contribution	100.0%	53.9%	13.0%	19.5%	13.5%	-

**Figure 4 - NOx source apportionment results**

## 2.4 Required reductions in NOx and NO<sub>2</sub>

In order to inform a decision on the most suitable measures to implement as part of the AQAP, it is necessary to calculate the reduction of NO<sub>2</sub> (as NOx) that would be required in order to comply with the AQS objectives. The assessment is based on predicted concentration at the worst-case receptor as reported in Table 1 (R22, along the A607 Manthorpe Road, within the AQMA). This approach assumes that other receptors will require less of a reduction.

The methodology to determine the required reduction in NOx and NO<sub>2</sub> is described in the DEFRA Technical Guidance, LAQM. TG(09) Section 7.21. For NOx, it requires the calculation of “current” and “required” road-NOx concentrations.

The road-NOx required within the AQMA to comply with the NO<sub>2</sub> AQS objective is 54.9 $\mu\text{g}/\text{m}^3$ . As the maximum predicted road-NOx in the AQMA is 78.3 $\mu\text{g}/\text{m}^3$  (at receptor R22, as shown in Table 1), the reduction in road-NOx concentration necessary to meet the NO<sub>2</sub> objective is  $(78.3 - 54.9) = 23.5\mu\text{g}/\text{m}^3$ . This is equivalent to a reduction of 30% in road-NOx concentrations. This equates to a reduction of 8.6 $\mu\text{g}/\text{m}^3$  in NO<sub>2</sub> (equivalent to a reduction of 18% in total NO<sub>2</sub> concentration) to comply with the objective.

## 3 Local policies and strategies

There are a number of related policies and strategies at local and regional level that link directly with the aims of the AQAP. The majority of these policies and strategies are focused on transportation issues, and therefore are likely to help contribute to overall improvements in air quality across the district. Their implementation is likely to bring benefits to air quality in Grantham, particularly in the AQMA through targeting congestion within Grantham. These include:

- South Kesteven Core Strategy
- Lincolnshire Transport Plan
- Transport Strategy for Grantham
- South Kesteven Local Plan (currently being prepared for up to 2036)

## 4 Action Plan proposals

A summary of the measures considered for the AQAP is outlined in the following pages, including the likely impact, timescales and feasibility of these proposals. In order to inform the action planning process, a simple assessment of the cost and benefit of each proposal has been undertaken.

Table 2 provides an indication of the scoring used. A simple multiplication of the cost and impact gives some indication as to the cost effective score of the proposals. All measures, together with associated cost-effectiveness, prioritisation and targets / indicators to track their progress are listed in Table 3.

**Table 2 - Scoring used to assess and prioritise proposals**

Cost		Air Quality Impact		Timescale	
Score	Approximate cost	Score	Indicative Reduction in NO <sub>2</sub> Concentration		Years
7	<100k	7	>5 µg/m <sup>3</sup>	Short (s)	1.2
6	100-500k	6	2 – 5 µg/m <sup>3</sup>	Medium (M)	3.5
5	500k-1million	5	1 – 2 µg/m <sup>3</sup>		
4	1-10 million	4	0.5 – 1 µg/m <sup>3</sup>		
3	10-50 million	3	0.2 – 0.5 µg/m <sup>3</sup>		
2	50-100 million	2	0 - 0.2 µg/m <sup>3</sup>		
1	>100million	1	0 µg/m <sup>3</sup>	Long (L)	6+

**Feasibility of implementation/funding Score: 1>>>10**

- One being the least feasible and 10 being the most feasible; and
- Feasibility requires consideration of feasibility for implementation and funding.

Cost effective score = cost score × air quality impact score

Prioritisation score = cost effective score + feasibility score

emission standards (M3).

The predicted NO<sub>2</sub> annual mean concentrations obtained for these scenarios were compared against the 2014 base scenario results to ascertain the likely air quality improvements that may be expected as a result of adoption of these intervention measures.

Based upon an initial shortlist of preferred AQAP measures that may adopted, quantitative appraisal using dispersion modelling was undertaken for the following intervention scenarios:

- Adoption of the Grantham Southern Quadrant Relief Road (M1);
- Improving traffic management at key junctions, leading to reduced congestion and therefore increased vehicle speeds by 10% to 20% in and around the AQMA (M2) and
- Renewal of the local bus fleet to meet Euro VI

The key headline findings following the implementation of the above intervention measures are included in the relevant sections set out below.

#### 4.1 Transport measures

Road-traffic emissions contribute to about 75% of total NO<sub>x</sub> concentrations within the Grantham AQMA. Therefore, in essence, poor air quality in the AQMA can be tackled by reducing traffic volumes, smoothing the flow of traffic (to reduce the stopping / acceleration cycle), removing the most polluting vehicles and increasing modal shift

(thus reducing car usage within the AQMA).

### What are we already doing?

“The Transport Strategy for Grantham 2007 to 2021 and Beyond” is in place and short term aims are being delivered by LCC, such as;

- improvements to local public transport services
- walking and cycling reviews and improvements
- town centre traffic management

The South Kesteven District Council Taxi Licensing Policy requires that an application for a new hackney carriage or private hire vehicle licence will not be accepted if the vehicle is seven years old or more. Existing vehicles continue to be licensed until they reach the age of 10 years (12 years for purpose built vehicles) as long as the vehicle passes the compliance tests at the required times.

The feasibility of six measures related to transport have been considered for inclusion in the AQAP;

### MEASURE M1: GRANTHAM SOUTHERN QUADRANT EAST-WEST RELIEF ROAD

The relief road is expected to alleviate the existing and future traffic related problems resulting from significant approved development.

The relief road has been subject to a full planning application involving a detailed Environmental Impact Assessment (EIA)<sup>2</sup> and received conditional planning consent in November 2013. Work on the Relief Road started at the end of 2015 and is anticipated to be completed in 2019.

The potential air quality improvements that may arise due to the completion of the relief road have been quantitatively appraised as part of the dispersion modelling studies associated with the development of this AQAP.

This measure would slightly reduce NO<sub>2</sub> annual mean concentrations across Grantham town

centre and within the AQMA. The average reduction would be 0.4µg/m<sup>3</sup> across all receptors considered, although improvements would be more significant within the AQMA, with a maximum reduction of 3µg/m<sup>3</sup> predicted along the A52 at Bridge End Road.

### MEASURE M2: IMPROVE TRAFFIC MANAGEMENT AT KEY JUNCTIONS

The pollution problem in the AQMA is partly due to slow moving traffic, which results from a number of factors such as queuing at the traffic lights, large traffic volumes particularly during peak hours and road capacity taken by parked vehicles. It is anticipated that improving the flow of vehicles in the AQMA and moving the queuing traffic to areas where there is no relevant exposure is likely to have a benefit upon air quality within the AQMA.

Urban Traffic Management and Control (UTMC) is instigated by Department for Transport (DfT) to implement Intelligent Transport Systems (ITS) in urban areas to tackle traffic and air quality issues. A UTMC for Grantham AQMA could provide an overarching system to manage and control traffic in order to improve air quality.

The potential air quality improvements that may arise due to the implementation of an UTMC system in Grantham have been quantitatively appraised as part of the dispersion modelling studies associated with the development of this AQAP. Two scenarios have been considered; one where reduced congestion would increase vehicle speeds by 10% in and around the AQMA (M2a), and a second assuming that vehicle speeds would increase on average by 20% (M2b).

Results from scenario M2a (increasing vehicle speed by 10%) show that NO<sub>2</sub> annual mean concentrations would slightly reduce across Grantham town centre and within the AQMA. The average reduction would be 0.4µg/m<sup>3</sup> across

<sup>2</sup> Grantham Southern Quadrant Link Road Environmental Statement (March 2013)

all receptors, although improvements would be slightly more significant within the AQMA, with a maximum reduction of  $1.2\mu\text{g}/\text{m}^3$  predicted along the A607 Manthorpe Road.

Results from scenario M2b (increasing vehicle speed by 20%) show that NO<sub>2</sub> concentrations would further reduce, compared to scenario M2a. The average reduction would be  $0.8\mu\text{g}/\text{m}^3$  across all receptors, although improvements would be slightly more significant within the AQMA, with a number of areas showing a reduction of about  $2\mu\text{g}/\text{m}^3$ , and a maximum reduction of  $2.4\mu\text{g}/\text{m}^3$  predicted along the A607 Manthorpe Road.

In order to improve traffic flows in the AQMA, Lincolnshire County Council (LCC) Highways will identify and consider engineering traffic management solutions, such as; UTMC, changing traffic light sequencing to allow more free-moving traffic, the provision of increased road capacity, or rerouting traffic.

#### **MEASURE M3: IMPROVEMENTS IN BUS FLEET EMISSIONS**

Emissions from buses contribute on average 10% of the total NO<sub>x</sub> concentrations in the AQMA. LCC (Highways) will consider feasible changes in the bus fleet composition, to ensure buses passing through the AQMA are cleaner and meet the highest emissions standards. The options to be considered will be dependent on the current bus fleet and the improvements in Euro standards (European emission standards for new vehicles) that could be reasonably achievable. This could be implemented through a Quality Bus Partnership between LCC and bus operators. For example, the impact of swapping all Euro II buses to Euro VI buses or retrofitting Selective Catalytic Reduction (SCR) technology to existing buses could be considered and assessed.

The potential air quality improvements that may arise due to the renewal of the local bus fleet to meet Euro VI emission standards have been quantitatively appraised as part of the

dispersion modelling studies associated with the development of this AQAP.

Results from scenario M3 show that NO<sub>2</sub> annual mean concentrations would reduce across Grantham town centre and within the AQMA. The average reduction would be  $0.9\mu\text{g}/\text{m}^3$  across all receptors, although improvements would be more significant within the AQMA, with a maximum reduction of  $4.3\mu\text{g}/\text{m}^3$  predicted along the A52 Wharf Road, and many other areas within the AQMA showing an improvement of  $2\mu\text{g}/\text{m}^3$  or more.

#### **MEASURE M4: ENCOURAGING MODAL SHIFT**

Encouraging Grantham town centre visitors and school children to use different modes of transport to cars will improve local air quality, including within the AQMA. Working with LCC, we will consider the potential for encouraging modal shift from private car to public transport, cycling and walking, particularly in the town centre. This could be achieved by using improved parking control, or developing alternative travel plans for town centre residents, such as Sustran's Personalised Travel Planning (PTP) project, known as TravelSmart. This PTP aims at reversing the trend towards increased car use and tackling its impacts on climate, public health and quality of life. TravelSmart has succeeded in reducing car use by 10% or more wherever it has operated.

#### **MEASURE M5: REDUCTION IN IDLING OF TRAFFIC**

Emissions from idling vehicles can contribute significantly to overall air pollution in Grantham town centre. This is even more important in areas of poor air quality, such as the AQMA. In implementing this measure we will consider the following options:

- Providing 'No Idling' signage in the town centre as a deterrent; and / or
- Implementing an awareness campaign targeting bus and taxi operators, explaining the issues related to idling vehicles, and how it has

an impact on air quality within the town centre, including the AQMA.

## **MEASURE M6: PROVISION OF CYCLING INFRASTRUCTURE**

The council will work with LCC to improve the infrastructure for cycling in the town, including opportunities for cycle lanes and promotion of alternative “green” modes of transport within Grantham town centre.

### **4.2 Leading by example measures**

A key part of the council’s role is to lead by example to reduce NOx and PM10 emissions associated with our own council buildings and transport fleet.

What are we already doing?

Our Carbon Management Plan sets out the acknowledged areas of opportunity to reduce our own emissions, for example we have;

- Reduced the number of business miles travelled by staff in cars
- Provided staff facilities for secure cycle storage and changing
- Introduced a Cycle to Work scheme
- Undertaken staff awareness
- Encourage staff to walk to local appointments within the AQMA
- Carry out regular emissions testing of our own vehicle fleet

To minimise and control air pollution generated by the council’s vehicle fleet and employees, the council also consider the following additional measures should be included in the AQAP;

## **MEASURE M7: A ROLLING PROGRAMME FOR REPLACING OLDER MORE POLLUTING VEHICLES WITH NEWER CLEANER VEHICLES, WHICH MEET TIGHT EMISSION STANDARDS**

The council will work to improve emissions from the council’s vehicle fleet by implementing a replacement programme for older vehicles, so that the fleet gradually meets the most stringent Euro standards.

## **MEASURE M8: PROMOTE THE USE OF CLEANER OR ALTERNATIVE FUELS WHERE POSSIBLE**

Where practicable the council will work to improve emissions from our own vehicle fleet by increasing the number of greener / low emissions vehicles using alternative fuels.

## **MEASURE M9: INVESTIGATE OPTIONS FOR BETTER TRAVEL PLANNING AMONGST THE COUNCIL’S EMPLOYEES**

Working with LCC, the council will aim to reduce vehicle pollution from staff travelling to and from work. Additional benefits involve cost savings and a healthier workforce, although it is acknowledged that this can be challenging due to factors such as reluctance to give up car, the lack of cycling facilities and safety concerns, which need to be overcome.

### **4.3 Measures which raise awareness in our communities**

By providing information and raising awareness about air pollution we can help our residents make informed choices and ensure that they adhere to legal requirements. We are well placed to work in partnership with others to encourage improvements in areas not within our direct control.

What are we already doing?

To ensure that air pollution is controlled by legislation and enforcement is targeted, we use our statutory powers to ensure residents and businesses are aware of their legal obligations, for example, we;

<sup>1</sup><http://www.sustrans.org.uk/what-we-do/travelsmart>

- Inspect and permit industrial premises under the Environmental Permitting process
- Enforce legislation to reduce the burning of commercial and domestic waste
- Ensure that Smoke Control Area Orders are adhered to
- Monitor air pollution in the district and provide information for residents via our website.
- Comment on planning applications and development policies to ensure that air quality issues are considered and mitigation measures are included wherever possible

To ensure that members of the public have access to information about air pollution and can make informed choices we also consider the following additional measures should be included in the AQAP;

#### **MEASURE M10: PROMOTION OF WALKING, CYCLING AND PUBLIC TRANSPORT**

Working with LCC, the council will promote the use of alternative green modes of transports, such as walking and cycling, within Grantham town centre. Promotion will include schools in and around the AQMA where large coaches are used to transport pupils. This can cause congestion during pick up and drop off times. Idling coaches can also add a significant contribution to local pollution concentrations.

#### **4.4 Measures considered but dismissed on the grounds of cost-effectiveness and/or feasibility**

As part of preliminary discussions held during the development of this AQAP, the following measures were initially considered but dismissed on the grounds of cost-effectiveness and/or feasibility. For completeness, they are briefly discussed below.

#### **FREIGHT CONSOLIDATION CENTRE**

The feasibility of a Freight Consolidation Centre (FCC) was investigated. An FCC would aim to consolidate small loads and consignments into smaller number of full loads, thus reducing HGV traffic in the Grantham AQMA. Low emission

vehicles could be selected to deliver these full loads.

The main feasibility issues of the scheme are the capital cost required in setting up the FCC, and the operating costs associated with its running. In addition, organisational and customer service issues could have a negative impact on local businesses and local economy. Therefore this potential measure has been dismissed and not considered further.

#### **PROVISION OF “REAL TIME” AIR QUALITY INFORMATION**

The possibility of implementing a system providing real-time air pollution information to members of the public, to enable commuters to make informed choices about their transport options was considered.

However, following a more detailed review of what such system would entail, it has been concluded that the overall costs of the system would outweigh the advantages, whilst other potential issues include data lagging and instrument break down. Therefore this potential measure has been dismissed and not considered further.

#### **COMPULSORY PURCHASE OF PROPERTIES WITHIN THE AQMA**

A change of use from residential to occupational (excluding school, hospital, or similar land use sensitive to air quality) would effectively remove the status of a location where the NO<sub>2</sub> annual mean air quality objective applies, which means that the Grantham AQMA could then be revoked. The possibility of using Compulsory Purchase Orders to purchase the dwellings within the AQMA was discussed.

However, the Grantham AQMA is presently too large to consider compulsory purchase and this option would not be feasible. It would also not address the underlying air pollution problem. Therefore this potential measure has been dismissed and not considered further.

Table 3 - Summary and prioritisation of Action Plan measures to be implemented

	Actions	Lead Authority	Timescale	Status	Impact	Cost	Cost Effective Score (Impact * Cost)	Feasibility	Prioritisation Score (Cost Effective Score * Feasibility Score)	Targets/Indicators
<b>Transport measures</b>										
<b>Measure 1: Grantham Southern Relief Road (East West Relief Road)</b>	Complete relief road	LCC	M	Work on site commenced end 2015	4	4	16	10	160	Reduced HGV through traffic in the town centre – reduced overall traffic flows through the town
<b>Measure 2: Improve traffic management at key junctions</b>	Identify where traffic can be stacked out of the town. Implement signalling to allow flow of traffic	LCC	M	Design and feasibility stage	5	5	25	6	150	Reduced congestion and increased average speeds through the AQMA
<b>Measure 3: Improvement in bus fleet emissions</b>	Work with bus companies to upgrade buses	LCC and bus companies	M	partially implemented	5	5	25	4	100	Improved bus fleet composition but no direct traffic reduction. Bus use more attractive to potential users – increased bus use
<b>Measure 4: Encouraging modal shift</b>	Work with LCC and Sustrans to encourage a modal shift	SKDC/ LCC	L	Design and feasibility stage and some already built	3	6	18	6	108	Reduced vehicle use and increased use of public transport
<b>Measure 5: Reduction in idling of traffic</b>	Implement signage and education	SKDC/ LCC	S	Feasibility stage	2	7	14	5	70	Reduced idling in key areas
<b>Measure 6: Provision of cycling infrastructure</b>	Increased provision of cycle lanes in town centre	LCC	M	Design and feasibility stage and some already built'	3	6	18	5	90	Increased number of cycle lanes makes cycling a more attractive alternative method of transport

Actions	Lead Authority	Timescale	Status	Impact	Cost	Cost Effective Score (Impact * Cost)	Feasibility	Prioritisation Score (Cost Effective Score * Feasibility Score)	Targets/Indicators
<b>Leading by example measures</b>									
<b>Measure 7: A rolling programme for replacing older more polluting vehicles with newer cleaner vehicles, which comply with the prevailing EURO standard</b>	Replace old vehicles with new cleaner vehicles	SKDC	M	Feasibility stage	2	7	14	8	112
<b>Measure 8: Promote the use of cleaner or alternative fuels where possible</b>	Consider alternative fuels for council fleet	SKDC	S	Feasibility stage	2	7	14	8	112
<b>Measure 9: Investigate options for better travel planning amongst South Kesteven District Council employees</b>	Develop workplace travel plan	SKDC	S	Feasibility stage	2	7	14	8	112
<b>Measures to raise awareness in our communities</b>									
<b>Measure 10: Promotion of walking cycling and public transport</b>	Meet with LCC and Sustrans to discuss issues	LCC/ SKDC	S	Implemented	2	7	14	7	98

Actions	Lead Authority	Timescale	Status	Impact	Cost	Cost Effective Score (Impact * Cost)	Feasibility	Prioritisation Score (Cost Effective Score * Feasibility)	Targets/Indicators
<b>Measures considered but dismissed on the grounds of cost-effectiveness and/or feasibility</b>									
Freight Consolidation Centre	Investigate feasibility for FCC	SKDC	L	Dismissed					
Provide public with 'real time' air quality information	Set up a website or twitter account to provide real-time air quality information	SKDC	M	Dismissed					
<b>Compulsory purchase of properties</b>		Using CPO to purchase residential properties within the AQMA, therefore removing public exposure	SKDC	L	Dismissed				

# 5 Implementation and monitoring

South Kesteven District Council will work jointly on the AQAP measures with the relevant partners in LCC, transport operators, schools and local businesses. To secure the necessary air quality improvements, there must be involvement by all local stakeholders who should actively work to encourage community participation in the process.

The implementation of the AQAP will be monitored and progress reported on a yearly basis. The effectiveness of the implemented measures will be measured through monitoring of NO<sub>2</sub> concentrations at relevant receptor locations within the AQMA. In addition, traffic flow changes in the AQMA will also be assessed through the review and assessment process.

Further evaluation of the effectiveness of the implementation of the AQAP may include the undertaking of periodic short-term traffic surveys, or longer term automated counts, that consider average or peak queue lengths near specific problem junctions, average vehicle speeds, fleet composition profiles and total traffic volumes as proxies for potential reductions in pollutant emissions from road traffic and associated improvements in local air quality.

There will be regular review and assessment of the AQAP proposals to evaluate progress and this will be reported in the annual LAQM reports, as required by the LAQM system.

Abbreviation	Full name / description
<b>AQAP</b>	Air Quality Action Plan
<b>AQMA</b>	Air Quality Management Area
<b>AQS</b>	Air Quality Strategy
<b>FCC</b>	Freight Consolidation Centre
<b>HDV</b>	Heavy-Duty Vehicle (HGV / bus / coach)
<b>HGV</b>	Heavy-Goods Vehicle
<b>LAQM</b>	Local Air Quality Management
<b>LAQM.TG(09)</b>	LAQM Technical Guidance, published by Defra in 2009
<b>LCC</b>	Lincolnshire County Council
<b>LDV</b>	Light-Duty Vehicle (LGV / Car)
<b>LGV</b>	Light-Goods Vehicle
<b>NO</b>	Nitric Oxide
<b>NO<sub>2</sub></b>	Nitrogen Dioxide
<b>NO<sub>x</sub></b>	Oxides of Nitrogen (a collective term used to refer to two species of oxides of nitrogen: nitric oxide (NO) and nitrogen dioxide (NO <sub>2</sub> ), which are released in the atmosphere when fuels are burned).
<b>PM<sub>10</sub></b>	Particles of up to 10 $\mu$ m
<b>PTP</b>	Personalised Travel Planning
<b>SKDC</b>	South Kesteven District Council
<b>UTMC</b>	Urban Traffic Management and Control
<b><math>\mu</math>g/m<sup>3</sup></b>	Microgram (of pollutant) per cubic metre (of air)



**South Kesteven District Council**

**Environmental Health Services  
Council Offices  
St. Peter's Hill  
Grantham  
Lincolnshire  
NG31 6PZ**

**T. 01476 40 60 80  
E. [accountancy@southkesteven.gov.uk](mailto:accountancy@southkesteven.gov.uk)  
W. [www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)**

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SOUTH  
KESTEVEN  
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COUNCIL

## South Kesteven District Council

### Air Quality Action Plan

In fulfilment of Part IV of the Environment Act 1995

Local Air Quality Management

December 2023

**South Kesteven District Council**

<b>Information</b>	<b>Details</b>
<b>Local Authority Officer</b>	Tom Amblin-Lightowler
<b>Department</b>	Public Protection – Environmental Protection
<b>Address</b>	South Kesteven District Council Council Offices The Picture House, St Catherine's Road, Grantham NG31 6TT
<b>Telephone</b>	01476 406080
<b>E-mail</b>	ehs@southkesteven.gov.uk
<b>Report Reference Number</b>	2023 AQAP
<b>Date</b>	December 2023

## Executive Summary

This Air Quality Action Plan (AQAP) has been produced as part of our statutory duties required by the Local Air Quality Management framework. It outlines the action we will take to improve air quality in South Kesteven District Council between 2024 - 2029.

This action plan replaces the previous action plan published in 2016. Projects delivered through the past action plan include completion of phase 1 and 2 of the Grantham Southern relief road; ongoing work to promote cycling, walking and public transport; an anti-idling campaign focused in and around the AQMA; and improvements in South Kesteven District Council's own vehicle fleet.

Air pollution is associated with several adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues because areas with poor air quality are also often the less affluent areas<sup>1,2</sup>.

The annual health cost to society of the impacts of particulate matter alone in the UK is estimated to be around £16 billion<sup>3</sup>. South Kesteven District Council is committed to reducing the exposure of people in South Kesteven to poor air quality to improve health.

We have developed actions that can be considered under 5 broad topics:

- Promoting low emission transport
- Promoting travel alternatives
- Public information
- Traffic management

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<sup>1</sup> Environmental equity, air quality, socioeconomic status, and respiratory health, 2010

<sup>2</sup> Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

<sup>3</sup> Defra. Abatement cost guidance for valuing changes in air quality, May 2013

- Vehicle fleet efficiency
- Our priorities are to sustain a downward trend in emissions reduction through partnership work. The delivery of the Grantham Southern relief road remains a major focus to divert traffic away from the town centre. Traffic management and infrastructure for walking and cycling are prioritised by the Grantham Transport Strategy published in 2022. The Clean Air Lincolnshire project will continue to raise awareness of issues of air quality and provide additional monitoring data within the AQMA. Vehicle fleet efficiency opportunities will continue to be implemented by South Kesteven District Council.

In this AQAP we outline how we plan to effectively tackle air quality issues within our control. However, we recognise that there are many air quality policy areas that are outside of our influence (such as vehicle emissions standards agreed in Europe), but for which we may have useful evidence, and so we will continue to work with regional and central government on policies and issues beyond South Kesteven District Council's direct influence.

## **Responsibilities and Commitment**

This AQAP was prepared by the Environmental Health department of South Kesteven District Council Council with the support and agreement of the following officers and departments:

The Climate Change and Sustainability Officer

The final AQAP will be approved by:

Councillor Rhea Rayside – Cabinet Member for People and Communities.

Graham Watts - Assistant Director (Governance and Public Protection)

Ayeisha Kirkham – Head of Service – Public Protection

The AQAP has been developed in conjunction with Lincolnshire County Council from a highways and sustainability perspective.

This draft AQAP has not been signed off by a Director of Public Health. However, the final AQAP will be reviewed by the Director of Public Health.

## **South Kesteven District Council**

This Air Quality Action Plan (AQAP) has been prepared and developed in partnership with other relevant bodies, particularly the Highways team of Lincolnshire County Council (LCC) and the relevant teams of South Kesteven District Council to incorporate localised engineered measures in the AQMA.

This AQAP will be subject to an annual review, appraisal of progress and South Kesteven District Councils Environment over and scrutiny Committee. Progress each year will be reported in the Annual Status Reports (ASRs) produced by South Kesteven District Council, as part of our statutory Local Air Quality Management duties.

If you have any comments on this AQAP, please send them to Tom Amblin-Lightowler at:

South Kesteven District Council

Council Offices

The Picture House,

St Catherine's Road,

Grantham NG31 6TT

01476 406080

[ehs@southkesteven.gov.uk](mailto:ehs@southkesteven.gov.uk)

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## 1 Introduction

This report outlines the actions that South Kesteven District Council will deliver between 2024 – 2029 to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the South Kesteven District Council administrative area.

It has been developed in recognition of the legal requirement on the local authority to work towards Air Quality Strategy (AQS) objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part and to meet the requirements of the Local Air Quality Management (LAQM) statutory process.

This Plan will be reviewed every five years at the latest and progress on measures set out within this Plan will be reported on annually within South Kesteven District Council's air quality ASR.

South Kesteven District Council is committed to working to improve the air quality in our district where levels of air pollutants are exceeding air quality objectives.

Air quality in South Kesteven is generally good. However, there are locations where pollutant levels are high, with the highest levels being along narrow, congested street canyons (roads with properties close to the road on either side of the street) in Grantham.

Monitoring has revealed that the annual mean air quality objectives for NO<sub>2</sub> for the previous 3 years have been close to the National Air Quality objective of 40 µg/m<sup>3</sup> but have not exceeded this threshold at any of the monitoring locations in Grantham town centre, some of which are within an Air Quality Management Area (AQMA).

Monitoring data for the last 5 years with the Air Quality Management Area have identified:

- There is an overall decreasing trend in nitrogen dioxide air pollution at monitoring sites.
- There remain three sites which have only been under objective levels for air pollution for the last 2-3 years, which includes 2020 where results are not considered typical due to abnormal traffic levels.

## **South Kesteven District Council**

- There were no exceedances of the 1 hour mean target for NO<sub>2</sub> air pollution for the last 5 years.

Department for Food and Rural Affairs (DEFRA) based upon the lack of exceedances of the 1 hour mean target that this be removed from the current AQMA.

There is now an intention to review the existing AQMA to reflect the update NO<sub>2</sub> monitoring data.

The district of South Kesteven is very diverse, comprising principal towns of Grantham, Stamford Bourne and The Deepings surrounded by small rural villages and hamlets.

The main source of air pollution in the district is road traffic emissions from major roads, notably the A1, A52, A15 and A607. The district and surrounding areas are illustrated in Figure 1.

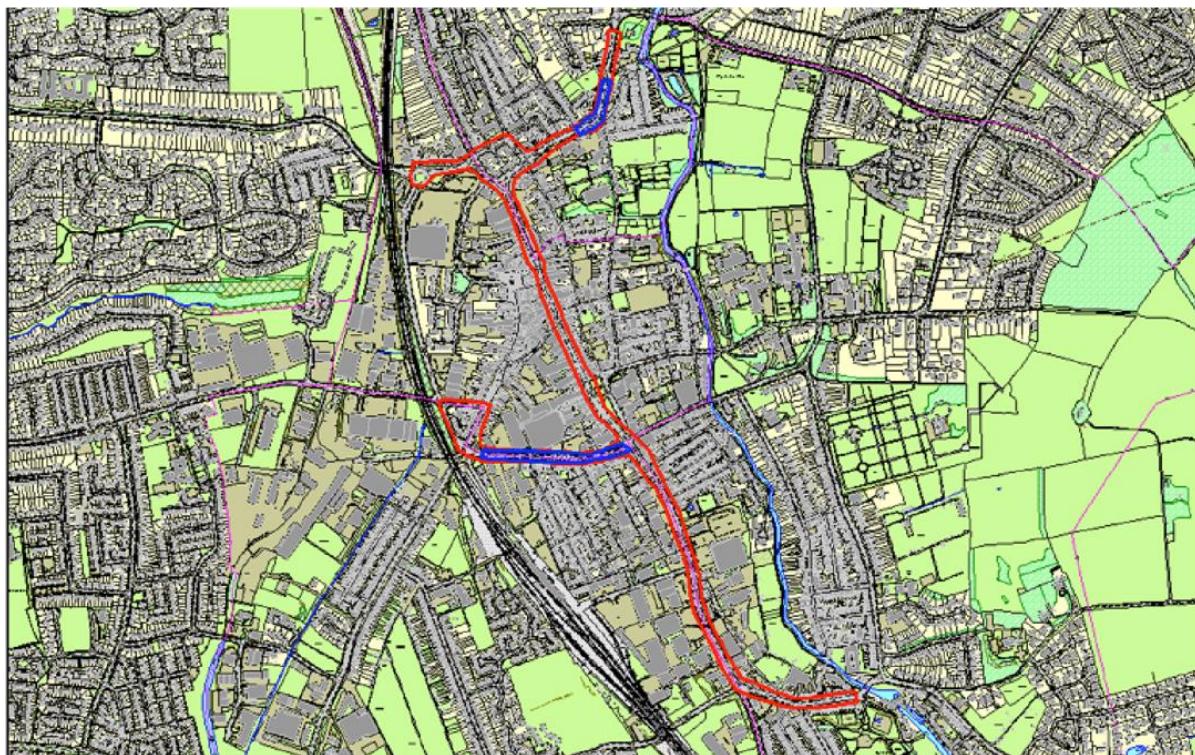
## 2 Summary of Current Air Quality in South Kesteven District Council

Please refer to the latest ASR from South Kesteven District Council.

In 2013, the council declared an AQMA for the area encompassing the main roads in the town centre of Grantham. The AQMA is illustrated in Figure 2. Several roads included within the AQMA are likely to lead to a “street canyon effect” due to the road and building layout, trapping, and preventing the dispersion of air pollutant emissions from road-traffic, therefore explaining the high levels of pollution in these areas.

The 2011 Detailed / Further Assessment concluded that around 320 homes lie within the Grantham town centre AQMA, equating to an exposed population of around 650. The NO<sub>2</sub> monitoring data for the previous 5 years as stated have not exceed the annual or hourly means and we are confident that the proposed measure included within the AQAP will continue to see a downward trend and remain below the National Air Quality Objectives.

Historical source apportionment indicated that emissions from local moving traffic are the main contributor to overall NO<sub>2</sub> levels, although idling emissions due to queuing vehicles are also particularly important near traffic lights. Given that there has been no substantial changes to the physical environment and that it remains predominantly a residential and retail setting it remains highly likely that that local moving traffic is the main contributor of NO<sub>2</sub>. As a source apportionment assessment has not been completed recently it is not clear as to whether Heavy-Duty Vehicles (HDVs) are still estimated to be a main source of pollution, in addition the contribution levels from Light-Duty Vehicles (LDVs).



**Figure 1 - Grantham Air Quality Management Area**

In red, current AQMA boundary (declared in 2013). In blue, previous AQMA areas.

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The council carries out passive NO<sub>2</sub> monitoring at 37 sites across the district using diffusion tubes. This includes 15 duplicate tube and four triplicate tube locations, which are aimed at improving reliability of the data.

Full details of monitoring data are shown within the ASR:

[South Kesteven District Council ASR 2023 v3.pdf \(southkesteven.gov.uk\)](https://www.southkesteven.gov.uk/air-quality/air-quality-management-area-aqma)

## 3 South Kesteven District Council's Air Quality Priorities

### 3.1 Public Health Context

Air pollution is associated with several adverse health impacts. It is recognised as a contributing factor in the onset of both heart and respiratory diseases and lung cancer<sup>4</sup>. Additionally, air pollution particularly affects the most vulnerable in society: children, the elderly, and those with existing heart and lung conditions. There is also often a strong correlation with equalities issues because areas with poor air quality are also often less affluent areas<sup>56</sup>.

The mortality burden of air pollution within the UK is equivalent to 29,000 to 343,000 deaths at typical ages<sup>7</sup>, with a total estimated healthcare cost to the NHS and social care of £157 million in 2017<sup>8</sup>.

Given that South Kesteven is predominantly a rural setting and that the NO<sub>2</sub> monitoring data from within the district is below the National Air Quality Objectives the healthy implications are deemed to be minimal.

### 3.2 Planning and Policy Context

South Kesteven Districts Local Plan 2011-2036 has links to improving air quality with the considerations for contributing to low-carbon travel through the expectations for residential and commercial developments to provide electric vehicle charging points<sup>9</sup>.

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<sup>4</sup> Health Matters: air pollution - GOV.UK ([www.gov.uk](https://www.gov.uk))

<sup>5</sup> Public Health England. Air Quality: A Briefing for Directors of Public Health, 2017

<sup>6</sup> Defra, Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006.

<sup>7</sup> Defra, Air quality appraisal: damage cost guidance, January 2023

<sup>8</sup> Public Health England. Estimation of costs to the NHS and social care due to the health impacts of air pollution: summary report, May 2018

<sup>9</sup> South Kesteven District Council. Local Plan 2011-2036

It is hoped that this will encourage the switch to electric vehicles and reduce traffics contribution towards NO<sub>2</sub> levels.

Additionally larger scale developments have development principles specified within the Local Plan to provide footway and cycleway connections to local amenities.

### 3.3 Source Apportionment

The AQAP measures presented in this report are intended to be targeted towards the predominant sources of emissions within South Kesteven District Council's area.

A source apportionment exercise was carried out by South Kesteven District Council in 2014. At present an updated source apportionment exercise has been instructed and findings will be included in the final AQAP.

### 3.4 Required Reduction in Emissions

As the current monitored levels of NO<sub>2</sub> for the last 3 years are below the National Air Quality Objectives it has been determined as unnecessary to carry complete a required reduction in NO<sub>2</sub> exercise. The actions detailed within this AQAP once completed are intended to continue to reduce further and maintain below the AQS objectives.

### 3.5 Key Priorities

Our priorities are to sustain a downward trend in emissions reduction through partnership work. The delivery of the Grantham Southern relief road remains a major focus to divert traffic away from the town centre. Traffic management and infrastructure for walking and cycling are prioritised by the Grantham Transport Strategy published in 2022. The Clean Air Lincolnshire project will continue to raise awareness of issues of air quality and provide additional monitoring data withing the AQMA. Vehicle fleet efficiency opportunities will continue to be implemented by South Kesteven District Council.

- Priority 1 - The delivery of the Grantham Southern relief road remains a major focus to divert traffic away from the town centre – Phase 3

## **South Kesteven District Council**

- Priority 2 – Implementation of Traffic management and infrastructure for walking and cycling has prioritised by the Grantham Transport Strategy published in 2022.
- Priority 3 – Raise continual awareness conjunction with the Clean Air Lincolnshire project.

## 4 Development and Implementation of South Kesteven District Council AQAP

### 4.1 Consultation and Stakeholder Engagement

In developing/updating this AQAP, we have worked with other local authorities, agencies, businesses, and the local community to improve local air quality. Schedule 11 of the Environment Act 1995 requires local authorities to consult the bodies listed in Table 4.1. We propose to consult on this AQAP in early 2024 with stakeholder and methodology for consultation detail below.

- Website
- Articles in local newspaper
- Questionnaire available via online survey platform
- Localised marketing campaign.>

The response to our consultation stakeholder engagement will be published within the final AQAP.

**Table 4.1 – Consultation Undertaken**

Consultee	Consultation Undertaken
The Secretary of State	No
The Environment Agency	Yes - proposed
The highways authority	Yes - proposed
All neighbouring local authorities	Yes - proposed
Other public authorities as appropriate, such as Public Health officials	Yes - proposed
Bodies representing local business interests and other organisations as appropriate	Yes - proposed

## 4.2 Steering Group

As part of developing this Action Plan, a steering group was established to review the existing actions that are in progress to improve air quality within the South Kesteven District Council's Air Quality Management Area as well as any future actions. This steering group will also oversee the implementation and monitoring of the actions contained within this and future revisions of the Action Plan.

This steering group is chaired by the Head of Service – Public Protection and consist of the following internal service areas:

- Environmental Health – Environmental Protection Leads
- Sustainability & Climate Change Lead
- Waste Services
- Planning Policy Team
- Housing Maintenance Services

The internal steering group liaise directly with relevant external stakeholders which include:

- Lincolnshire County Council – Highways
- Lincolnshire County Council - Assisting Development Team
- Lincolnshire County Council – Public Health

## 5 AQAP Measures

Table 5.1 shows the South Kesteven District Council AQAP measures. It contains:

- a list of the actions that form part of the plan.
- the responsible individual and departments/organisations who will deliver this action.
- estimated cost of implementing each action (overall cost and cost to the local authority)
- expected benefit in terms of pollutant emission and/or concentration reduction.
- the timescale for implementation
- how progress will be monitored

**NB:** Please see future ASRs for regular annual updates on implementation of these measures.

Table 5.1 – Air Quality Action Plan Measures

Measure No.	Measure	Category	Classification	Estimated Year Measure to be Introduced	Estimated / Actual Completion Year	Organisations Involved	Funding Source	Defra AQ Grant Funding	Funding Status	Estimated Cost of Measure	Measure Status	Target Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Potential Barriers to Implementation
M1	Grantham Southern Quadrant East West Relief Road	Traffic Management	Strategic highway improvements, Re-prioritising Road space away from cars, including Access management, Selective vehicle priority, bus priority, high vehicle occupancy lane	Ongoing project	2025	Lincolnshire County Council Highways & South Kesteven District Council	Lincs County Council Highways Infrastructure funding Highways England Growth and Housing Fund Developer contributions	No	Fully funded	>£10 million	Implementation	0.5 - 1 µg/m3	Reduced HGV through traffic in the town centre – reduced overall traffic flows through the town	Work commenced on site in late 2015. Phase 1 complete, Phase 2 completed December 2022, Phase 3 estimated completion 2025.	In progress, potential delay to estimated completion date.
M2	Improve traffic management at key junctions.	Traffic Management	Strategic highway improvements, Re-prioritising Road space away from cars, including Access management, Selective vehicle priority, bus priority, high vehicle occupancy lane.	Ongoing project	2024+ 3-5 years	Lincolnshire County Council Highways	Lincs County Council Highways Infrastructure funding	No	As funding opportunities arise	£50k-£100k	Planning	1 - 2 µg/m3	Reduced congestion and increased average speeds through the AQMA.	The Grantham Transport Strategy 2023 sets out several improvements planned for improving traffic management in and around Grantham.	Lack of funding/change in priorities
M3	Improvements in Bus fleet emissions	Promoting Low Emission Transport	Other	Ongoing project	2024+ 3-5 years	Lincolnshire County Council Highways & South Kesteven DC	Lincolnshire County Council Transport Services	No	As funding opportunities arise	£50k-£100k	Planning	1 - 2 µg/m3	Improved bus fleet composition. Bus use more attractive to potential users – increased passenger numbers.	The Lincolnshire Bus Service Improvement Plan 2023 has been approved. Working in partnership with operators and stakeholders this will enhance bus services and further improve the bus offer to residents and visitors over the next 5 - 10 years.	Lack of funding/change in priorities
M4	Clean Air Lincolnshire air quality monitoring and	Public Information	Via the internet	2023	2024+ 1-2 years	Lincolnshire County Council and South Kesteven DC	DEFRA	Yes	Fully funded	£50k-£100k	Implementation	0.2 - 0.5 µg/m3	Engagement sessions completed with school in AQMA.	Air monitors installed and engagement session underway	Clean Air Lincolnshire is a county wide project

South Kesteven District Council

Measure No.	Measure	Category	Classification	Estimated Year Measure to be Introduced	Estimated / Actual Completion Year	Organisations Involved	Funding Source	Defra AQ Grant Funding	Funding Status	Estimated Cost of Measure	Measure Status	Target Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Potential Barriers to Implementation
	communication														
M5	Encouraging modal shift	Promoting Travel Alternatives	Intensive active travel campaign & infrastructure	Ongoing	2024+ 3-5 years	Lincolnshire County Council and South Kesteven DC	Lincolnshire County Council South Kesteven District Council	No	Partially funded	<£10k	Implementation	0.2 - 0.5µg/m3	Reduced vehicle uses and increased use of public transport.	The Grantham Cycling & Walking Network Plan has been developed as part of the new Grantham Transport Strategy 2022. This document will inform all future schemes.	Lack of funding
M6	Provision of Cycling infrastructure	Promoting Travel Alternatives	Promotion of cycling	Ongoing	2024+ 3-5 years	Lincolnshire County Council Highways	Lincs County Council Highways Infrastructure funding Active Travel England funding	No	Not funded	£100k-500k	Planning	0.2 - 0.5µg/m3	Increased number of cycle lanes makes cycling a more attractive alternative method of transport.	The Grantham Cycling & Walking Network Plan has been developed as part of the new Grantham Transport Strategy 2022. This document will inform all future schemes.	Lack of funding/change in priorities/developments
M7	Rolling programme of replacing older more polluting vehicles with newer cleaner vehicles	Vehicle fleet efficiency	Company Vehicle Procurement - Prioritising uptake of low emission vehicles	Ongoing	2024+ 3-5 years	South Kesteven District Council	South Kesteven District Council	No	Partially funded	£100k-500k	Implementation	0.2 - 0.5µg/m3	Continue to improve average euro class of the whole council owned fleet and introduce additional EVs.	Fleet review completed 2021. New depot site targeted end of 2025 Review further EV implementation 2026 onward	Relocation of fleet to new facilities.
M8	Implement improved travel planning amongst the council's employees.	Public information	Via the internet	Ongoing	2024+ 3-5 years	South Kesteven District Council	South Kesteven District Council	No	Partially funded	<£10k	Implementation	0.2 - 0.5µg/m3	Reduce number of council staff driving to work	Staff travel survey completed 2020 showing decrease in single occupancy car travel. Hybrid working policy in place from 2021 to minimise need to travel. Cycle to work scheme in place- approx. 6 users each year	Lack of take up

## Glossary of Terms

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality limit values'
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
AQS	Air Quality Strategy
ASR	Air quality Annual Status Report
Defra	Department for Environment, Food and Rural Affairs
EU	European Union
LAQM	Local Air Quality Management
NO <sub>2</sub>	Nitrogen Dioxide
NO <sub>x</sub>	Nitrogen Oxides
PM <sub>10</sub>	Airborne particulate matter with an aerodynamic diameter of 10µm (micrometres or microns) or less
PM <sub>2.5</sub>	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less

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SOUTH  
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## Environment Overview & Scrutiny Committee

13<sup>th</sup> February 2024

Report of Councillor Patsy Ellis &  
Councillor Rhys Baker  
Cabinet Members for Environment and  
Waste

## Environment Act 2021 Update

### Report Author

Kay Boasman, Head of Waste Management and Market Services



[kayleigh.boasman@southkesteven.gov.uk](mailto:kayleigh.boasman@southkesteven.gov.uk)

### Purpose of Report

To provide a further update on the implementation timescales of the Environment Act 2021, in respect of:

- **Extended Producer Responsibility (EPR)** for packaging,
- **Deposit Return Scheme (DRS)** for drinks containers,
- New requirements on local authorities to implement greater **Consistency in Household Recycling**, now '**Simpler Recycling**' (including, separate collections of waste materials, establishing separate weekly food waste collections and providing free fortnightly garden waste collections).

### Recommendations

**The Environment Overview and Scrutiny Committee is asked to:**

**1. Note the contents of the report, the revised timescales applied by Government and funding implications.**

<b>Decision Information</b>	
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Clean and sustainable environment
Which wards are impacted?	All

## **1. Implications**

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance and Procurement***

- 1.1 Current and future financial implications are indicated within the report however, the full impact will only be known once DEFRA has released all information on how the New Burdens Funding will operate. It initially appears that the proposed funding is insufficient to meet the financial burden of the proposals and therefore further dialogue is required with Government to ensure funding allocations meet the actual costs of the additional services.

Completed by: Richard Wyles, Deputy Chief Executive and S151 Officer

### ***Legal and Governance***

- 1.2 The report is for noting and there are no significant legal or governance implications arising from the report. The Environment Act allows the UK to enshrine these environmental protection objectives into law.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection and Monitoring Officer)

### ***Risk and Mitigation***

- 1.3 This report is for information only. The future level of risk is dependent on the financial funding provided by Government. At this point the funding is either indicative or we are still awaiting further information.

Completed by: Tracey Elliott, Governance & Risk Officer

### ***Climate Change***

- 1.4 The Environment Act 2021 offers new powers to set new binding targets, including for air quality, water, biodiversity, and waste reduction. The new policies outlined in this report regarding waste and street cleansing would, once implemented, support the improved recyclability of materials and the move towards a circular economy.
- 1.5 The addition of new waste collection vehicles to the Council's vehicle fleet has the potential to increase operational carbon emissions for the Council. This will be reviewed as options for delivering the service become clearer.

Completed by: Serena Brown, Sustainability and Climate Change Officer

## **2. Introduction to the Report**

- 2.1 As previously reported to this Committee, the Government's Resources and Waste Strategy was published in 2018, which identified several new policies that would have a significant impact on local authorities in relation to their waste and street cleansing duties. These included three interrelated key projects:
  - **Extended Producer Responsibility (EPR)** for packaging,
  - **Deposit Return Scheme (DRS)** for drinks containers, and
  - **Simpler Recycling** - New requirements on Local Authorities (LA's) to implement greater consistency in household recycling (including separate collections of waste materials, separate weekly food waste collections and providing free fortnightly garden waste collections)
- 2.2 The primary powers to implement these policies are contained in the Environment Act 2021, which allows the UK to enshrine these environmental protection objectives into law.
- 2.3 Since the Strategy was introduced in 2018 there have been various consultations and changes made as a result of feedback. An overview of the original proposed changes can be found in Appendix 1, alongside an updated timetable of key dates in Appendix 4. Key changes to the original projects include –
  - Removal of the requirement to provide free garden waste collections,
  - Rebranding of the 'Consistency in Household Recycling' to 'Simpler Recycling', and

- The removal of the requirement to separately collect the key materials covered by the Simpler Recycling changes; there is the option to co-mingle food and garden waste in one bin and glass, paper/card, metals, and plastics in another (if required).

2.4 This report provides an up-to-date summary of progress for each of the three key projects as outlined in point 2.1.

### **3. Background to the Report**

3.1 Following release of the Government's Resource and Waste Strategy (RAWS), The Department of Environment, Food & Rural Affairs (DEFRA), undertook consultation on the policies (outlined in 2.1) during 2019 and 2021.

3.2 It is understood that reasonably high levels of responses were received for Extended Producer Responsibility and Deposit Return Scheme, however, there was limited response on Waste Consistency in Collections. As a result, Councils were left waiting for clarity from Government on the new service requirements, including what collections would be provided, where and when.

#### **Summary of Progress for Key Projects to Date (February 2024)**

##### **Extended Producer Responsibility (EPR)**

3.3 On the 28<sup>th</sup> July 2023 DEFRA wrote to all Chief Executives advising that the Extended Producer Responsibility for packaging payments would be deferred from October 2024 to October 2025 (Appendix 5). The aim of this policy is to ensure producers of packaging pay for the cost of recycling their products.

3.4 DEFRA felt that the 12-month deferral would:

- Provide industry with additional time to prepare for the new requirements, which may include reviewing and improving current packaging use.
- Enable local authorities and industry to be more involved in the design of the Extended Producer Responsibility scheme.
- Give local authorities and waste management companies more time to review and adjust current services and thereby improve their supply of recyclable packaging materials.

3.5 As of January 2024 there are no further updates to report on EPR.

##### **Deposit Return Scheme (DRS)**

3.6 In terms of the wider Resource & Waste reforms, the delivery of the Deposit Return Scheme for cans and plastic bottles to be taken back to retailers, is to proceed to current timescales and be introduced from October 2025.

3.7 As of January 2024 there are no further updates to report on DRS.

### **Consistency in Household Recycling (Now Simpler Recycling)**

3.8 On 21<sup>st</sup> October 2023 Government released its response to the July 2021 Consistency in Household and Business Recycling consultation (summary available in Appendix 3).

3.9 The aim of these new reforms, now referred to as 'Simpler Recycling', is to make it easier for households and businesses to recycle by introducing a simpler and more consistent approach to waste collections.

### **Food Waste Collections (part of the 'Simpler Recycling' changes)**

3.10 The October 2023 update mandated that separate weekly kerbside food waste collections are required by 31<sup>st</sup> March 2026. The food waste stream will include:

- All food for human or household pet consumption, regardless of whether it has any nutritional value.
- Biodegradable material resulting from the processing or preparation of food including inedible food parts such as bones, eggshells, fruit, and vegetable skins, tea bags and coffee grounds.

3.11 Weekly food waste collections are required to take place from all households by **31<sup>st</sup> March 2026** (unless a transitional arrangement is agreed). DEFRA are gathering further evidence on caddy liners via statutory guidance consultation. The financial implications, alongside indicative transitional capital funding from DEFRA, of this change can be found in Section 4 of this report.

3.12 Separate weekly food waste collections from non-household municipal premises (such as businesses, schools, and hospitals), must be in-place by **31<sup>st</sup> March 2025** (except for micro firms who have until **31<sup>st</sup> March 2027**). SKDC will need to decide if there will be an expansion of the Commercial Waste Collection Service to include food waste collections.

3.13 Government's preference is for food waste to be collected for treatment by anaerobic digestion (AD), which presents the best environmental outcome for the treatment of unavoidable food waste, due to the generation of bio-fuel and digestate (a nutrient rich substance that can be used as a fertiliser). This digestate can be spread to land, ensuring nutrients are recycled, creating a more circular economy.

3.14 In early 2024 the Government also released indicative figures on what the 'new burden' funding would look like for each authority for transitional capital costs only.

A full breakdown of what SKDC will receive can be found in Section 4 (Table 1) of this report.

### **Garden Waste Collections (part of the ‘Simpler Recycling’ changes)**

3.15 The recent updates have confirmed that LA’s can continue to levy a charge for garden waste collections (as per the Controlled Waste (England and Wales) Regulations 2012) and therefore, at this stage, there is no need to consider a change to SKDC’s garden waste. No further changes are expected for this waste stream.

## **4. Financial Implications**

### **New Burdens**

4.1 Broadly a new burden is defined as any policy or initiative which increases the cost of providing local authority services. This includes duties, powers or any other change which may place an expectation on local authorities including new guidance. If changes are made before it is mandated by Government, then new burden funding is no longer relevant and would not be provided.

4.2 The New Burdens doctrine only applies where central government requires authorities to do something new or additional. Action to ensure that they adequately fulfil a role for which they are already funded is not a new burden.

### **Funding Food Waste Collections**

4.3 It is understood that funding will be in three separate areas -

- Capital Transition Costs
- Resource Transition Costs
- Ongoing Resource Costs

4.4 Up to £295m of capital funding will be allocated to the local government sector to support the purchase of bins and lorries. A funding formula has now been developed and DEFRA have written to all Chief Executives providing ‘Indicative Capital Transitional Costs for the Introduction of Weekly Food Waste Collections’ (Appendix 2).

4.5 Capital costs will be paid to local authorities implementing food waste service after 1<sup>st</sup> April 2023 – there will be no retrospective funding for any investment prior to this date. With a service commencement deadline of 31<sup>st</sup> March 2026, timely delivery will be dependent upon sufficient funding being received in time to ensure vehicle, receptacle and staff can be put in-place.

4.6 Tables 1 and 2 below highlight the additional funding required to deliver a weekly food waste collection service. To date, only funding for indicative capital costs

(Table 1) has been provided with further funding information to follow at an unspecified date.

4.7 The capital costs shown in Table 1 reflect the indicative capital transition costs provided by DEFRA (Appendix 2). DEFRA have estimated that SKDC require 9 vehicles for the food waste service, however, initial estimates by the Waste and Recycling Team suggest SKDC needs 12 vehicles. DEFRA have created a process which allows Local Authorities to challenge their estimates and the Waste Team are currently working on collating evidence to challenge the suggested transitional capital costs.

4.8 Table 2 highlights the estimated ancillary costs for year 1 of the service. These costs should be funded by DEFRA's 'transitional costs' and 'ongoing resource costs' through new burden funding. However, at this stage, the level of funding is unknown.

**Table 1 – Summary of Indicative Capital Funding from DEFRA**

Item	2024/25*
	Cost (£)
<b>Food Waste Caddies</b>	
Kitchen Caddies (65,000) @ £2.10	136,500
Kerbside Caddies (65,000) @ £4.83	313,950
<b>Food Waste Liners</b>	
(DEFRA are gathering further evidence on caddy liners via statutory guidance consultation)	TBC
<b>Food Waste Vehicles</b>	
9 Collection Vehicles X £102,300 each	920,700
<b>Total Indicative Capital Funding</b>	<b>1,371,150</b>

*\*Anticipated date of receipt of transitional capital cost funding*

**Table 2 – Summary of Estimated Ancillary Costs (DEFRA funding not yet confirmed)**

Item	Year 1 (26/27)
	Cost (£)
<b>Ancillary Costs: Vehicles</b>	
Road Tax	2,184
Tyres	6,816
Maintenance	66,000
Fuel Usage	55,200
Vehicle Insurance increase	22,000
Vehicle hire	2,000

<b>Sub Total</b>	<b>154,200</b>
<b>Ancillary Costs: Staff</b>	
12 HGV Drivers - SK6MS Grade	493,416
24 Operatives/Loaders SK3MS Grade	795,600
Business Support Officer SK6 Grade	34,573
Refuse Supervisor SK9MS Grade	43,962
Additional Mechanic (37 hours)	51,722
Casual Workers (9.4% of gross pay)	121,168
Overtime (3.5% of gross pay)	45,116
Training	3,000
Protective clothing	11,400
<b>Sub Total</b>	<b>1,599,957</b>
<b>Total Ancillary Expenditure</b>	<b>1,754,157</b>

## 5. Key Considerations

- 5.1 This report is for noting and provides a summary of indicative capital transitional costs for the introduction of weekly food waste collections as provided by DEFRA in January 2024 (Appendix 2).
- 5.2 The vehicle and staffing costs for year one (2026/27) are estimated in Table 2, currently it is unknown whether or not funding from Government will cover all of these costs. Once this information is received from DEFRA a further update will be provided.
- 5.3 It should be noted that the indicative capital transitional funding (Table 1) provided by DEFRA falls short of the actual operational resource requirements, this is the same for all authorities within the LWP and SKDC will be submitting a challenge to the figures. **Initial estimates from the Waste Team indicate a requirement for 12 vehicles, however, DEFRA's initial offer only covers 9 vehicles. We are currently undertaking a piece of work which we will use to challenge the indicative capital funding figures.**
- 5.4 It should also be noted that DEFRA have given no indication of when new burden funding will be awarded for other transitional costs and ongoing resource costs.

## 6. Other Options Considered

- 6.1 None. The Environmental Act 2021 is a vehicle for a number of DEFRA environmental policies and sets out the legal framework for significant reforms to

local authority waste and recycling services, as well as creating new statutory duties for local authorities. The changes highlighted within this report are mandatory.

## **7. Reasons for the Recommendations**

7.1 To provide the Environment Overview and Scrutiny Committee with an update on the Environment Act 2021 and DEFRA consultations and provide an update on how local authorities are affected by the change of policy direction.

## **8. Consultation**

8.1 South Kesteven officers as part of the Lincolnshire Waste Partnership have been involved with members of the waste industry bodies, so as to engage closely with DEFRA to support the ongoing development of these new policies.

## **9. Appendices**

**Appendix 1 – Summary of Position of EA 2021**

**Appendix 2 – DEFRA Letter – Indicative Capital Transitional Costs**

**Appendix 3 – Summary of Consistency in Recycling Response Oct 2023**

**Appendix 4 – Summary of Timelines**

**Appendix 5 – DEFRA Letter – 28<sup>th</sup> July 2023**

**Appendix 6 – Other Points for Consideration**

**Appendix 7 – Collection of Materials**



## Environment Act 2021 & Resources and Waste Strategy Current Position

## Appendix 1

Policy Area and Purpose	Impacts	Unknowns and Risks	Expected Next Steps	Current Implementation Date
<b>Consistent Recycling Collections</b>  Range of materials Collected at kerbside and segregation of materials	<ul style="list-style-type: none"> <li>Separate collection of a range of recyclable materials <ul style="list-style-type: none"> <li>glass;</li> <li>metal;</li> <li>plastic;</li> <li>paper and card;</li> <li>food waste (see section below)</li> <li>garden waste (free of charge)</li> </ul> </li> <li>Larger number of containers to be accommodated by residents and collected by councils</li> <li>Additional collection rounds, vehicles and staff to facilitate separate collections</li> <li>Potential loss of income for current chargeable garden waste collections and costs to expand to all households</li> <li>Space at existing waste transfer stations for separate waste streams</li> </ul>	<ul style="list-style-type: none"> <li>The separate collection may not be technically, environmentally and economically practicable (TEEP) in all cases.</li> <li>A process of demonstrating why separate collections are not practicable is proposed but not detailed.</li> <li>The following grounds are suggested as reasons:</li> <li>Technical practicability – impact of housing stock (e.g. flats, HMOs, student accommodation), rurality, availability of suitable containers, storage of containers at properties;</li> <li>Economic practicability - local authorities will need to demonstrate that their specific financial costs (caused by their local circumstances) makes it significantly more expensive to have separate collections based on (e.g.) housing stock, rurality, and availability of recycling and treatment infrastructure;</li> <li>Environmental practicability - local authorities will need to make the case that separate collection is of</li> </ul>	<ul style="list-style-type: none"> <li>Lincolnshire councils are already collecting these materials, mostly commingled</li> <li>Await further details on separation requirements, statutory guidance and any exemptions/TEEP</li> <li>Although not formally confirmed, it is anticipated that the mandated free garden waste collection will not go ahead, though a cap on charges may be imposed</li> </ul>	<ul style="list-style-type: none"> <li>Collection of plastic films 2026/27</li> </ul>

		<p>no significant environment benefit based on, for example greenhouse gas emissions, journey length, rurality etc</p>		
<p><b>Consistent Recycling Collections</b></p> <p>Separate weekly collection of food waste from all households</p>	<ul style="list-style-type: none"> <li>Costs associated with purchase of additional vehicles</li> <li>Demand for vehicles will drive up delivery lead times (already around 8-12 months)</li> <li>Additional staffing costs (crews and back office)</li> <li>Initial and ongoing cost of bins/caddies</li> <li>Depot space to accommodate additional vehicles (unlikely to be funded)</li> <li>HGV driver shortage, preferable to purchase smaller freighters which do not require HGV licence, but require more frequent emptying</li> <li>Tipping points expected to be existing LCC waste transfer stations (WTS) but not formally confirmed.</li> <li>WTS modifications and licensing changes required</li> </ul>	<ul style="list-style-type: none"> <li>LCC contractual arrangements with EfW plant do not appear to penalise diversion of food waste from EfW</li> <li>New burdens funding anticipated but formula details and eligible elements have not been published, unlikely to cover all costs.</li> <li>Government budget for vehicles and receptacles (capital) £295M. Unlikely to be sufficient to cover full costs for all councils</li> </ul>	<ul style="list-style-type: none"> <li>Where there are no financial penalties associated with existing disposal contracts these areas are anticipated to be in the first phase of rollout</li> <li>Awaiting further details on the consultation response and statutory guidance consultation</li> </ul>	<ul style="list-style-type: none"> <li>Awaiting confirmation of phasing</li> </ul>

	<ul style="list-style-type: none"> <li>to allow for acceptance of food waste</li> <li>LCC final disposal points and contracts required, closest is Hemswell Cliff (West Lindsey)</li> </ul>			
<b>Extended Producer Responsibility (EPR)</b>  Requires producers to pay the cost for the management of packaging waste in kerbside waste and litter bins  Expected to improve the recyclability of packing and reduce the amount of waste collected by local authorities, therefore saving money	<ul style="list-style-type: none"> <li>Payments to local authorities via a new Scheme Administrator based on "effective and efficient" services</li> <li>No payments for littered waste</li> <li>Any income for materials will be deducted from calculations</li> <li>Payments will be made to individual authorities (will be paid to the authority with the statutory duty)</li> </ul>	<ul style="list-style-type: none"> <li>Formula for "effective and efficient" not determined</li> <li>Quality, efficiency, effectiveness and expected and necessary costs will be fundamental to calculations</li> <li>Deductions will be made for those who are not 'efficient and effective'</li> <li>Year 1 payments will be modelled with authorities grouped and benchmarked to establish baseline for potential payments</li> <li>Year 1 payment based on modelling, not yet known whether it will fully fund the collections expected</li> <li>Sampling methodologies for waste composition to inform payments are unknown but will place a higher expectation and demand on sampling</li> <li>Modulated fees from 2025 so producers will pay less for 'more recyclable' materials, potentially reducing available payments for LAs over time as scheme is funded</li> </ul>	<ul style="list-style-type: none"> <li>Regulations are expected to be laid shortly</li> <li>Appeals process and improvement plans for those not meeting standards after year 1</li> <li>Budget setting on all of the above will be very difficult</li> <li>Spending review may change the formula for payments to LA's based on EPR payments expected, which could likely change with producer led changes to materials. These changes to materials will also impact disposal outlets, costs and contracts</li> </ul>	1 October 2025

		<p>by the producers where costs will unlikely have reduced</p> <ul style="list-style-type: none"> <li>Cost of living talks have potential to disrupt current timeline</li> </ul>		
<b>Deposit Return Scheme (DRS)</b>	<p>Adds a small amount to the price that is reclaimable when the container is returned to the retailer for recycling by the consumer</p> <p>Expected to reduce the amount of litter on the streets</p>	<ul style="list-style-type: none"> <li>All single use drinks containers from 50ml to 3ltr, including those sold in multipacks</li> <li>Includes steel and aluminium cans and plastic bottles, but not glass</li> <li>Administered by an independent Deposit Management Organisation (DMO)</li> <li>All businesses that sell these containers will be required to host a return point. Will be exemptions for retailers with limited space.</li> <li>Expect to achieve 90% collection target for drinks containers within 3 years</li> <li>Responsibility for monitoring and enforcing certain retailer obligations will sit with Trading Standards</li> </ul>	<ul style="list-style-type: none"> <li>The full implications are still unclear as a lot of detail remains to be confirmed by the Deposit Management Organisation (yet to be appointed)</li> <li>Potential substantial reduction in material at kerbside collection, this will also impact on disposal contracts and income/costs</li> <li>DRS materials in LA waste streams will not be eligible for EPR payments</li> <li>Possible for waste authorities to receive funds from returning DRS items that end up in bins. However, there is no detail yet as to who in the system would do this, how funds would be distributed across authorities, and how technological barriers to separating out items would be overcome.</li> <li>Ongoing delays in Scottish scheme could impact England timelines</li> </ul>	<ul style="list-style-type: none"> <li>Regulations to be in place by end 2023</li> <li>Appointment of a Deposit Management Organisation by summer 2024. This will be an independent, not-for-profit private organisation</li> <li>Government to legislate for an additional permitted development right for reverse vending machines to return DRS items.</li> <li>Possibility that collection authorities will eventually be asked to collect DRS items completely separately under a digital at-home return system. There is currently no detail on timescales, burdens or potential income councils would receive from this.</li> </ul> <ul style="list-style-type: none"> <li>1 October 2025</li> <li>Government to work with industry to continually assess the feasibility of this date</li> </ul>

# Appendix 2



Department  
for Environment  
Food & Rural Affairs

Emma Bourne  
Director, Resource and Waste  
Department for Environment,  
Food and Rural Affairs

2 Marsham Street,  
London, SW1P 4DF

9 January 2024

Dear Chief Executive,

## **Weekly food waste collections – indicative capital transitional costs for the introduction of weekly food waste collections**

Thank you for your continued engagement with our Collection and Packaging Reforms, including Simpler Recycling. Through Simpler Recycling, we will ensure that people across England are able to recycle the same materials, putting an end to confusion over what can and cannot be recycled in different parts of country; and introduce weekly collections of food waste.

I am writing to provide further detail on the indicative transitional capital funding to fund waste collection authorities (WCAs) for the delivery of weekly food waste collections (subject to Ministerial approval). This will come into effect for households from 1 April 2026, as required under s45A of the Environmental Protection Act 1990 (introduced by the [Environment Act 2021 \(legislation.gov.uk\)](#)). Further details can be found in the [Simpler Recycling Government response](#). Details of the funding are provided in Annex A. If you are due to receive a bespoke transitional arrangement (delayed food waste implementation date) then you will not receive the funding listed until an appropriate point before your bespoke transitional arrangement is due to end. This is to ensure that there is no funding in advance of need.

Please respond to [recycling@defra.gov.uk](mailto:recycling@defra.gov.uk) by 19 January 2024, confirming the bank account (account name, sort code, account number) on header paper, signed by a senior responsible officer or authorised finance officer, to which grant payments should be made. It will not be possible for us to provide capital payments until this has been provided.

This capital funding is intended for the purchase of food bins (this includes internal kitchen caddies, external kerbside caddies and communal bins) and food waste collection vehicles. This funding will be provided through Section 31 grants. Letters will be sent to local authorities this financial year on a non-ring-fenced basis.

The funding has been calculated in collaboration with the Waste Resources Action Programme (WRAP). It has been modelled using a bottom-up modelling approach that has involved creating modules for common service areas, typically operated within each council area. The key modules are kerbside, flatted/communal and remote rural properties. The modules each contain standard groupings to account for contextual and service variation within each council area to reflect the different cost profiles for each housing stock type. The cost values are scaled by the numbers of properties reported in each council area to provide a unique cost allocation for each council. The model accounts for a number of variables including rurality, levels of deprivation, number of kerbside and flatted properties, configuration of flatted properties, food waste yields, vehicle and container unit costs, and average collection round sizes.

To ensure the model is as robust as possible, the assumptions and outputs have been tested with colleagues in the Department for Levelling Up, Housing and Communities, local authority associations and some local authorities before sharing this information with you.

To set this in context, I would like to set out when you should expect all sources of funding in relation to Simpler Recycling. It is our intention that:

- Capital transitional costs, as above, will be funded in the 2023/24 financial year. This funding will be provided to waste collection authorities that need to implement or extend a weekly food waste collection service, either partially or fully.
- Resource transitional funding will be provided from the 2024/25 financial year. This money will be provided to waste collection authorities that either need to implement a weekly food waste collection service partially or fully.

- Ongoing resource/revenue costs will be provided from 1 April 2026 and will be provided to all waste collection authorities, including those that have already fully implemented a food waste collection service.
- We are currently calculating transitional and ongoing resource costs and will be writing to you on these in due course.

If you have any questions regarding this letter, please do not hesitate to contact [recycling@defra.gov.uk](mailto:recycling@defra.gov.uk).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Emma Bourne', with a horizontal line underneath it.

**Emma Bourne**

**Director, Resources and Waste**

## Annex A: funding allocations

LA	Kitchen caddies (plus spares)	Kerbside caddies (plus spares)	Communal wheeled bins (plus spares)	Vehicles (Plus spares)	Total funding
Adur District Council	£60,900	£140,070	£0	£306,900	£507,870
Amber Valley Borough Council	£115,899	£257,101	£11,466	£818,400	£1,202,866
Arun District Council	£163,800	£376,740	£0	£1,125,300	£1,665,840
Ashfield District Council	£116,372	£267,654	£0	£511,500	£895,526
Ashford Borough Council	£10,500	£24,150	£0	£102,300	£136,950
Barking and Dagenham London Borough	£166,186	£227,995	£186,802	£716,100	£1,297,083
Barnet London Borough	£330,922	£380,411	£461,109	£1,534,500	£2,706,942
Barnsley Metropolitan Borough Council	£239,400	£550,620	£0	£1,023,000	£1,813,020
Basildon District Council	£0	£0	£0	£102,300	£102,300
Basingstoke and Deane Borough Council	£168,113	£337,066	£60,068	£818,400	£1,383,648
Bassetlaw District Council	£112,100	£254,705	£3,785	£716,100	£1,086,690
Bath and North East Somerset Council	£210	£483	£0	£0	£693
Bedford UA	£163,065	£337,332	£45,683	£1,023,000	£1,569,080
Bexley London Borough	£36,435	£0	£101,498	£102,300	£240,233
Birmingham City Council	£955,500	£1,762,950	£526,500	£3,580,500	£6,825,450
Blaby District Council	£92,646	£211,544	£1,866	£613,800	£919,856
Blackburn with Darwen Borough Council	£132,930	£293,181	£15,210	£716,100	£1,157,421
Blackpool Borough Council	£148,029	£280,285	£72,891	£613,800	£1,115,005

Bolsover District Council	£0	£180,154	£0	£511,500	£691,654
Bolton Metropolitan Borough Council	£3,677	£383,946	£10,243	£818,400	£1,216,267
Boston Borough Council	£65,785	£151,039	£322	£511,500	£728,645
Bournemouth, Christchurch and Poole Council	£147,956	£98,455	£292,915	£613,800	£1,153,126
Bracknell Forest Borough Council	£20,425	£0	£56,897	£102,300	£179,622
Braintree District Council	£32,531	£38,384	£44,132	£204,600	£319,648
Breckland District Council	£128,751	£296,127	£0	£716,100	£1,140,978
Brent London Borough	£26,082	£0	£72,657	£102,300	£201,039
Brentwood Borough Council	£8,610	£19,803	£0	£102,300	£130,713
Brighton and Hove Council	£294,000	£480,102	£237,510	£1,432,200	£2,443,812
Bristol Council	£0	£0	£0	£0	£0
Broadland District Council	£0	£0	£0	£0	£0
Bromley London Borough	£13,742	£0	£38,282	£0	£52,025
Bromsgrove District Council	£87,488	£201,223	£0	£613,800	£902,511
Broxbourne Borough Council	£14,282	£0	£39,786	£0	£54,068
Broxtowe Borough Council	£105,355	£242,316	£0	£716,100	£1,063,771
Buckinghamshire Council	£60,108	£77,005	£74,178	£409,200	£620,491
Burnley Borough Council	£91,193	£209,743	£0	£409,200	£710,135
Bury Metropolitan Borough Council	£0	£395,336	£14,625	£1,329,900	£1,739,861
Calderdale Metropolitan Borough Council	£12,600	£0	£35,100	£102,300	£150,000
Cambridge City Council	£13,257	£567,965	£0	£1,943,700	£2,524,922

Camden London Borough	£52,225	£0	£145,484	£409,200	£606,909
Cannock Chase District Council	£93,771	£212,520	£3,820	£716,100	£1,026,211
Canterbury City Council	£0	£0	£0	£0	£0
Castle Point Borough Council	£0	£0	£0	£0	£0
Central Bedfordshire UA	£39,900	£17,026	£90,529	£306,900	£454,355
Charnwood Borough Council	£164,010	£377,223	£0	£818,400	£1,359,633
Chelmsford Borough Council	£21,210	£48,783	£0	£102,300	£172,293
Cheltenham Borough Council	£0	£0	£0	£0	£0
Cherwell District Council	£4,200	£0	£11,700	£102,300	£118,200
Cheshire East UA	£29,547	£840,758	£0	£1,841,400	£2,711,705
Cheshire West and Chester UA	£25,200	£0	£70,200	£102,300	£197,700
Chesterfield Borough Council	£10,672	£216,896	£25,933	£511,500	£765,001
Chichester District Council	£124,998	£229,995	£69,644	£818,400	£1,243,037
Chorley Borough Council	£110,126	£248,750	£5,499	£818,400	£1,182,775
City of Bradford Metropolitan District Council	£489,300	£1,125,390	£0	£2,046,000	£3,660,690
City of London	£12,621	£0	£35,159	£0	£47,780
Colchester Borough Council	£24,786	£0	£69,048	£102,300	£196,134
Cornwall County UA	£586,784	£1,349,603	£0	£3,580,500	£5,516,888
Cotswold District Council	£0	£0	£0	£0	£0
Coventry City Council	£47,290	£627,972	£68,942	£1,125,300	£1,869,505
Crawley Borough Council	£98,748	£174,851	£63,309	£511,500	£848,408
Croydon London Borough	£12,111	£0	£33,737	£0	£45,848

Cumberland UA	£279,670	£596,495	£56,616	£1,636,800	£2,569,581
Dacorum Borough Council	£0	£0	£0	£0	£0
Darlington Borough Council	£109,931	£245,234	£9,214	£818,400	£1,182,778
Dartford Borough Council	£102,837	£190,640	£55,575	£511,500	£860,552
Derby City Council	£96,398	£460,400	£96,285	£1,023,000	£1,676,084
Derbyshire Dales District Council	£0	£0	£0	£0	£0
Doncaster Metropolitan Borough Council	£303,072	£640,743	£68,217	£1,227,600	£2,239,632
Dorset Council	£0	£0	£0	£0	£0
Dover District Council	£5,292	£0	£14,742	£0	£20,034
Dudley Metropolitan Borough Council	£341,055	£692,091	£111,834	£1,534,500	£2,679,480
Durham County UA	£529,410	£1,203,153	£17,550	£2,966,700	£4,716,813
Ealing London Borough	£53,309	£0	£148,502	£204,600	£406,411
East Cambridgeshire District Council	£84,926	£195,330	£0	£613,800	£894,056
East Devon District Council	£0	£0	£0	£0	£0
East Hampshire District Council	£122,942	£282,768	£0	£920,700	£1,326,410
East Hertfordshire District Council	£140,515	£254,237	£83,509	£1,023,000	£1,501,261
East Lindsey District Council	£157,500	£362,250	£0	£920,700	£1,440,450
East Riding of Yorkshire Council	£14,872	£771,003	£11,700	£2,148,300	£2,945,875
East Staffordshire Borough Council	£111,888	£241,882	£18,726	£613,800	£986,295
East Suffolk District Council	£252,504	£580,759	£0	£1,534,500	£2,367,763
Eastbourne Borough Council	£104,843	£241,138	£0	£511,500	£857,480
Eastleigh Borough Council	£6,388	£0	£17,796	£0	£24,184
Elmbridge Borough Council	£5,529	£0	£15,403	£0	£20,932

Enfield London Borough	£111,300	£62,790	£234,000	£511,500	£919,590
Epping Forest Borough Council	£0	£0	£0	£0	£0
Epsom and Ewell Borough Council	£1,586	£0	£4,417	£102,300	£108,302
Erewash Borough Council	£111,682	£256,869	£0	£716,100	£1,084,651
Exeter City Council	£101,770	£187,684	£56,183	£511,500	£857,138
Fareham Borough Council	£106,065	£218,335	£31,023	£613,800	£969,223
Fenland District Council	£95,550	£219,765	£0	£511,500	£826,815
Folkestone and Hythe District Council	£1,239	£0	£3,451	£0	£4,690
Forest of Dean District Council	£0	£0	£0	£0	£0
Fylde Borough Council	£85,231	£186,607	£11,413	£511,500	£794,751
Gateshead Metropolitan Borough Council	£198,156	£399,195	£68,509	£818,400	£1,484,260
Gedling Borough Council	£109,158	£251,063	£0	£613,800	£974,021
Gloucester City Council	£9,633	£1,096	£25,506	£102,300	£138,535
Gosport Borough Council	£79,044	£181,801	£0	£409,200	£670,045
Gravesham Borough Council	£8,520	£971	£22,558	£102,300	£134,348
Great Yarmouth Borough Council	£100,338	£196,967	£40,950	£511,500	£849,755
Greenwich London Borough	£52,139	£0	£145,244	£204,600	£401,983
Guildford Borough Council	£3,452	£0	£9,617	£0	£13,070
Hackney London Borough	£24,375	£0	£67,901	£102,300	£194,576
Halton Borough Council	£122,661	£279,614	£3,036	£613,800	£1,019,111
Hammersmith and Fulham London Borough	£180,556	£297,064	£143,179	£818,400	£1,439,199

Harborough District Council	£87,297	£200,783	£0	£613,800	£901,880
Haringey London Borough	£12,600	£0	£35,100	£0	£47,700
Harlow District Council	£20,194	£0	£56,254	£0	£76,447
Harrogate Borough Council	£159,600	£352,590	£17,550	£1,227,600	£1,757,340
Harrow London Borough	£0	£0	£0	£0	£0
Hart District Council	£89,011	£179,420	£30,648	£511,500	£810,579
Hartlepool Borough Council	£88,830	£194,649	£11,700	£511,500	£806,679
Hastings Borough Council	£92,545	£192,775	£24,318	£511,500	£821,138
Havant Borough Council	£110,313	£253,720	£0	£511,500	£875,533
Havering London Borough	£227,243	£431,831	£110,009	£1,125,300	£1,894,383
Herefordshire Council	£186,276	£405,609	£27,647	£1,227,600	£1,847,132
Hertsmere Borough Council	£15,958	£192,693	£44,454	£511,500	£764,605
High Peak Borough Council	£0	£200,638	£4,095	£716,100	£920,833
Hillingdon London Borough	£52,206	£0	£145,431	£409,200	£606,837
Hinckley and Bosworth Borough Council	£107,587	£247,451	£0	£716,100	£1,071,138
Horsham District Council	£137,750	£275,638	£49,883	£1,023,000	£1,486,271
Hounslow London Borough	£33,833	£0	£94,249	£102,300	£230,382
Hull City Council	£25,040	£485,019	£64,163	£920,700	£1,494,922
Huntingdonshire District Council	£171,908	£359,536	£43,425	£1,227,600	£1,802,468
Hyndburn Borough Council	£77,700	£178,710	£0	£409,200	£665,610
Ipswich Borough Council	£129,465	£248,774	£59,342	£511,500	£949,081
Isle of Wight Council	£0	£0	£0	£0	£0
Isles of Scilly Council	£0	£0	£0	£0	£0

Islington London Borough	£130,200	£0	£362,700	£613,800	£1,106,700
Kensington and Chelsea Royal Borough	£186,369	£296,272	£160,331	£920,700	£1,563,672
Kings Lynn and West Norfolk Borough Council	£294	£0	£819	£0	£1,113
Kingston upon Thames Royal Borough	£15,007	£0	£41,804	£102,300	£159,111
Kirklees Council	£396,480	£911,904	£0	£1,636,800	£2,945,184
Knowsley Metropolitan Borough Council	£147,842	£332,005	£9,729	£716,100	£1,205,675
Lambeth London Borough	£115,500	£0	£321,750	£716,100	£1,153,350
Lancaster City Council	£132,909	£301,972	£4,505	£1,023,000	£1,462,385
Leeds City Council Metropolitan Borough Council	£750,095	£1,226,115	£604,504	£4,296,600	£6,877,314
Leicester City Council	£296,898	£523,359	£193,190	£1,227,600	£2,241,048
Lewes District Council	£0	£0	£0	£0	£0
Lewisham London Borough	£130,200	£0	£362,700	£511,500	£1,004,400
Lichfield District Council	£94,496	£210,680	£8,067	£818,400	£1,131,643
Lincoln City Council	£94,962	£196,938	£26,009	£511,500	£829,410
Liverpool City Council	£451,370	£835,590	£245,337	£1,841,400	£3,373,697
London Borough of Richmond upon Thames	£37,615	£14,065	£87,750	£409,200	£548,630
Luton Borough Council	£175,684	£321,963	£99,450	£818,400	£1,415,497
Maidstone Borough Council	£0	£0	£0	£0	£0
Maldon District Council	£2,667	£0	£7,430	£0	£10,097
Malvern Hills District Council	£78,691	£173,281	£9,337	£716,100	£977,409
Manchester City Council	£102,306	£833,576	£284,994	£1,841,400	£3,062,276
Mansfield District Council	£102,896	£236,660	£0	£511,500	£851,056

Medway Borough Council	£53,567	£32,617	£109,717	£306,900	£502,801
Melton Borough Council	£46,830	£107,023	£831	£409,200	£563,884
Merton London Borough	£29,400	£3,260	£77,951	£204,600	£315,212
Mid Devon District Council	£0	£0	£0	£0	£0
Mid Suffolk District Council	£104,393	£232,830	£8,810	£716,100	£1,062,133
Mid Sussex District Council	£136,145	£264,887	£58,436	£613,800	£1,073,268
Middlesbrough Borough	£127,071	£292,263	£0	£511,500	£930,834
Milton Keynes Council	£14,234	£0	£39,651	£102,300	£156,185
Mole Valley District Council	£3,427	£0	£9,547	£0	£12,974
New Forest District Council	£173,586	£399,248	£0	£1,227,600	£1,800,434
Newark and Sherwood District Council	£111,993	£257,584	£0	£613,800	£983,377
Newcastle City Council	£289,380	£521,287	£174,757	£1,227,600	£2,213,024
Newcastle-under-Lyme Borough Council	£4,305	£9,902	£0	£0	£14,207
Newham London Borough	£267,943	£340,607	£333,877	£1,125,300	£2,067,727
North Devon District Council	£0	£0	£0	£0	£0
North East Derbyshire District Council	£2,226	£228,266	£0	£613,800	£844,292
North East Lincolnshire Council	£150,738	£327,165	£23,657	£716,100	£1,217,660
North Hertfordshire District Council	£0	£0	£0	£0	£0
North Kesteven District Council	£97,793	£224,923	£0	£613,800	£936,516
North Lincolnshire Council	£158,987	£357,381	£10,039	£1,023,000	£1,549,407
North Norfolk District Council	£115,584	£265,843	£0	£716,100	£1,097,527

North Northamptonshire	£228,768	£518,921	£8,775	£1,739,100	£2,495,563
North Somerset Council	£14,213	£0	£39,593	£0	£53,806
North Tyneside Metropolitan Borough Council	£212,810	£388,612	£122,148	£920,700	£1,644,270
North Warwickshire Borough Council	£525	£136,182	£0	£409,200	£545,907
North West Leicestershire District Council	£104,838	£241,128	£0	£716,100	£1,062,066
North Yorkshire Council	£462,512	£1,050,235	£16,403	£3,273,600	£4,802,751
Northumberland County UA	£304,920	£701,297	£23	£1,943,700	£2,949,940
Norwich City Council	£0	£0	£0	£0	£0
Nottingham City Council	£275,100	£632,730	£0	£1,023,000	£1,930,830
Nuneaton and Bedworth Borough Council	£90,594	£246,678	£29,648	£613,800	£980,720
Oadby and Wigston Borough Council	£47,859	£110,076	£0	£306,900	£464,835
Oldham Metropolitan Borough Council	£15,330	£0	£42,705	£102,300	£160,335
Oxford City Council	£0	£0	£0	£0	£0
Pendle Borough Council	£85,302	£194,393	£2,182	£511,500	£793,377
Peterborough City Council	£0	£0	£0	£0	£0
Plymouth City Council	£243,062	£491,955	£81,257	£1,125,300	£1,941,574
Portsmouth City Council	£0	£0	£0	£0	£0
Preston City Council	£136,836	£314,723	£0	£613,800	£1,065,359
Reading Borough Council	£6,949	£15,982	£0	£102,300	£125,231
Redbridge London Borough	£227,949	£417,645	£129,156	£1,023,000	£1,797,750
Redcar and Cleveland Borough Council	£129,253	£297,282	£0	£613,800	£1,040,335

Redditch Borough Council	£76,963	£172,185	£5,850	£511,500	£766,498
Reigate and Banstead Borough Council	£26,292	£0	£73,242	£102,300	£201,834
Ribble Valley Borough Council	£54,346	£124,996	£0	£409,200	£588,541
Rochdale Metropolitan Borough Council	£8,402	£14,538	£8,781	£409,200	£440,921
Rochford District Council	£179	£0	£497	£102,300	£102,976
Rossendale Borough Council	£68,872	£158,405	£0	£511,500	£738,776
Rother District Council	£97,186	£199,257	£29,396	£716,100	£1,041,939
Rotherham Metropolitan Borough Council	£252,292	£580,271	£0	£1,023,000	£1,855,563
Rugby Borough Council	£14,666	£236,955	£0	£716,100	£967,721
Runnymede Borough Council	£19,692	£5,975	£47,619	£102,300	£175,585
Rushcliffe Borough Council	£102,144	£228,097	£8,278	£818,400	£1,156,919
Rushmoor Borough Council	£0	£0	£0	£0	£0
Rutland County Council	£37,605	£85,525	£1,170	£409,200	£533,500
Salford Metropolitan District Council	£0	£0	£0	£0	£0
Sandwell Metropolitan Borough Council	£34,780	£0	£96,888	£204,600	£336,268
Sefton	£270,711	£567,061	£67,310	£1,739,100	£2,644,182
Sevenoaks District Council	£109,941	£252,865	£0	£818,400	£1,181,206
Sheffield City Council	£535,334	£952,519	£337,615	£2,250,600	£4,076,069
Shropshire County UA	£124,969	£722,423	£0	£1,943,700	£2,791,092
Slough Borough Council	£111,300	£159,390	£117,000	£1,788,600	£2,176,290
Solihull Metropolitan Borough Council	£197,400	£388,965	£78,794	£1,023,000	£1,688,158
Somerset County Council	£29,530	£12,944	£66,585	£278,300	£387,359

South Derbyshire District Council	£0	£198,030	£0	£613,800	£811,830
South Gloucestershire Council	£20,979	£48,252	£0	£102,300	£171,531
South Hams District Council	£49,783	£114,500	£0	£306,900	£471,183
South Holland District Council	£89,513	£205,879	£0	£511,500	£806,891
South Kesteven District Council	£136,500	£313,950	£0	£920,700	£1,371,150
South Norfolk Council	£134,190	£307,507	£1,369	£920,700	£1,363,766
South Oxfordshire District Council	£0	£0	£0	£0	£0
South Ribble Borough Council	£106,008	£243,818	£0	£511,500	£861,326
South Staffordshire District Council	£103,950	£226,087	£15,742	£920,700	£1,266,480
South Tyneside Metropolitan Borough Council	£151,271	£344,543	£4,095	£716,100	£1,216,010
Southampton City Council	£249,077	£394,553	£215,982	£1,023,000	£1,882,612
Southend on Sea City Council	£29,952	£0	£83,439	£732,600	£845,991
Southwark London Borough	£159,180	£13,360	£427,249	£716,100	£1,315,889
Spelthorne Borough Council	£23,100	£9,660	£52,650	£204,600	£290,010
St Albans District Council	£4,838	£0	£13,478	£0	£18,317
St Helens Metropolitan Borough Council	£0	£0	£0	£0	£0
Stafford Borough Council	£130,137	£273,875	£30,812	£1,023,000	£1,457,824
Staffordshire Moorlands District Council	£1,680	£209,332	£5,850	£716,100	£932,962
Stevenage Borough Council	£0	£182,477	£0	£409,200	£591,677
Stockport Metropolitan Borough Council	£57,448	£75,580	£68,492	£306,900	£508,419

Stockton-on-Tees Borough Council	£186,270	£428,421	£0	£818,400	£1,433,091
Stoke-on-Trent City Council	£55,432	£432,362	£154,417	£1,023,000	£1,665,210
Stratford-on-Avon District Council	£0	£0	£0	£0	£0
Stroud District Council	£0	£0	£0	£0	£0
Sunderland City Council	£270,900	£602,900	£24,430	£1,125,300	£2,023,530
Surrey Heath Borough Council	£3,297	£7,583	£0	£0	£10,880
Sutton London Borough	£37,130	£0	£103,434	£204,600	£345,164
Swale Borough Council	£7,035	£16,181	£0	£0	£23,216
Swindon Borough Council	£186,900	£369,495	£73,125	£1,125,300	£1,754,820
Tameside Metropolitan Borough Council	£1,890	£3,864	£585	£204,600	£210,939
Tamworth Borough Council	£67,973	£149,773	£7,950	£409,200	£634,896
Tandridge District Council	£336	£0	£936	£0	£1,272
Teignbridge District Council	£0	£0	£0	£0	£0
Telford and Wrekin Council	£0	£0	£0	£0	£0
Tendring District Council	£22,050	£50,715	£0	£204,600	£277,365
Test Valley Borough Council	£122,283	£250,798	£36,884	£920,700	£1,330,665
Tewkesbury Borough Council	£0	£0	£0	£0	£0
Thanet District Council	£10,500	£0	£29,250	£102,300	£142,050
Three Rivers District Council	£11,907	£27,386	£0	£0	£39,293
Thurrock Council	£38,063	£0	£106,031	£204,600	£348,694
Tonbridge and Malling Borough Council	£0	£0	£0	£0	£0
Torbay Borough Council	£12,233	£0	£34,076	£102,300	£148,609

Torridge District Council	£0	£0	£0	£0	£0
Tower Hamlets London Borough	£217,581	£14,490	£588,569	£920,700	£1,741,340
Trafford Metropolitan Borough Council	£38,094	£9,612	£94,478	£306,900	£449,083
Tunbridge Wells Borough Council	£12,621	£29,028	£0	£102,300	£143,949
Uttlesford District Council	£0	£0	£0	£0	£0
Vale of White Horse	£0	£0	£0	£0	£0
Wakefield Metropolitan District Council	£337,058	£768,385	£8,295	£1,534,500	£2,648,239
Walsall Metropolitan Borough Council	£245,721	£513,593	£62,455	£1,023,000	£1,844,769
Waltham Forest London Borough	£65,121	£352,010	£141,161	£920,700	£1,478,992
Wandsworth London Borough	£311,037	£417,355	£360,968	£1,329,900	£2,419,261
Warrington Borough Council	£192,717	£443,249	£0	£1,227,600	£1,863,566
Warwick District Council	£29,278	£22,493	£54,317	£102,300	£208,389
Watford Borough Council	£19,513	£0	£54,358	£102,300	£176,171
Waverley Borough Council	£0	£0	£0	£0	£0
Wealden District Council	£153,680	£327,894	£30,970	£1,125,300	£1,637,844
Welwyn Hatfield District Council	£48,720	£195,881	£36,533	£511,500	£792,634
West Berkshire District Council	£0	£0	£0	£0	£0
West Devon Borough Council	£0	£0	£0	£0	£0
West Lancashire Borough Council	£108,150	£248,745	£0	£716,100	£1,072,995
West Lindsey District Council	£92,127	£197,402	£17,550	£716,100	£1,023,179

West Northamptonshire	£34,335	£2,174	£93,015	£204,600	£334,124
West Oxfordshire District Council	£846	£0	£2,358	£0	£3,204
West Suffolk District Council	£172,786	£386,878	£12,753	£1,125,300	£1,697,717
Westminster City Council	£187,740	£144,900	£347,490	£818,400	£1,498,530
Westmoreland and Furness UA	£236,093	£543,013	£0	£1,432,200	£2,211,305
Wigan Metropolitan Borough Council	£14,440	£585,753	£46,800	£1,432,200	£2,079,193
Wiltshire County UA	£485,745	£1,063,349	£65,239	£3,375,900	£4,990,233
Winchester City Council	£136,641	£264,935	£59,758	£920,700	£1,382,034
Windsor and Maidenhead Royal Borough Council	£0	£0	£0	£0	£0
Wirral Metropolitan Borough Council	£314,727	£684,865	£47,245	£1,329,900	£2,376,737
Woking Borough Council	£0	£0	£0	£0	£0
Wokingham District Council	£0	£0	£0	£0	£0
Wolverhampton Metropolitan Borough Council	£235,200	£511,980	£35,100	£1,023,000	£1,805,280
Worcester City Council	£96,655	£222,306	£0	£409,200	£728,160
Worthing Borough Council	£110,397	£253,913	£0	£511,500	£875,810
Wychavon District Council	£126,689	£291,384	£0	£818,400	£1,236,473
Wyre Borough Council	£113,791	£259,323	£2,902	£920,700	£1,296,715
Wyre Forest	£97,033	£216,287	£8,342	£716,100	£1,037,762
York City Council	£192,822	£398,089	£54,990	£1,023,000	£1,668,901

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**Summary of Consistency in Recycling Response – Now Simpler Recycling****October 2023**

The key points of the response are listed below, including their potential impact and a timeline that includes all 3 policy areas.

Key Points Confirmed	Areas of Ambiguity / Potential Concern	Impact / Consideration for LWP
Confirmation of the materials to be collected which include a wider range of materials (full list in appendix a). These will be required by 31 <sup>st</sup> March 2026 to align with FW, EPR and DRS	Unclear if the market for these exists currently and therefore the pressure it will place on disposal contracts	Impact to disposal contract of new materials that require collection/disposal. Potential financial impact.
All recycling materials proposed to be eligible to be co-mingled and no need for TEEP or separate collections	This is subject to consultation as part of statutory guidance and therefore not confirmed yet. This will be a Secretary of State exemption from the EA21.  It is also unclear how this will align with EPR and its requirements for efficient and effective and the funding councils will receive	Minimal collection or disposal impact.  Need to consider this in line with EPR as more details emerge to ensure improved recycling rates and lower contamination to support maximum EPR funding
Food Waste and Garden Waste proposed as an exemption to enable them to be co-collected. This will need to be weekly, as per the EA21 and will need to be free	How many disposal facilities can handle the co-collection and delivery of these materials	Provides partnership with another option to consider, however would need to consider frequency requirements and loss of ability to charge for GW and disposal outlets.

Key Points Confirmed	Areas of Ambiguity / Potential Concern	Impact / Consideration for LWP
Plastic Film collection required by end of March 2027. Biodegradable plastics will not be included	Unclear if the market for these exists currently and therefore pressure it will place on disposal contracts and also the best method in which to collect films is still unclear in the sector	Impact to disposal contract of plastic film requiring collection/disposal. Potential financial impact.
Weekly Food Waste Collections must be implemented (including flats) by 31 <sup>st</sup> March 2026 for households.  No decision has been made on caddy liners and the provision of these	<p>Still awaiting further details on new burdens, but response makes it clear that only reasonable costs will be covered. There will be 3 pots of funding, transitional capital (£295m), transitional revenue and ongoing revenue, amount for these tbc. But the latter will be outside of this spending review. The transitional funding will only be available to those who do not already collect FW. Payments will be made via Section 31 grants and then become part of Local Gov Settlement.</p> <p>There is reference to new burdens considering the savings of FW, so likely a reference to WDAs and their costs/new burdens funding formula</p>	<p>Further clarity is required regarding what will be deemed as reasonable costs and what will be covered and what savings will be considered in formula for new burdens, likely to impact WDA. Costs for not getting TA will not be covered in new burdens. Clarity on caddy liners and who will pay for these is needed as this will be a big cost. The capital funding for vehicles and receptacles will be available to spend from 1<sup>st</sup> April 2023. New burdens only available after duty is in place. The Section 31 grants for capital will be with councils this financial year. There is no funding for depot or WTS infrastructure. Consideration now required for disposal contracts and delivery of material from WCA. Government are clear that they are pro AD treatment.</p>
Food Waste (not weekly) and all recycling changes (same materials as for households) must be implemented by businesses by March 2025	The response states this is because commercial contracts can flex easier and no commercial EPR currently	There will likely be a negative impact to councils that currently provide commercial collections that now have 2 differing dates to introduce FW and may be unable to compete commercially. There may be less impact regarding the differences in dates for recycling implementation.

Key Points Confirmed	Areas of Ambiguity / Potential Concern	Impact / Consideration for LWP
Garden Waste collections may continue to be charged and no cap to be imposed currently. Local authorities will be required to provide a service where it is requested and new requirements must be implemented by 31 March 2026	The economic and environmental case is not strong enough to proceed with the proposal to require waste collection authorities to introduce a free minimum garden waste collection service. Carbon saving per pound spent was not supportive of this policy. Service is both required and optional, needs further clarity. Gov gathering further evidence on other options to reduce GW in residual – assume this could be composting etc.	Positive news for partnership to allow for local decisions and cost recovery of service. Requirement to provide a GW service could be difficult in hard-to-reach areas
A minimum fortnightly residual collection is being consulted upon in Statutory Guidance. Looking to end 3 or 4 weekly residual collections	No new burdens for this. Actively encouraging more frequently than fortnightly. Seems at odds with evidence that less frequent residual collections include the success of FW collections. Currently only out to consultation	Higher frequency of collections are more expensive to run and introduction of weekly food waste would be more successful with reduced residual collections.



**Summary of Timelines**

Date	31 <sup>st</sup> March 2025	1 <sup>st</sup> October 2025	31 <sup>st</sup> March 2026	31 <sup>st</sup> March 2027
Dry Recycling Material Changes	✓ Businesses		✓ Households	
Separate Weekly Food Waste Collections	✓ Businesses (not weekly)		✓ Households	✓ Micro Firms (not weekly)
Plastic Film Collections				✓ All
Garden Waste Requirements			✓ Households	
New requirements for minimum collections of residual waste			✓ Households	
Extended Producer Responsibility Payments		✓ Payments to LA's for financial year 25/26		
Deposit Return Scheme		✓ Scheme Commencement		





**Date:** 28 July 2023

Dear Chief Executive,

## Resources & Waste Reforms

This week, the government has set out next steps in relation to its resources and waste reforms that I would like to share.

### Extended Producer Responsibility

In relation to Extended Producer Responsibility, the UK Government and devolved administrations have jointly decided to defer [Extended Producer Responsibility](#) for packaging payments from October 2024 to October 2025. This deferral relates to the point at which producers will begin to pay for the cost of recycling their products.

Extended Producer Responsibility for packaging will see producers pay for the cost of recycling their products. This will support the polluter pays principle and we remain fully committed to delivering the programme. However, we recognise that there is a risk that the programme could contribute to inflation, on which it is essential that we continue to bear down.

A 12-month deferral to Extended Producer Responsibility payments will also;

- Provide industry with additional time to prepare for the new requirements, which may include reviewing and improving current packaging use;
- Enable local authorities and industry to be more involved in the design of the Extended Producer Responsibility scheme; and
- Give local authorities and waste management companies more time to adjust current services and thereby improve their supply of recyclable packaging materials.

Today, we also launched a consultation on the draft regulations that underpin Extended Producer Responsibility to test the clarity of the obligations and understand how they would be implemented. I encourage you to have your say [here](#).

We will also review the design and functions of the EPR scheme administrator, in light of international best practice, with the collection and packaging supply chain, including local

government; and develop an action plan to ensure that our reforms are set up to deliver an effective circular economy.

## **Wider Resources & Waste Reforms**

The delivery of our Deposit Return Scheme for drinks containers will proceed to current timelines and be introduced from 1 October 2025. This is a joint scheme with Northern Ireland and Wales. We are working towards interoperability with the Scottish Deposit Return Scheme, also now planned to launch from 1 October 2025.

The Consistency in Household and Business Recycling in England will come in after the implementation of the Extended Producer Responsibility scheme. More details on this will be set out in due course.

In addition, today we have released details of a number of other resources and waste related reforms;

- We have published the newly updated Waste Prevention Programme, [The Maximising Resources, Minimising Waste for England](#) detailing the policy intent and actions for construction, textiles, furniture, electronics, food, road vehicles and plastics;
- We have launched the government response on the [improved reporting of food waste by large food businesses in England](#). This sets out an enhanced voluntary approach to food waste reporting for large businesses.

Further details on the announcements can be found in the [CPR newsletter](#).

We will continue to work closely with your colleagues and will be hosting a meeting of our Local Authority Stakeholder Engagement Forum on Wednesday 2 August, 2:00pm to 3:30pm. This Forum is a monthly meeting on resources and waste issues led by Defra for local government representatives. Forum members will have received an invite to this session already. If your authority is not a member of this forum, please [email](#) to be added to the invite list.

In addition, I would be happy to discuss any of these measures and how we can further support you in their implementation, please [email](#) to arrange. I look forward to working with you and your team to deliver on our shared environmental goals.

Best wishes,



Emma Bourne OBE  
Director - Resources & Waste  
Department for Environment, Food and Rural Affairs

**Other Points of Consideration**

- Changes to businesses to be included are being proposed and consulted on
- Mandatory labelling will be introduced through EPR to make recycling easier for everyone, both at home and at work, with everyone required to recycle the same things.
- Transitional arrangements will be published for those who have already had discussions with DEFRA regarding the contractual costs of delivering food waste in terms of disposal contracts. They will be provided more time than March 2026 and these will be published in the commencement regulations.
- Those who do not qualify for a transitional arrangement must meet the costs of contract breaks etc. themselves and these will not be subject to new burdens.
- Non-statutory guidance will be developed on best practice for collection of a range of materials with further engagement to come.
- Recycling credits are not set to change currently.
- Sampling changes will come into force from October 2024.



## **Collection of Materials**

Collection of dry recyclable materials from households and non-household municipal premises

Materials for collection in the dry recyclable waste streams

The following materials must be collected in the dry recyclable waste streams, from both households and non-household municipal premises.

Glass:

- glass packaging including bottles and jars

Metal:

- steel and aluminium tins and cans
- steel and aluminium aerosols
- aluminium foil
- aluminium food trays
- steel and aluminium jars and bottle lids
- aluminium tubes

Plastic:

- plastic bottles made of polyethylene terephthalate (PET, including amorphous, recycled PET), polypropylene (PP) and high-density polyethylene (HDPE)
- pots, tubs and trays made of PET (including amorphous, recycled and crystalline PET), PP (including expanded PP) and polyethylene (PE)
- PE and PP plastic tubes larger than 50mm x 50mm
- cartons for food, drink and other liquids, including aseptic and chilled cartons
- plastic film packaging and plastic bags made of mono-polyethylene (mono-PE), mono-polypropylene (mono-PP) and mixed polyolefins PE and PP, including those metallised through vacuum or vapour deposition (to be included from 31 March 2027)

Paper and Card:

- All paper and card except:
- paper and card that contains glitter or foil

- paper that is laminated
- stickers and sticky paper
- padded lined envelopes
- paperback and hardback books
- wallpaper

Cartons for food, drink and other liquids, including aseptic and chilled cartons, will be included in the plastic recyclable waste stream to be collected from households and non-household municipal premises.

Where local authorities and other waste collectors opt to collect plastic separately from other dry materials, collecting cartons in the plastic recyclable waste stream will enable more cartons to be effectively sorted and reprocessed.

Materials to be included in the food waste stream.

The following materials will be included in the food waste stream:

- All food intended for human or household pet consumption, regardless of whether it has any nutritional value.
- Biodegradable material resulting from the processing or preparation of food, including inedible food parts such as bones, eggshells, fruit and vegetable skins, tea bags and coffee grounds.

The same materials will be included in the food waste stream for households and non-household municipal collections.

+



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Environment Overview & Scrutiny Committee

13<sup>th</sup> February 2024

Report of Councillor Patsy Ellis &  
Councillor Rhys Baker Cabinet  
Members for Environment and Waste

## Provision of Mobile Phone Recycling

### Report Author

Kayleigh Boasman - Head of Waste Management and Market Services

 [kayleigh.boasman@southkesteven.gov.uk](mailto:kayleigh.boasman@southkesteven.gov.uk)

### Purpose of Report

This report provides preliminary exploratory information for a domestic kerbside mobile phone recycling collection service.

### Recommendations

**The Environment Overview and Scrutiny Committee is asked to:**

1. Note the contents of the report and consider whether there is a valid business case to introduce a kerbside mobile phone recycling collection service.

Decision Information	
Is this a Key Decision?	Yes
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Clean and Sustainable Environment High Performing Council
Which wards are impacted?	All Wards

## 1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance and Procurement***

- 1.1 This report confirms that there are currently a wide range of existing options for the recycling of mobile phones, many of which are already well used by the community. Therefore, there is no immediate justification for the Council to establish a service which would be an additional cost to the taxpayer. This would be an unbudgeted cost and therefore funding would need to be identified if this proposal is to proceed.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer.

### ***Legal and Governance***

- 1.2 Local Authorities are not required to collect used mobile phones from households. There are already a number of options available for residents to recycle their phones with retailers, charities and household waste recycling centres.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection and Monitoring Officer)

### ***Health and Safety***

- 1.3 A full assessment of the risk and required mitigation, including a safe system of work and appropriate training for operatives would be required. Appropriate

containers would need to be procured/adapted to ensure the safe collection, storage, and transportation of mobile phones.

Completed by: Phil Swinton, Emergency Planning and Health & Safety Lead

### ***Climate Change***

- 1.4 Recycling can help to extract the raw materials from used mobile phones and support the move towards a circular economy. The options for household mobile phone collection set out within the report are not expected to generate additional trips for the Council's waste collection vehicles, therefore not adding to the carbon emissions of operating the vehicle fleet.

Completed by: Serena Brown, Sustainability and Climate Change Officer

## **2. Background to the Report**

- 2.1 Mobile phones typically last around two years in today's market, with the latest models relegating older devices into cupboards, drawers or being discarded into the waste stream. When electrical items with batteries are discarded into the waste stream, it can increase the risk of waste combusting and there have been increasing occurrences of this happening across the country in recent years.
- 2.2 Currently Local Authorities are not required to collect mobile phones from households and the Department for Environment & Rural Affairs (DEFRA) consultation (Environment Act 2021) on the separate collection of recyclables does not propose to introduce this item. Furthermore, under the WEEE Regulations, both producers and retailers of mobile phones have a legal obligation to offer a take back service on mobile phones.
- 2.3 South Kesteven District Council is unaware of other authorities who participate in this type of recycling and the introduction of a scheme would invariably have operational and financial implications, such as,
  - Possible disposal barriers
  - Theft of the mobile phones prior to collection (data not being wiped on the mobile phone)
  - Lack of demand from residents as they have alternative methods of disposal.
  - Customisation of the refuse freighters.
  - Increased collections by staff

### **Recycling, Re-Use, Refurbishment Options**

- 2.4 Residents already have access to a wide and varied selection of well-established disposal options that confirm there is no demonstrable need for take up of a

Council scheme. These options also enable residents to choose to donate old mobile phones for charitable purposes or to receive a monetary reimbursement.

### **Charities**

2.5 Most charities accept old mobile phones, whether they are working or not. They can raise valuable funds by passing them on to mobile phone recycling companies (Recycle Now). There are both in-store and post options which can be easily accessed at no cost to the person wishing to recycle the mobile phone.

### **Schools**

2.6 Some schools also collect old phones which are then sold on for reuse, refurbishment, or recycling.

### **On-Line Companies**

2.7 Many online companies will send a freepost envelope to recycle a mobile phone and, depending on the age and condition of the phone, offer payment for the device.

### **HWRC**

2.8 Mobile phones can be taken to local Household Waste Recycling Centre and placed in the small 'electrical items' container.

### **Producer Responsibility**

2.9 The Waste Electrical and Electronic Equipment (WEEE) Regulations state that '*all distributors must offer free takeback on WEEE*' and websites such as Recycle Now offer postcode searches which allow consumers to enter their postcode and find their nearest recycling points.

## **3. Key Considerations**

3.1 Officers were tasked with looking at mobile phone recycling from households. At this point we are unaware of any other authority collecting mobile phones directly from household premises. Rushcliffe Borough Council, in Nottinghamshire, offer a mobile phone battery recycling service whereby residents can remove the battery from their phone, and place it out for collection with other household batteries as part of their kerbside battery collection service. It would be possible to mirror Rushcliffe's model as SKDC have recently approved a kerbside battery collection service for households. The new battery collection service is due to be operational from the summer of 2024, timescales are dependent upon the Environment Agency's (EA) approval of the permit variation which will allow batteries to be stored at Mowbeck Depot. The Waste Team are currently working with the EA and other partners to establish a timeline for implementation.

## South Kesteven District Council

- 3.2 **Regulations** – South Kesteven District Council is a waste collection authority and as such does not hold the appropriate Environmental Agency Licence or the capacity to store mobile phones at its depot. If the mobile phone collection service were to be implemented a variation on the current depot site permit would need to be applied for.
- 3.3 Lincolnshire County Council do have facilities to store mobile phones, however, this is via the collection of Waste from Electrical and Electronic Equipment (WEEE) and arrangements would have to be made with them if they were agreeable.
- 3.4 **Operational Implications** - The refuse fleet is not currently adapted to carry mobile phones separately. However, post the introduction of household battery collection the container designed for them may be able to be adapted. (Although both items would need to remain separate). Alongside the collection element, the disposal of the waste would need to be considered as it would need to be removed from the RCV daily and, if it cannot be stored at the depot, transported to a disposal point.
- 3.5 If a proposed scheme were to be introduced either the Council would need to provide an approved bag / container for householders (this may be an ongoing cost) or the resident would need to present the batteries in a suitable receptacle / bag which was acceptable to the disposal authority. Looking to the scheme set up in Rushcliffe, residents are advised to ‘Put your used household batteries in any bag and leave it on the top of any colour bin on any collection date’. If SKDC were to follow this method there would be no requirement to purchase additional bags/receptacles.
- 3.6 The introduction of mobile phones as a separate collection from properties may add some additional time in terms of collections. Any increased collection time would be dependent on the take up of the scheme and method used for collection and presently we are unable to estimate what the volumes of waste would be.

## 4. Other Options Considered

### 4.1 Other Options:

- a) **Status Quo** - Continue as currently, with residents using the existing retail outlets, trade in schemes, charities, and household waste recycling centres to recycle their old / unwanted mobile phones.

No Additional Cost

b) **Communications Campaign** - Carry out a managed communications campaign promoting mobile phone recycling and highlighting the current options available e.g. take back schemes. This could be achieved through social media, the Council's website, and other communication channels to raise the profile and benefits of recycling mobile phones safely.

Cost - up to £2,500 depending on the type, timescale, and extent of campaign.

c) **Mobile phone battery recycling service** – As per Rushcliffe Borough Council's model, SKDC could give residents the option of recycling their mobile phone battery alongside other batteries which will be collected within the new battery kerbside collection service.

Cost – Communications campaign to market the change to residents – up to £2,500.

d) **Kerbside Collection** - Implement a kerbside scheme with residents providing their own bags/containers. To be implemented alongside a communications campaign.

Purchase vehicle container and retrofit vehicles £8,000 (estimate from 'Provision of Battery Recycling Service' Cabinet report), and communication campaign £2,500.

Total Cost £10,500

#### 4.2 Table 1 – Summary of Estimated Costs

Item	Option (a) Status Quo	Option (b) Comms Campaign	Option (c) Mobile phone battery only	Option (d) Kerbside collection
Adaption of Container for 32 vehicles	£0	£0	£0	£8,000
Comms campaign / ongoing	£0	£2,500	£2,500	£2,500
<b>Total</b>	<b>£0</b>	<b>£2,500</b>	<b>£2,500</b>	<b>£10,500</b>

### 5. Reasons for the Recommendations

5.1 Members are invited to consider the following points and recommend a chosen option –

- Local Authorities are not required to collect used mobile phones from households.
- Producers and retailers are obligated by law to offer free take back schemes for this waste and some offer financial incentives for doing so.
- Other authorities have not introduced similar schemes in respect of the collection of mobile phones.
- There are varying costs for each of the options which the service will need to absorb as detailed in 4.2 should a scheme be implemented.
- There are significant number of retailers who provide trade in schemes, charities who accept them, and household waste recycling centres within walking, cycling, and driving distance of residents.
- Mobile phones left out may be stolen by third parties as they have a value.
- The Introduction of the scheme would show South Kesteven Council's Commitment to:
  - a responsible sustainable recycling management system
  - a commitment to protecting the environment.
- Collection of batteries from households may eliminate any issue for rural communities who may not have any readily available collection point and for those whom travel is difficult.

## 6. Consultation

6.1 Report for information only, no consultation at this stage.

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# Environment Overview and Scrutiny Committee 2023/24

## WORK PROGRAMME

REPORT TITLE	LEAD OFFICER	PURPOSE	ORIGINATED/COMMITTEE HISTORY DATE(S)	CORPORATE/PRIORITY
<b>13 February 2024, 10:00am</b>				
Animal Welfare Policy – Post Public Consultation	Heather Green (Licensing Team Leader)	This report proposes a new Animal Licensing Policy for approval, following the 4-week consultation with the public, local businesses, partner agencies and other organisations.	3 October 2023- Env OSC Then Consultation	Healthy and strong communities
Annual Air Quality Status Report and an Update on Clean Air Lincolnshire project	To provide the Annual Air Quality Status Report (ASR 2023)  And  To update the Committee on the Clean Air Lincolnshire- County wide project  Ayeisha Kirkham (Head of Service - Public Protection)	For Awareness/ for noting	Last Report (2022) presented at ENV OSC in November 2022.  Clean Air Lincolnshire Project update is a New item	A Clean and Sustainable Environment
Draft Air Quality Action Plan	Draft Updated Air Quality Action Plan  Ayeisha Kirkham (Head of Service - Public Protection)	For consideration and to recommend a 4-week consultation with the public, local businesses, partner agencies and other organisations.		A Clean and Sustainable Environment

REPORT TITLE	LEAD OFFICER	PURPOSE	ORIGINATED/COMMITTEE HISTORY DATE(S)	CORPORATE/PRIORITY
Update on Environment Act	Kayleigh Boasman (Head of Service – Waste and Markets)			
Recycling of mobile phones	Kayleigh Boasman (Head of Service – Waste and Markets)			
<b>19 March 2024, 10:00am</b>				
Draft KPI's	Debbie Roberts (Head of Corporate Projects, Policy and Performance)			
Air Quality Management Area	Ayeisha Kirkham (Head of Service - Public Protection)			
Environmental Crime Partnership	Ayeisha Kirkham (Head of Service - Public Protection)			
Greater Lincolnshire Nature Partnership presentation	Serena Brown (Sustainability and Climate Change Officer)	To update the Committee on the workstreams of the Greater Lincolnshire Nature Partnership	New item	A Clean and Sustainable Environment
Tree and Woodland Strategy (Tree Officer Funding Update)	Serena Brown (Climate Change and Sustainability Officer)	To present the draft Tree and Woodlands Strategy for South Kesteven to the Committee	New item	A Clean and Sustainable Environment
Update on Climate Reserve fund	Serena Brown (Climate Change and Sustainability Officer)	To update on projects underway via the climate reserve fund	New item	A Clean and Sustainable Environment

## Unscheduled items

### The Committee's Remit

The remit of the Environment Overview and Scrutiny Committee will be to work alongside Cabinet Members to assist with the development of policy and to scrutinise decisions in respect of, but not limited to:

- Air quality
- Animal welfare licensing (Policy)
- Commercial, industrial, and clinical waste collection and management
- Dog breeding and control orders
- Domestic waste and recycling management
- Energy efficiency
- Environment SK Ltd
- Environment SK Commercial Services Ltd
- Estate and grounds maintenance
- Flooding
- Food hygiene and safety
- Health and safety
- Noise
- Renewable energy
- Scrap metal dealers
- Green open space management

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