

Part IV of the Environment Act 1995 Local Air Quality Management

Policy Guidance PG (S) (24)

May 2024

Local Air Quality Management Policy Guidance

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1. Introduction

1.1 Purpose of guidance

This guidance is intended to help local authorities with their local air quality management (LAQM) duties under Part IV of the Environment Act 1995¹. It sets out:

- The statutory background and the legislative framework within which local authorities have to work.
- The principles behind reviews and assessments of air quality and the recommended steps that local authorities should take.
- How local authorities should handle the designation, amendment and revocation of Air Quality Management Areas (AQMAs) and the drawing up and implementation of action plans.
- Suggestions for taking forward the development of local air quality strategies.
- Suggestions on how local authorities should consult and liaise with others.
- The role of transport-related measures in improving air quality.
- The general principles behind air quality and land use planning.
- The effects of biomass on air quality.
- The relationships between air quality and noise policy.

This guidance is issued by the Scottish Ministers under section 88(1) of the 1995 Act. Local authorities should have regard to it when undertaking their LAQM duties, as required under section 88(2) of the Act. The guidance should be taken into account by all local authority departments involved in LAQM, including environmental health, corporate services, planning, economic development and transport planning. The guidance complements the information and advice contained in Cleaner Air for Scotland 2 – Towards a Better Place for Everyone (CAFS2)², which was published in July 2021, and these documents should therefore be read in conjunction.

Section 12 of this guidance on air quality and land use planning, in particular, should be read together with National Planning Framework 4 (NPF4)³ and Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation⁴. The guidance may be material in preparing development plans and in determining planning applications. It will also be of interest to others involved with LAQM, and those whose actions may impact on local air quality.

The Scottish air quality website and database⁵ provides a wide range of resources to support local authorities in their LAQM work, and authorities are strongly encouraged to make full use of this.

The Scottish Environment Protection Agency (SEPA) has an important role to play in LAQM through the control of emissions to atmosphere from regulated industrial processes, the provision of information on these processes, as a statutory consultee

¹ Separate policy guidance is issued in England and Wales, and in Northern Ireland (PG 22). The technical guidance that accompanies this guidance covers the whole of the UK (TG 22).

² [Cleaner Air for Scotland 2 - Towards a Better Place for Everyone](#)

³ [Approved NPF4 | Transforming Planning](#)

⁴ [Planning Advice Note \(PAN\) 51](#)

⁵ [Scottish Air Quality Database](#)

for development control, providing air quality modelling and data analysis to deliver the National Modelling Framework (NMF) and as a statutory consultee on air quality review and assessment reports and action plans. In addition, SEPA, acting with the approval of Scottish Ministers, has reserve powers under section 85 of the 1995 Act to require local authorities in Scotland to take action where they are failing to make sufficient progress. If it appears to SEPA that:

- Air quality standards or objectives are not being achieved or not likely to be achieved within the relevant time period within an area of a local authority
- a local authority has failed to discharge any duty imposed on it by virtue of Part IV of the Act
- the actions or proposed actions of a local authority in compliance with provisions of this Part IV of the Act are inappropriate in all circumstances
- developments in science or technology, or material changes in circumstances have rendered inappropriate the actions or proposed actions of a local authority in pursuance of Part IV of the Act

Then, subject to this approval of Scottish Ministers, SEPA may give directions to a local authority requiring it to take any steps as may be specified in the directions. These may include, but are not limited to directions that it:

- Carry out an air quality review and assessment under section 82 of the 1995 Act.
- Repeat an air quality review and assessment in whole or in part.
- Make an order designating an AQMA.
- Revoke/modify any order.
- Prepare an action plan.
- Modify any action plan.
- Implement any measures in an action plan.

The Scottish Government and SEPA work, as far as possible, with local authorities to ensure the requirements of the 1995 Act are fulfilled satisfactorily. If a local authority is experiencing problems or delays with meeting the requirements of LAQM they should contact SEPA and the Scottish Government. As referred to above, where a local authority has failed to discharge any duty imposed on it under or by virtue of Part IV of the 1995 Act, SEPA, acting with the approval of Scottish Ministers, may issue directions to local authorities.

Where specific timescales or actions are stated in this guidance, this also does not preclude SEPA from selecting what it thinks is the most appropriate level of enforcement for securing compliance at a particular time and this may mean SEPA progressing straight to issuing a final warning letter or direction on a local authority if it is determined to be merited.

The Scottish Government and SEPA are committed to building and maintaining good working relationships with the local authorities on LAQM. It is anticipated that in the majority of cases a satisfactory resolution can be achieved before the use of SEPA's reserve direction-making powers is required. The Scottish Government and SEPA will remain in dialogue with the local authority in question and continue to provide support while a resolution is being worked towards.

This policy guidance, the accompanying technical guidance (LAQM.TG22) and CAFS2 are the primary guidance documents to which local authorities should have regard when carrying out their air quality review and assessment work. This guidance updates the previous LAQM policy guidance published in March 2023 (and which replaced previous versions from 2016 to 2018).

1.2 Update of Local Air Quality Management Policy Guidance

Cleaner Air for Scotland 2 – Towards a Better Place for Everyone was published in July 2021, setting out the air quality policy framework to 2026. Amongst the wide range of actions included in the strategy is a commitment to review the LAQM policy guidance.

In November 2021 Environmental Standards Scotland (ESS) announced its first investigation would consider air quality, specifically focusing on compliance with the nitrogen dioxide limit value set in the Air Quality Standards (Scotland) Regulations 2010 (which had implemented Directive 2008/50/EC prior to the UK's exit from the EU).

Three of the six recommendations made by ESS following their investigation were to strengthen the effectiveness of the LAQM regime in place to improve air quality in Scotland. The revisions made to the LAQM policy guidance in 2023 incorporated the ESS recommendations to strengthen the LAQM regime and only covered Sections 1 – 9 of this guidance concerning the local authority duties surrounding LAQM. This 2024 update contains further updates to the local authority duties surrounding LAQM (sections 1 – 9) and provides fully updated information on air quality-related policy areas (sections 10 – 13).

1.3 Resources

Since 1997/98, resources have been made available in the local government finance settlement to help local authorities with their duties under the 1995 Act. This provision is not ring fenced however and decisions on expenditure are entirely a matter for local authorities, in the light of their statutory duties and local circumstances. The amount of provision made available to each local authority varies depending on factors such as the population and area of the authority.

From 1 April 2008 a further non ring-fenced allocation has been made as part of the General Capital Grant introduced following the signing of the Concordat between the Scottish Ministers and the COSLA Presidential Team in November 2007. This replaces the former air quality monitoring capital grant scheme. Additional funding support is provided, again from 1 April 2008, for work connected with AQMAs and action plans. This is allocated on an annual basis through an application system.

In early 2024, the Air Quality Action Plan and Vehicle Emissions Testing grant schemes were reviewed and have now been merged into one single grant scheme to deliver a more targeted approach to air quality improvement measures linked to local authority action plans, strategies and/or Annual Progress Reports (APRs) that is open to all local authorities.

1.4 Air quality and public health

There is scientific consensus that exposure to air pollution is harmful to people's health in terms of premature mortality and morbidity, mainly related to respiratory and cardiovascular disease. Using the recommended approach of the WHO and based on previous work undertaken by the UK's Committee on the Medical Effects of Air Pollution (COMEAP), in 2018 Health Protection Scotland (HPS) provided an estimate of approximately 1,700 attributable (premature) deaths in Scotland annually⁶.

It is important for local authorities to consider public health as part of the LAQM process. Working in partnership with local health boards will increase support for measures to improve air quality, with co-benefits for all concerned.

2. Local Air Quality Management

Part IV of the Environment Act 1995 requires the UK Government and the devolved administrations to publish an Air Quality Strategy and establishes the system of LAQM.

2.1 Air quality objectives

The air quality objectives set out in the Air Quality (Scotland) Regulations 2000 (as subsequently amended by the Air Quality (Scotland) Amendment Regulations 2002 and the Air Quality (Scotland) Amendment Regulations 2016) provide the statutory basis for the air quality objectives under LAQM in Scotland. The regulations also prescribe the dates for meeting air quality objectives. The objectives are set out in Table 2.1.

Section 82 of the 1995 Act provides that local authorities shall review and assess air quality in their areas against these objectives. Local authorities have to consider the current and likely future air quality in their areas and assess whether the objectives are likely to be achieved by the due dates. Local authorities should continue to work towards meeting the air quality objectives beyond the deadlines set out in the regulations. For example it is expected that an objective which was due to be met by 2005 should also be met in every subsequent year.

⁶ [COMEAP briefing note](#)

Table 2.1 – Air quality objectives prescribed in regulations for LAQM purposes in Scotland

Pollutant	Air Quality Objective		Date to be achieved by
	Concentration ¹	Measured as	
Benzene	16.25 microgrammes/m ³	running mean annual	31.12.2003
	3.25 microgrammes/m ³	running mean annual	31.12.2010
1,3 Butadiene	2.25 microgrammes/m ³	running mean annual	31.12.2003
Carbon monoxide	10.0 mg/m ³	running mean 8-hour	31.12.2003
Lead	0.5 microgrammes/m ³	annual mean	31.12.2004
	0.25 microgrammes/m ³	annual mean	31.12.2008
Nitrogen dioxide ²	200 microgrammes/m ³ not to be exceeded more than 18 times a year	1 hour mean	31.12.2005
	40 microgrammes/m ³	annual mean	31.12.2005
Particulate matter (PM ₁₀)	50 microgrammes/m ³ not to be exceeded more than 35 times a year	24 hour mean	31.12.2004
	40 microgrammes/m ³	annual mean	31.12.2004
	50 microgrammes/m ³ not to be exceeded more than 7 times a year	24 hour mean	31.12.2010
	18 microgrammes/m ³	annual mean	31.12.2010
Particulate matter (PM _{2.5})	10 microgrammes/m ³	annual mean	31.12.2020
Sulphur dioxide	350 microgrammes/m ³ not to be exceeded more than 24 times a year	1 hour mean	31.12.2004

	125 microgrammes /m ³ not to be exceeded more than 3 times a year	24 hour mean	31.12.2004
	266 microgrammes /m ³ not to be exceeded more than 35 times a year	15 minute mean	31.12.2005

2.2 Review and assessment reporting

Part IV of the 1995 Act requires local authorities to review the air quality for the time being, and likely future quality within the relevant period, of air within the authority's area. Local authorities are expected to produce an Annual Progress Report (APR) detailing their review and assessment work in the previous calendar year. A template has been developed which provides guidance on how to conduct, complete and submit the APR and this is available on the LAQM Portal⁷.

Given that LAQM has now been in place for over 20 years, the assumption is that most hotspots will have been identified. However, it is recognised that new issues will from time-to-time arise that require more detailed investigation. Local authorities are encouraged to incorporate such investigations into their routine review and assessment work, action planning and APR as far as possible. If a local authority feels that this is not appropriate or feasible, the option to undertake a separate more detailed investigation is available. These situations will be considered on a case-by-case basis by SEPA and the Scottish Government, in discussion with the authority concerned. A local authority should proceed to a more detailed assessment as soon as a new issue is identified and not wait until the next annual review and assessment reporting cycle.

Local authorities are expected to submit their APR to the Scottish Government and to other statutory consultees^[1] by the end of June each year. All APRs, must be submitted electronically via the LAQM Portal. Local authorities must also submit their diffusion tube data via the Diffusion Tube Data Entry System (DTDES) prior to submitting their APR via the LAQM Portal. The APR will not be able to be uploaded onto the LAQM Portal until the diffusion tube NO₂ monitoring data has been submitted via the DTDES. All historic LAQM reports such as APRs, AQAPs, detailed assessments, AQMA declaration, amendment, revocation orders and revocations reports must also be uploaded to the LAQM Portal. These documents must also be sent to the administrators of the Scottish Air Quality Database (SAQD) for inclusion on the LAQM section of the website.

If the Scottish Government does not accept the conclusion of a local authority's report, then the authority will be invited to provide written comments justifying their decision within a specified deadline set out in the appraisal letter. SEPA will also provide written comments on reports once they have been submitted. Local authorities who wish to seek clarification on the findings of the appraisal process should in the first instance contact the LAQM Helpdesk for further advice. The LAQM Helpdesk can discuss the details of individual cases and provide advice on responding to any points raised in the appraisal. Details are provided in Table 2.2.

⁷ [LAQM Portal Login](#)

^[1] Statutory consultees are: the Scottish Ministers; SEPA; Transport Scotland; neighbouring local authorities; any National Park authority; other public authorities; local business; and others as appropriate (including the public).

Table 2.2 - Helpdesk for Local Authorities

Helpdesk	Operated by	Contact Details
Review & Assessment, Action planning, LAQM Portal	Bureau Veritas	0800 032 7953 LAQMHelpdesk@uk.bureauveritas.com

2.3 Late submission of reports and action plans

Although a number of local authorities submit their APR and air quality action plans in line with the specified deadlines, many fail to do so. The Scottish Government accepts that there will often be legitimate reasons for late submission. In such cases, authorities should contact the Scottish Government and SEPA (via AirQuality@sepa.org.uk) at the earliest opportunity so that a revised submission date can be agreed. Where no such contact is made (and in cases where the revised deadline is missed with no further contact or without reasonable excuse) SEPA, will follow a system of reminder and warning letters (Tables 2.3 and 2.4).

In cases where an APR appraisal results in the report being rejected, a local authority must submit a revised report (which has addressed all the points which led to initial rejection) via the LAQM portal. Where a local authority fails to resubmit the APR within agreed timescales, or where the APR has not been appropriately revised SEPA, with the support of the Scottish Government, will follow the same system of reminder and warning letters as set out for APRs and AQAPs (Tables 2.3 and 2.4)

Table 2.3 – Reminder and warning letters for Annual Progress Reports

Timescale	Month*	Enforcement level
Prior to report submission date	May	Reminder
Report two months overdue	August	Reminder
Report three months overdue	September	Warning letter
Report four months overdue	October	Final warning letter
Report six months overdue	December	Section 85 direction

* or agreed revised deadline

Table 2.4 – Reminder and warning letters for Action Quality Action Plans

Timescale	Months past AQMA designation or completion date for scheduled review*	Enforcement level
Prior to action plan submission date	10 months	Reminder
Action plan two months overdue	14 months	Reminder
Action plan three months overdue	15 months	Warning letter
Action plan four months overdue	16 months	Final warning letter
Action plan six months overdue	18 months	Section 85 direction

* or agreed revised deadline

The Scottish Government expects that the reserve powers available to SEPA should generally be used routinely once the three enforcement levels issued to local authorities have been missed, rather than their previous use which was to approach the Scottish Ministers on a case-by-case basis.

2.4 Air quality action plans

Section 83 of the 1995 Act requires that where one or more of the air quality objectives has not been met by the required date, or is in danger of not being met, the local authority must declare an AQMA, covering the area of concern. Once the area has been designated, Section 84 requires the local authority to prepare and publish an action plan. This should be done within the shortest possible time following declaration of an AQMA and no later than 12 months post declaration. The action plan must outline how the local authority intends to tackle the issues identified and achieve compliance with the failing objectives and the timeframe in which the local authority proposes to implement the measures. Each action plan measure must have expected dates for completion and milestones towards delivery. The action plan should also include an expected revocation date for the AQMA. The procedure and timescales for producing an action plan are contained in section 6.

2.5 Role of regional groupings

Under section 56 of the Local Government (Scotland) Act 1973, two or more local authorities can act jointly to manage air quality. For example, authorities can co-operate to carry out review and assessment across their combined areas. Subsequently they can declare a single AQMA made up from neighbouring areas of each authority and prepare a joint action plan. Where joint AQMAs are designated however, it may be appropriate for each participating authority to lay its own designation order. Authorities can also choose to carry out separate reviews and assessments but declare a joint AQMA. SEPA, with the approval of the Scottish Ministers, may give directions where co-operation between local authorities is essential for the purposes of LAQM but for whatever reason cannot be achieved.

The Scottish Government also attaches great value to the local pollution control liaison groups (PCLGs). These groups play a vital role by allowing environmental health officers across authorities to work closely together, and share resources and best practice. The Scottish Pollution Control Co-ordinating Committee (SPCCC) is similarly important in acting as a national focus for the regional groupings.

3. Review and Assessment

Annual Progress Report (APR) templates are available on the Defra LAQM Portal. Examples of completed reports are available on the Review and Assessment helpdesk web site at: <http://laqm.defra.gov.uk/review-and-assessment/good-practice/examples.html> and also on the Air Quality in Scotland website⁸.

3.1 New monitoring data

The APR should provide a summary of all available monitoring data in a format suitable for comparison with the air quality objectives. For example, nitrogen dioxide data should be reported as annual mean concentrations, and where possible as the number of exceedances of the 1-hour objective value of 200 microgrammes/m³.

To maximise the value of air quality monitoring, careful attention should be paid to the type of equipment used and the locations where the monitors are placed, as well as the QA/QC and data verification procedures. Detailed guidance on these issues is provided in LAQM.TG (22), and reference should be made to this when setting up and operating monitoring equipment. Particular matters to take account of when preparing and assessing monitoring results are set out in Box 3.1, below. Local authorities should also contact SEPA to discuss suitability of monitoring locations.

3.2 Other information to include in the annual progress report

When reporting the monitoring data the following should be included where possible:

- A map showing the monitoring locations.
- Plots showing trends in concentrations e.g. plots of annual mean nitrogen dioxide concentrations for the last five years

⁸ [Air Quality in Scotland](#)

Box 3.1: Matters to take into account when reporting monitoring data	
1	When presenting automatic monitoring data, it should be made clear whether the results have been ratified (data should routinely be ratified by April prior to the APR being submitted). Information on data capture should also be provided.
2	Where data are available for fewer than nine months, then they should be adjusted to provide an estimate of the annual mean using the procedure set out in LAQM.TG (22) and adjustment factors available on the LAQM Portal.
3	To help understand the results, the type of monitoring site should be specified. For example, for roadside sites the distance from the kerb should be provided and for industrial sites the distance to the source(s) should be specified. This information could be provided as an Appendix to the main report.
4	Where nitrogen dioxide diffusion tube data are provided, it should be made clear whether the results have been adjusted for laboratory bias. Where they have been adjusted, brief details should be provided of the adjustment factor used and its source. Details should also be provided of the laboratory being used, the tube preparation method and the exposure period. Details of any colocation studies should also be provided within the report within the QA/QC section.
5	Summary information should be provided on QA/QC.
6	Where results are presented for new monitoring sites, a description of the sites should be provided. This should include the reason they were set up e.g. do they represent worst-case relevant exposure locations?
7	When describing sites, it should be made clear whether they represent relevant exposure. For instance, if the site is kerbside, it would be appropriate to say that “the nearest relevant exposure is residential properties set back 5 m from the kerb.”
8	For short-term objectives, e.g. 1-hour for nitrogen dioxide, the results should be presented as number of hours (or 15-mins for sulphur dioxide, or days for PM ₁₀) above the objective value. This should only be done where data capture is >90% of a full year. If data capture is <90% or monitoring is for less than a full year, then it is only appropriate to present the results as percentiles. The following percentiles roughly equate to the objectives: 99.8 th percentiles for 1-hour nitrogen dioxide; 99.9 th percentiles for 15-min sulphur dioxide; 99.7 th percentiles for 1-hour sulphur dioxide; 99.2 nd percentile for 24-hour sulphur dioxide; and 90 th percentile for PM ₁₀ . Guidance on calculating percentiles is available in LAQM.TG (22).
9	When reporting results, a note should be made of any local or transient circumstances that may have affected the results e.g. construction activities close to a PM ₁₀ monitor, or temporary changes in traffic flows during road works.

The APR should also draw attention to:

- Results for new monitoring sites and whether they reveal any new information about local air quality.
- Evidence of any trends over recent years (including observations from during the COVID-19 pandemic). Care should be exercised in discussing trends, as changes in concentrations can occur from year-to-year due to weather conditions or local circumstances. It is normal practice to only consider a trend as being significant when five years' worth of data are available, although a longer timescale may be appropriate for some pollutants; e.g. PM₁₀.

Where data/information may be required from other organisations such as relating to regulated sites from SEPA or trunk roads from Transport Scotland local authorities should approach these organisations early in the process of drafting the APR. Previously, submission of APRs has been delayed by obtaining this information at a late stage in the process and this should be avoided in future.

3.3 Progress on implementation of action plans

Section 2 of the APR template allows the local authority to report on progress against milestones for action plan measures and their current status. More information on action plans can be found in section 6 of this guidance.

3.4 Assessment of monitoring data

The minimum requirement is to report monitoring data and trends over recent years. It will also prove helpful to project the measured concentrations forward, using the guidance in LAQM.TG (22). This will provide early warning of likely exceedances that may not have been previously identified and also help to gauge progress on when the objectives are likely to be complied with.

Box 3.2:	Information to be included in the APR
Item	Minimum Requirements
New Monitoring data	<p>Present a map showing monitoring locations.</p> <p>Present summary tables of concentrations of regulated pollutants in a format to allow comparison with the objectives.</p> <p>Provide plots of summary data to show annual trends.</p> <p>Highlight results for new monitoring sites.</p> <p>Discuss trends.</p> <p>Take account of number of years of available data.</p> <p>Project forward results using LAQM.TG (22) guidance.</p>
New Local Developments	Identify and list new local developments that may affect air quality.
Sources outside of Local Authority Control	Identify sources that may affect air quality but be outside of the local authorities control such as SEPA-regulated activities and trunk roads.
Action Plans	<p>List measures in action plan and implementation timescales (including dates for completion).</p> <p>Provide update on progress implementing measures.</p> <p>Provide details of funding for measures.</p> <p>Projected date for revocation of AQMA.</p>
Local Air Quality Strategy	<p>Summarise Strategy or progress on preparing a Strategy or reviews of the Strategy.</p> <p>Describe consultation/publicity for Strategy.</p> <p>Report on progress on implementing measures within strategy.</p>
Planning and Other Policies	<p>Log planning applications for new developments for which air quality assessment is being provided.</p> <p>List local policies and strategies that relate to air quality and any changes that may have been introduced.</p>
Regional Transport Strategies and Local Transport Plans	<p>Summarise measures in the Strategies that have a direct bearing on air quality.</p> <p>Report on progress with implementing these measures.</p>

3.5 Reporting against actions contained within CAFS2

Local authorities are expected to report on progress against any CAF2 actions relevant to their local authority. In particular there are two specific actions which should be reported on:

Placemaking – Plans and Policies

- Local authorities with support from the Scottish Government will assess how effectively air quality is embedded in plans, policies, City Deals and other initiatives, and more generally in cross departmental working, identifying and addressing evidence, skills, awareness and operational gaps. This links to the information set out in Box 3.2.

Transport – Low Emission Zones (LEZs)

- Local authorities working with Transport Scotland and SEPA will look at opportunities to promote zero-carbon city centres within the existing LEZs structure. This reporting requirement will only apply to those local authorities with LEZs and will link to the action planning process being undertaken to implement LEZs.

Guidance on the types of information to be reported for CAFS2 actions is contained within the APR template.

3.6 LEZ reporting requirements

Section 29 of the Transport (Scotland) Act 2019 requires a local authority operating an LEZ scheme, as soon as reasonably practicable after the end of the financial year, to:

- Prepare an annual report on the operation and effectiveness of the scheme.
- Publish the report in such manner as it considers appropriate.
- Send a copy of the report to the Scottish Ministers.
- Lay a copy of the report in the Scottish Parliament.

Air pollution level reduction trends must be considered when evaluating the effectiveness of an LEZ scheme. Transport Scotland's LEZ guidance document⁹ states that the performance of the LEZ in reducing levels of air pollution will be available within the Annual Progress Report (APR) local authorities are required to produce through the Local Air Quality Management (LAQM) process.

4. Air Quality Management Areas

Where, as a result of an air quality review, it appears that air quality objectives are unlikely to be met by or met beyond the required date, local authorities have a duty under Section 83(1) of the 1995 Act to designate an AQMA. AQMAs must be designated officially by means of an order. AQMA orders, amendments and revocations must be uploaded to the LAQM portal. If an AQMA is declared, revoked or amended the local authority should also update the AQMA database via the LAQM portal to ensure the most up to date information is shown on the UK Air and Air Quality

⁹ [Low Emission Zone Guidance](#)

in Scotland websites. If required contact the LAQM helpdesk for further advice on updating the database laqmhhelpdesk@bureauveritas.com.

4.1 Declaring an AQMA

When considering the decision to declare an area as AQMA the local authority should contact the Scottish Government and SEPA to discuss any proposals. In general terms the local authority should provide as a minimum, details of:

- The description of the proposed AQMA and local pollution sources.
- Monitoring carried out in relation to the AQMA.
- Monitoring data for the area of the proposed AQMA demonstrating current, or likely, exceedances with the relevant air quality objectives.
- A recommendation for the proposed AQMA and a justification for authority's decision.
- Proposals for setting up an action planning steering group.

Much of the information to support declaration of an AQMA will be collected as part of the review and assessment process, however where more detailed assessments (or additional studies) have been conducted these may also be included as evidence to support the proposal for declaration of the AQMA.

4.2 Setting the boundaries of AQMAs

Setting the boundary of an AQMA involves an element of judgement. Boundaries can range from isolated buildings, junctions and lengths of road to the entire local authority area. Some local authorities have chosen to designate several AQMAs, each covering an area of concern, whereas others have included all such areas within one overall AQMA. It is thus for local authorities to decide on the boundaries for an AQMA, taking all relevant considerations into account and consulting as appropriate.

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

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

4.3 What should an AQMA order look like?

The exact wording to be included in a AQMA designation order is at the discretion of the individual local authority. A template guide for forming the basis for drafting an AQMA designation order is available on request from SEPA at airquality@sepa.org.uk. It is recommended that local authorities include a map showing the area to be designated (and surrounding area) and to include a description of the area. For example, a larger AQMA may be described according to its boundaries near to major roads/motorways. A smaller AQMA may need a more detailed description listing individual streets or other physical features. In some cases, it may be appropriate to list the individual properties affected, but there is no legal requirement to do this

It is also recommended that the order should include the date on which the AQMA comes into force and the objective/s for which the AQMA has been designated (e.g. NO₂ annual mean). Local authorities should notify the Scottish Government by submitting a copy of the order. Local authorities should ensure that the information is easily accessible for members of the public and other interested parties (both in electronic and hardcopy format). Some local authorities also include AQMAs within local land searches.

From date of commencement of the AQMA designation order, local authorities will have 12 months to produce and publish the accompanying air quality action plan. Action plans must be reviewed regularly and no later than every five years from date of publication as outlined in Section 6.

An AQMA is intended as a short-term measure which should only remain in place for as long as is necessary for the air quality objectives to be met with certainty. Where an AQMA is no longer required, it should be revoked within the shortest possible time (criteria for revocation are described below) and by the date stated in the relevant air quality action plan.

4.4 Amendment to and revocation of an AQMA

As a result of a subsequent air quality review, local authorities are able to by order amend an existing AQMA or, if it appears that on that air quality review that the air quality standards and objectives are being achieved and are likely to be achieved, revoke the order as set out under section 83(2) of the 1995 Act. Where an authority considers it necessary to do this, the Scottish Government expects the authority to notify SEPA and all other statutory consultees, businesses, members of the public and other interested parties in the vicinity of the AQMA. All available supporting information to justify the amendment or revocation should be provided to the Scottish Government and SEPA before any changes take effect (and this should take the form of a revocation proposal report – as outlined below). A local authority may submit a proposal to amend or revoke an existing AQMA order at any time.

It is expected to justify an amendment or revocation that a minimum requirement will normally be at least three consecutive years where the objectives of concern are being achieved and where monitoring data demonstrates that further exceedances of the objectives are unlikely to occur. This monitoring data and information will be routinely

collected through the review and assessment process and where required, additional monitoring and modelling studies. A specific detailed assessment for the AQMA is not specifically required to be conducted to proceed with AQMA amendment or revocation.

There is an expectation that once the authority has demonstrated that the AQMA is in compliance with the air quality objectives (with confidence that future exceedances are unlikely) the AQMA order will be amended or revoked at the earliest opportunity (shortest possible time) as set out above and no later than the date set out in the relevant action plan.

The content of an amendment or revocation proposal report should usually contain as a minimum, details of:

- The description of the AQMA and local pollution sources.
- Monitoring equipment and locations in relation to the AQMA.
- Monitoring data for the AQMA demonstrating compliance with the relevant air quality objectives for at least three consecutive years, with sufficient confidence to ensure further exceedances of air quality objectives are unlikely.
- A recommendation and justification for the authority's decision.
- Where a more detailed assessment (or additional studies) has been conducted this may also be included as evidence to support the proposal for amendment or revocation of the AQMA.

Template documents that can form the basis for conducting an amendment or revocation of an AQMA order are available on request from SEPA at airquality@sepa.org.uk. Much of the information required for the amendment or revocation proposal report can be found in existing APRs and the intention is this information should be used (rather than requiring new or additional work to be carried out).

Where there is a revocation or amendment local authorities will be expected to take the necessary action within four months following receipt of comments. If an extension is required contact the Scottish Government as early as possible in the revocation process. Where an AQMA is revoked, it is recommended that the authority draw up or modify an existing local air quality strategy or maintain an air quality action plan for the affected area(s) to ensure air quality issues maintain a high profile locally and to respond to any public expectations (details on air quality strategies can be found in section 7). Such a strategy or plan could incorporate measures designed to tackle climate change or be incorporated into a local climate change strategy. It could also cover the linkages between air quality and wider environmental sustainability issues. An example of an air quality strategy can be found here: [Air quality | Fife Council](#).

4.5 Notification of amendment or revocation of an AQMA

Once an amendment or revocation of an AQMA has taken place, the local authority should submit the order to the Scottish Government for information. Local authorities should also notify SEPA and publicise the amendment or revocation widely through local media so as to ensure that the public and local businesses are fully aware of the situation. These notifications should take place within one month of the amendment or revocation of the AQMA order coming into effect.

After an AQMA is revoked the local authority should also update the AQMA database via the LAQM portal to ensure the UK Air and Air Quality in Scotland websites are updated accordingly. If required contact the LAQM helpdesk for further advice on updating the database laqmhhelpdesk@bureauveritas.com.

5. Air quality assessment following AQMA declaration

5.1 Overview

Once an AQMA has been declared, an assessment to provide the technical justification for the measures an authority intends to include in its action plan will normally be required. This will allow authorities to:

- Calculate more accurately how much of an improvement in air quality will be needed to achieve the air quality objectives within the shortest possible time in the AQMA.
- Refine their knowledge of the sources and their contributions to pollution so that air quality action plans can be properly targeted.
- Take account of national policy developments which may come to light after the AQMA declaration.
- Take account as far as possible of any local policy developments which are likely to affect air quality and which were not fully factored into earlier assessments. These might include, for example, changes to national or local planning policy, the implications of any new transport schemes that are likely to be implemented in or close to the AQMA, or of any new major housing or commercial developments.
- Carry out new or additional real time monitoring.
- Respond to any comments made by statutory consultees on any aspect of the AQMA declaration process, particularly where these have highlighted that insufficient attention has been paid to, for example, the validation of modelled data.

In many cases, authorities will already have done some of the necessary work as part of routine review and assessment or specific studies undertaken to inform AQMA declaration. They may already have a reasonably clear idea of which sources are responsible for the air quality problem and may already have calculated how much of an emissions reduction from each source would be necessary to achieve compliance with the objectives of concern. In these cases, relatively little additional work will be required, although authorities will still be required to show that they have considered the possible impact on the AQMA of subsequent local and national developments.

This assessment work should be taken forward in parallel with the development of the action plan, allowing authorities to model the likely effects of particular policy measures, such as the introduction of a LEZ or other traffic management schemes. As well as modelling the impact of particular measures on emissions and ambient air quality, authorities should also show that they have given due consideration to their likely costs and benefits and timescales for implementation and completion of measures. The assessment should demonstrate that authorities have considered a range of options and chosen the most cost-effective solutions to achieve the air quality objectives within the shortest possible time.

5.2 National Low Emission Framework (NLEF)

Local authorities that have declared AQMAs should have regard to the NLEF when developing their air quality action plans. The NLEF¹⁰ is intended to support and complement the existing LAQM system and assist local authorities to determine whether a LEZ is appropriate to address air quality issues in their area.

The NLEF process will be undertaken by all local authorities with a newly declared AQMA or where circumstances have changed substantially in an existing AQMA and where transport emissions are the primary reason for declaration. Results of the NLEF screening and, where appropriate, assessment processes will be reported in the APR.

5.3 Calculating how much of an improvement is necessary inside an AQMA

A local authority must also show that it has calculated the reduction in emissions required to achieve the objective/s of concern within the shortest possible time. Having done this, the authority will be better placed to consider whether the measures proposed to achieve these reductions are proportionate and cost effective. It is important to note that a reduction of 10% in total emissions will not necessarily result in a 10% improvement in ambient air quality, because this fails to take account of background concentrations and also the complex atmospheric chemistry involved in, for example, the conversion of NO_x to NO₂.

5.4 Source apportionment

One of the most important elements of the technical assessment is the consideration of the extent to which different sources contribute to the problem. For example:

- Is road transport entirely to blame for the exceedance of an NO₂ objective, or is there a significant contribution from an industrial/other commercial source?
- To what extent do other sources contribute (for example, aircraft or train movements)?
- Within the road transport sector, to what extent are different classes of vehicle responsible for the emissions?
- Does the traffic in the whole urban area contribute more to the exceedance than the nearby road?
- Are sources outside the authority's immediate area contributing to any significant extent?

Only when an authority has a reasonably clear idea of the total breakdown of emissions from all sources can it draw up an appropriately targeted action plan. It will not always be possible to do this with absolute precision, and variabilities in between year meteorological conditions will also have an effect on the relative contribution from different sources (including background or transboundary contributions). Authorities must show that they have calculated, in percentage terms, the extent to which different sources are responsible for any forecast exceedances. This will allow consultees to

¹⁰ [National low emission framework](#)

form a view on whether the action plan is proportionate, properly targeted and fit for purpose.

If a source over which an authority has little control (dual carriageways and motorways) is responsible for a significant percentage of local emissions, an authority should not demand disproportionate emissions reductions from other sources in pursuit of the objectives. Instead, it should note in its action plan that it has done all it reasonably can to bring about reasonable and proportionate emissions reductions from those sources over which it has any influence, but that further emissions reductions are required from other sources before the objectives can be achieved. The action planning section describes how local authorities should engage with other organisations who may be responsible for providing additional emission reduction measures which are required to help work towards meeting the objectives.

5.5 Taking account of policy changes

In many cases, central government policy developments may affect the designation of an AQMA or the extent to which local actions are necessary to achieve the prescribed air quality objectives. Possible examples include:

- Changes to nationally prescribed air quality objectives, which may themselves reflect changes to European Union (EU) limit values or World Health Organisation (WHO) Guideline Values.
- Scientific and technical developments, such as changes to the emissions factors to be used in certain calculations.
- Major policy developments such as those encouraging take up of renewable energy or new planning policies.
- The introduction of new powers for local authorities.
- Measures to promote the use of cleaner fuels/ low emission vehicles which might affect the composition of the total vehicle fleet by the compliance date.
- Decisions on local development, such as the location of a new residential development.
- Developments in the industrial pollution control framework.

5.6 Further monitoring

In many cases, local authorities will have based their AQMA designation on the results of a relatively short monitoring period, or entirely on the results of their modelling. In practice, even where at least twelve months' worth of monitoring data were available at the time of designation, there may still be uncertainties associated with the results (were the meteorological conditions typical, for example). Sometimes, authorities will have diffusion tube data covering a long period, but only a limited set of results from a continuous monitor. Local authorities may therefore wish to carry out additional monitoring at key points to validate earlier findings and/or commit to ongoing monitoring as part of the action plan. Low-cost sensors have an important role to play in this process and further information can be found in LAQM. TG (22).

Following on from this, the designation of an AQMA will often have been based on a large number of assumptions (such as that traffic flows along a particular road are at a particular level). Additional assessment during action plan preparation is an

opportunity to test these assumptions, in order to ensure that they are as accurate as possible.

5.7 Costs and benefits

A key element of the action plan will be an estimate of the costs, benefits and feasibility of different abatement options to allow for the development of proportionate and effective measures. The cost benefit analysis should cover both health and environmental considerations, besides the financial cost of any measures for the local authority and other affected parties. The options selected for taking forward in the plan should be reported on in action plan progress reports as part of the APR process.

6. Air Quality Action Plans

Once an AQMA under section 83 comes into an operation, the local authority which made the order must then prepare and implement an air quality action plan. The Scottish Government expects the action plan to be prepared and implemented no later than 12 months post declaration. Action plans must outline how the local authority intends to tackle the issues identified and the time or times in which the local authority proposes to implement each of the proposed measures. Air quality action plans should focus on effective, feasible, proportionate and quantifiable measures which will contribute to reducing levels of air pollution with AQMAs and ensure that air quality objectives are achieved within the shortest possible time. An air quality action plan template has been developed which is available on request from SEPA at airquality@sepa.org.uk. All completed action plans should be submitted to the Scottish Government and SEPA for information and uploaded to the LAQM Portal.

Lengthy descriptions of the LAQM system are not necessary and action plans should be as concise as possible and targeted towards ensuring appropriate measures are taken to improve air quality and meet objectives within the shortest possible time, and that progress on these measures can be reported on quantitatively as well as qualitatively on an annual basis through the APR process.

Action plans should be produced in conjunction with the findings of the review and assessment process, source apportionment studies and any additional work which may have been carried out and progress reported on through the APR.

6.1 What to include in an action plan

There is no need to provide detailed background information on the local authority's duties under Part IV of the Environment Act 1995 in the introduction to the action plan. It is enough to simply state that 'this action plan has been developed in recognition of the legal requirement on the local authority to work towards air quality objectives under Part IV of the Environment Act 1995 and associated regulations.' The statutory background should already have been adequately covered in APRs, which can be referenced in the action plan.

The action plan itself should have a more practical focus detailing specific measures to improve air quality and quantifying their impact in reducing contributions to air pollution over time. Data collected in the review and assessment process and from source apportionment studies should be used to quantify the potential impacts on emissions of particular measures and this information used to assist in the prioritisation process. Individual measures should be provided with milestones (for both total time and stages of the measure being implemented) and a final date for completion.

The action plan itself should have a timescale for completion and for revocation of the AQMA. The timescale for revocation should be within a short as possible time and no longer than the expected completion date of the longest term action plan measure. Where measures to reduce air pollution may require a longer timescale than initially anticipated, an action plan shall be reviewed and republished within five years of initial publication and then five-yearly thereafter. With each new action plan the date for

revocation of the AQMA shall be reviewed and revised, with a justification provided for the decision.

An air quality action plan should include, as a minimum, the following:

- A demonstration that the local air quality issues are clearly understood.
- Where a screening exercise has been carried out under the National Low Emissions Framework (NLEF) the findings and conclusion of the assessment process.
- A quantification of the source contributions to the predicted exceedances of the objectives for each pollutant being considered (allowing the action plan measures to be effectively targeted).
- Evidence that all available options have been considered on the grounds of time for implementation and effect, cost effectiveness and feasibility.
- How the local authority will use its powers and also work in conjunction with other organisations in pursuit of the air quality objectives.
- Clear timescales in which the authority and other organisations and agencies propose to implement the measures within the plan and by which time they should have demonstrated the required reductions in air pollutants.
- Expected date of completion of each of the proposed measures and the expected date for revocation of the AQMA(s).
- Funding status (e.g. frequency/percentage of cost covered/match funding availability) and funding source of the proposed measures.
- Quantification of the expected impacts of the proposed measures and, where possible, an indication as to whether the proposed measures will be sufficient to meet the objectives (in the current action planning cycle).
- How the local authority intends to monitor and evaluate the effectiveness of the individual measures and the action plan as a whole.

The 1995 Act does not prescribe any timescale for preparing an action plan. However, the Scottish Government expects action plans to be completed, published and implemented within the shortest possible time and no later than 12 months of the date of the AQMA designation order.

Where more than one AQMA is being considered the local authority may submit either individual or combined action plans depending on what is most appropriate for the local circumstances. Where individual action plans are developed, each must follow the guidance and processes described in this section.

6.2 Partnership working

Local authorities should take a joined-up approach, in line with the Place Principle¹¹, towards the action planning process, which should involve environmental health, climate change/sustainability, planning, transport and corporate services departments, besides any other parts of the authority that may have a role to play in contributing to meeting the air quality objectives.

Some local authorities will also need to work with neighbouring authorities due to the nature of the air quality problem, or because measures they wish to take may have

¹¹ [Place Principle](#)

effects elsewhere. In such cases, the Scottish Government strongly recommends that consideration be given to developing regional air quality action plans. Action plans should also take account of other related strategies and plans such as Regional/Local Development Plans, Local Transport Strategies and Environmental Noise Action Plans which may help contribute to improving air quality and also have co-benefits in other policy areas.

6.3 Integrated policy

The Scottish Government acknowledges the need for a co-ordinated policy response to the interrelated issues of air pollution and climate change. It is therefore of critical importance that as local authorities develop their air quality action plans, they also consider integrating their plans with climate change action. Greenhouse gases and air pollutants share many of the same sources, such as the combustion of fossil fuels, energy for transport and land use practices. Some air pollutants (such as nitrogen oxides) contribute to the formation of greenhouse gases and others, notably black carbon, make a significant contribution to both atmospheric warming and worsening air quality. There is significant overlap between measures taken to address climate change and those taken to reduce air pollution. This presents local authorities with opportunities to take “win-win” action that mitigates climate change and improves local and national air quality.

A report commissioned in 2016 by the Cleaner Air for Scotland Governance Group¹² identifies six key sectors capable of reducing Scotland’s greenhouse gas emissions while supporting reductions in air pollution levels through policy integration. The report identifies 38 recommendations that present strong evidence of synergies in maximising benefits in climate change in the air quality action plan. Some key actions that have multiple co-benefits through the action planning process are:

- Significantly increasing the long-term investment in active travel to increase walking and cycling in towns and cities. This can be accomplished by funding active travel initiatives, school streets projects, urban planning and car share schemes. Policy should be joined up with planning authorities, noise action plans, transport policy, and local development plans helping to reduce traffic on roads, air pollution, noise pollution, carbon emissions and to encourage active travel for a healthy lifestyle.
- Introducing low emission zones (LEZs) into urban areas to regulate for air pollution and climate change emissions simultaneously. LEZs are being implemented in Scotland’s four largest cities, with Glasgow being the first to begin enforcement in the summer of 2023. LEZs are expected to reduce nitrogen dioxide and other internal combustion pollutants to improve air quality and reduce dominance of private cars which contribute to both air pollution and climate emissions. It is also likely to result in opportunities for investment in active travel and public transport to encourage alternative forms of travel into the city centre. For more information on LEZs see chapter 11.
- Promoting and increasing investment in bus and train travel as alternatives to car travel. The adoption of fleet schemes can promote lower fuel consumption and reduced emissions leading to improved public health. Empowering and offering opportunities for the public to use public transport can provide

¹² [CAFS Climate Change Governance Group](#)

decarbonisation in our transport sector, improvements in air quality and a reduction in noise pollution.

- Investing in and supporting the uptake of electric vehicles. This can be done by investing in infrastructure like charging stations which can drive an uptake of electric vehicles. However, electric vehicles produce non-exhaust emissions which can negatively impact air quality. Thus, other policies are needed simultaneously to make meaningful change in air quality and greenhouse gas emissions.
- Encouraging the uptake of low and zero carbon emissions heating options such as heat pumps as a replacement for carbon emitting boilers. Replacing fossil fuel heating with decarbonised electricity will substantially reduce emissions of pollutants such as particulate matter and nitrogen and sulphur oxides. The Scottish Government is taking a neutral approach towards heating and does not prioritise any single technology. However, there is a risk of cumulative impacts on air quality by moving towards the increased use of biofuels. For more information on biomass and air quality see chapter 13.

Integrating climate change policy with air quality policy presents local authorities with the opportunity to create co-benefits for human health, wellbeing, and the environment. At the same time, however, policy integration poses challenges as some measures to address climate change might adversely impact air quality and care must be taken to minimise trade-offs and avoid unintended consequences. Please refer to chapter 12 for the Scottish Government's position on biomass heating.

6.4 Setting up an action plan steering group

Local authorities may wish to set up a steering group to take forward the development of an action plan. The members of the steering group should include representatives from all the relevant local authority departments and may include officers from different local authorities, or other organisations such as Transport Scotland, Public Health Scotland, NHS Health Boards and SEPA. The steering group should also decide on how to communicate and engage support from local businesses, community groups, the general public and other interested parties to take the process forward.

A number of commercially available models exist to help local authorities develop integrated action plans. Details of these are held by the LAQM Helpdesk (contact details in Table 2.2), which can advise on their applicability and relevance to authorities' individual circumstances.

6.5 Actions outside a local authority's control

Some of the actions needed to improve air quality may be outside the local authority's direct control. This is the case where, for example, there may be an air quality problem arising from the operation of an airport, a port, an industrial process regulated by SEPA is contributing to air quality objective exceedances, or where high levels of pollutants exist as a result of motorways or trunk roads, regulated by Transport Scotland. SEPA and Transport Scotland are committed to the LAQM process, and both are required to help local authorities develop their action plans and suitable measures in pursuit of the air quality objectives. This commitment should also apply where other

operators/businesses or local authorities may hold responsibility for part, or all, of an air quality problem.

Where the local authority has conducted a source apportionment exercise to identify sources of pollution and identified the source as being outside of its control, the local authority will contact the outside body/bodies who may be responsible for controlling the emission source. The local authority and the outside body/bodies should establish agreement on the relevant source of pollution (and level of contribution) and that any measures (and potential scope of measures) are within the influence or control of the outside body/bodies. Where such a situation occurs there is an expectation that the local authority will lead on joint working which will take place with Transport Scotland, SEPA, businesses or neighbouring local authorities to determine suitable actions to address the air quality problem. This form of working may be part of the action plan steering group or may be carried out separately and feed into the action plan development process.

Some of the types of measures which can be used by outside bodies to assist local authorities include:

- Conducting additional monitoring and data collection to develop further knowledge of the origin, contributions of emission sources and likely measures.
- Providing easy and accessible data and information relating to emission sources.
- Setting up a working group with relevant partner organisations and operators, local community groups (this can be similar or complimentary to the action plan steering group).
- Reviewing permit or operational conditions and operator performance.
- Identifying transport problems on trunk roads leading to poor air quality and developing measures to resolve them.
- Developing alert systems for investigation of air pollution episodes.

Outside bodies assisting the local authority must commit to collaborating and providing action plan measures (and where necessary resources) and must supply a date by which the measures will be fully implemented. They must also provide a commitment to ensure appropriate measures are determined in sufficient time to allow the lead local authority to meet the timescales for publishing an action plan.

Local authorities should also make clear any limitations in their action plans and show the extent to which they rely on actions by outside bodies and the Scottish and UK Governments, to work towards meeting the objectives. The action plan should clearly show how other outside bodies have been involved in its development and where measures contained within the action plan are the responsibility (whether partly or solely) of others to meet.

6.6 Keeping the action plan under review

Local authorities should keep their action plans up to date. Section 84(4) of the 1995 Act states that a local authority may from time-to-time revise an action plan. The Scottish Government now requests that all action plans are reviewed and republished on a five-yearly cycle from date of initial publication or from the date specified above

(for current action plans). Where the circumstances change significantly within the AQMA this should trigger an automatic review of the action plan for appropriateness (to ensure measures will achieve compliance within a short a time as possible). Whenever an action plan is revised, local authorities must consult the Scottish Ministers and other statutory consultees (as outlined in schedule 11 of the 1995 Act).

All existing action plans (whether published or in draft) are expected to be reviewed and revised in light of this guidance and the Scottish Government expects plans to be completed, published and implemented within the shortest possible time and no later than end March 2024

The Scottish Government expects local authorities to review and republish their air quality actions on a five-yearly cycle from date of initial publication or from the date specified above in paragraph 6.23. A local authority should allow 12 months for the full action plan review process to take place and to ensure the revised action plan is republished within the five-yearly cycle.

Where a local authority considers there is a need for new, further or different measures to be taken in order to achieve air quality objectives within the shortest possible time; or if significant changes to sources or circumstances occur within the AQMA, or the local area, this should trigger an automatic review and revision of the action plan. In this situation, the local authority should complete, publish and implement the revised action plan within the shortest possible time and no later than 12 months from the date of the review process starting. Local authorities should notify the Scottish Government and SEPA where an early review of an action plan is required outlining the circumstances, reasons and timescales for the review.

In order to ensure that local authorities implement the measures within an action plan by the timescales stated within that plan, the Scottish Government expects authorities to submit updates on progress through the APR process. The APR update should list the measures within the action plan and include the timescales by when they are/were due to be implemented and give an update on progress in terms of implementation (including milestones or where measures have been completed). Where an action plan measure is not achieving the desired reduction in emissions, and/or has been delayed, this must be investigated by the authority and a remedial action provided to address the problem. This will then become part of the suite of action plan measures and must be included when conducting future reviews of action plans. The criteria for submission of APRs is contained in section 3 of this guidance document and the APR template has been updated to capture this requirement.

6.7 Action plans following revocation of an AQMA

Following revocation of an AQMA the local authority should consider replacing the air quality action plan (which has served its purpose) with a local air quality strategy (see Section 7 for details on air quality strategies) to ensure air quality retains a high public profile and measures remain in place to continue to improve air quality in the area and prevent any future deterioration towards exceedances of the air quality objectives. This may be part of a wider air quality strategy which covers parts of, or the whole, local authority area. Where an air quality strategy is not deemed appropriate an air quality action plan should remain in place.

Where an air quality strategy is developed, the ongoing measures contained in the final air quality action plan should form the basis of the relevant content of the strategy, but consideration should also be given to wider air quality in the local authority area and the strategic approaches required to ensure the authority maintains compliance with the air quality objectives and continues to reduce emissions.

7. Local and regional air quality strategies

Local authorities do not currently have a statutory obligation to prepare or adopt a local air quality strategy. The Scottish Government, however, recommends that all authorities, particularly those that have previously designated (now-revoked) AQMAs or who have not had to designate AQMAs but have areas close to the exceedence levels, or recognised air quality issues, should consider developing such a strategy. The Scottish Government considers it important that all authorities commit themselves to ensuring that air pollution remains below objective levels. Even local authorities with very good air quality may wish to develop local air quality strategies in order to maintain these standards and which may also help contribute to other requirements the authority is required to meet.

7.1 Why adopt a local air quality strategy?

There are many benefits of developing a local air quality strategy, in particular they can:

- Emphasise the local authority's role in delivering cleaner air and, by setting an example, can encourage others to take action.
- Raise the profile of air quality within a local authority, thus keeping key issues high on the agenda of elected members.
- Help authorities handle air quality in a corporate and multi-disciplinary way – allowing authorities to take air quality considerations properly into account in all their wider policy areas, such as land-use planning, transport planning, sustainability and energy efficiency, waste management, economic development, and regeneration.
- Raise the profile of air quality in the local community and encourage public engagement and behaviour change.
- Help to encourage co-ordination between air quality, noise and climate change policies.
- Be linked to other local initiatives such as community plans.
- Help authorities build up partnerships with local businesses, industry and communities.
- Encourage people to contribute to improvements in local air quality.
- Lead to greater co-operation with neighbouring authorities and strengthen the role of regional groupings.
- Support and feed into any action plans that might be needed in future.

An air quality strategy also has an important role to play where a previously declared AQMA has been revoked. The air quality strategy can continue the work of the action plan, ensuring suitable measures remain in place, and are developed in the future, to

maintain emissions reduction across the authority area and compliance with the air quality objectives.

7.2 How to develop a local air quality strategy

In developing a local air quality strategy, local authorities will wish to follow the same broad principles for developing an air quality action plan. Local authorities should therefore read this chapter in conjunction with section 6 on action plans.

7.3 Setting up a steering group

As with developing an action plan, the Scottish Government recommends that local authorities set up a steering group to take forward the process of developing a local air quality strategy. This group should consist of officers from relevant departments within the local authority and may include officers from other neighbouring authorities (where a regional air quality strategy is being considered). An air quality strategy steering group should operate on the same broad principles as an action plan steering group, but due to the strategic nature should consider a wider breadth of interests, membership and involvement across the local authority and partner organisations.

7.4 Co-operation and liaison within an authority

The Scottish Government recommends that local authorities should take a multidisciplinary approach to LAQM. There should be effective links between all the relevant local authority departments. The local authority environmental health department should ideally lead and co-ordinate liaison and discussions with other relevant departments and set up meetings to discuss how air quality considerations can be taken into account in other policy areas relevant to the authority, including development plans, local transport plans, economic development plans and strategies, and climate change/sustainable development strategies.

7.5 A local authority's own contributions to improving air quality

The Scottish Government is keen that local authorities should continue to act as a catalyst in this way and to communicate their commitment to delivering cleaner air from their operations in the local air quality strategy. This will be the basis for encouraging other organisations and businesses in the area to develop their own strategies to bring about improvements in air quality.

Many local authorities already run at least some of their vehicles, or those of their contractors, on alternative fuels and can use vehicle purchase or hire agreements to specify emissions standards. Authorities can also lead the way in developing travel plans for their staff by encouraging them to use public transport, where possible, instead of travelling to work by car.

Local authorities can use green purchasing policies to specify the use of locally sourced products, thereby reducing transport requirements. They can also increase their energy efficiency by reducing emissions from large boiler plants in their buildings, increasing building estate efficiency and set environmental conditions in their service contracts with outside contractors.

7.6 Co-operation between local authorities

Even where the effects of air pollution are localised, the solution may need to be developed, implemented and operate at a larger scale and therefore involve more than one local authority. Where strategic planning or traffic management is the answer to an air quality problem, different departments of local authorities will need to co-operate. There will also be cases where the activities of one local authority (for example, in traffic management or land-use planning) may have air quality implications not just for neighbouring authorities but also for others situated further away.

It is therefore important when developing a local air quality strategy to discuss it with neighbouring authorities or those within any regional groupings. Other authorities in the region may have already drawn up an air quality strategy and it can be useful to share experience. This level of co-operation can help strengthen links between authorities in regional groupings. The Scottish Government recommends that local authorities should look to support from neighbouring authorities in drawing up their local air quality strategies and should consider developing joint air quality strategies, where appropriate.

7.7 Co-operation with outside bodies

Many local air quality problems cannot be solved by local authority action alone. The success of a local air quality strategy depends upon co-operation with other sectors. Local authorities may wish to include in their strategies a framework for co-operation with:

- The Scottish Government.
- SEPA.
- NatureScot.
- Transport Scotland.
- Regional Transport Partnerships (RTPs).
- Public Health Scotland (PHS), health boards and NHS bodies.
- Businesses and other parties with commercial interests.
- Non-governmental organisations (NGOs) and charities.
- Community groups and representatives.

The type of co-operation and organisations engaged with will depend on local circumstances and it will be up to the local authority to determine the breadth and levels of co-operation required for any particular air quality strategy.

7.8 Format of a local air quality strategy

The format of a local air quality strategy is entirely up to the local authority. Air quality strategies can address a range of pollutants and not just those where exceedances are forecast. Local authorities could include other pollutants such as ground-level ozone or look to tackle specific pollutants prominent in their area, such as emissions from particular industrial, transport or domestic sources. Authorities could also consider taking a broader issues-based approach rather than focusing on individual

pollutants incorporating the principles of wider environmental sustainability and achieving net-zero.

The air quality strategy should start by setting out the problems associated with air pollution and its impact on human health, ecosystems and the environment, vegetation and buildings/infrastructure, etc., in order to focus people's minds on what the risks are and why action needs to be taken. It might also be useful to explain what work the authority has been doing as part of its air quality review and assessment, and where applicable action planning, processes.

The local authority should set out its intentions for air quality in the strategy or what action needs to be taken to reduce levels of air pollution, such as increased use of public transport, implementation of information campaigns to bring about changes in behaviour, etc. It might also be useful to explain how the actions will be carried out and any timescales for implementation and measures of success. It is important to explain what actions the local authority is already undertaking itself, such as using alternatively fuelled vehicles in its own fleet or reducing emissions from its own energy generation. Previous APRs and actions plans will be useful sources of information to help inform this part of the strategy.

The strategy should show how local authorities will take air quality into account in wider policy areas, for example land-use planning and traffic management. It should also be linked to other plans, such as the regional and local transport strategy, development plans and, where the authority has declared an AQMA(s), the strategy could feed into the air quality action plan(s). Authorities should also indicate within the strategy what co-operation they need or have secured from other sources, such as neighbouring authorities and outside bodies such as SEPA, local businesses and community groups.

7.9 Consultation on air quality strategies

There is no statutory requirement for local authorities to consult on air quality strategies. However, it is recommended that the same broad principles for consultation on air quality action plans (Section 9) are undertaken to provide inclusivity with relevant parties for development and implementation of the strategy. Air quality strategies should be uploaded to the LAQM portal.

8. Strategic Environmental Assessment (SEA)

When developing an action plan or air quality strategy, local authorities have to consider whether the plan or strategy fall within the scope of the Environmental Assessment (Scotland) Act 2005 and therefore whether a SEA is required. An important means to gauge if an SEA of an action plan or air quality strategy will be required, is to consider the likely environmental effects of the plan or strategy once implemented and whether this is likely to be significant. Further guidance is available on the Scottish Government's website [Strategic Environmental Assessment \(SEA\) - Environmental assessment - gov.scot \(www.gov.scot\)](http://www.gov.scot/Strategic-Environmental-Assessment-SEA-Environmental-assessment).

As a simple guide, local authorities can take the following into consideration:

- Will the plan or strategy include policies which are likely to influence local decision making, such as a local development plan. For example, will the action plan or air quality strategy constrain or exclude certain types of projects in certain locations. If this is the case and effects are significant, an SEA may be required.
- Does the plan or strategy only set out specific air quality measures such as traffic management schemes, parking controls and so on, and there is no intention of including conditions to influence planning or development. If so, it is more unlikely that it would require an SEA.

It is important to remember that in each scenario, if the local authority judges that the environmental effects of implementing the action plan or air quality strategy are likely to be greater than minimum, a screening request has to be submitted to the Consultation Authorities (Scottish Natural Heritage (now NatureScot), SEPA and Historic Environment Scotland) identified in the 2005 Act. This can be done via the SEA Gateway (details provided above). It is also important to note that the SEA process must be carried out during preparation of an action plan or air quality strategy, beginning at an early stage prior to any public consultation, and the findings can, if necessary, be taken into account when the plan or strategy is being finalised.

9. Consultation

9.1 Background and statutory requirements

The Environment Act 1995 provides the statutory basis for consultation and liaison in regards to LAQM. The Scottish Government expects local authorities to continue to work closely and exchange information and data with other authorities, agencies, businesses and the local community to improve air quality.

In carrying out its functions in relation to air quality reviews and assessments under section 82 of the Act, or the preparation or revision of an action plan, Schedule 11 of the 1995 Act requires local authorities to consult:

- Scottish Ministers.
- SEPA.
- All neighbouring local authorities.
- Any National Park authority within or adjacent to the local authority area.
- Other public authorities as appropriate.
- Bodies representing local business interests and other organisations as appropriate.

9.2 Consultation on annual progress reports

For APRs and any more detailed work, local authorities are encouraged to consult the Scottish Ministers and other statutory consultees as listed above. They will not need to consult more widely, i.e. there is no need for a full public consultation at this stage, but they should make these assessments available to the public in accessible formats.

9.3 Consultation on action plans

Local authorities must consult on their preparation of an action plan, ideally in both draft and final form. Finalisation of the plan should take account of consultees' comments on the draft. Action plans may operate over long timescales and authorities may only be able to specify broad proposals in the first draft. It is therefore an important principle that they carry out a further consultation if the initial proposals are revised while implementing or reviewing the action plan.

Consultation on a draft action plan should include:

- Details of which pollutants the authority will look at and an indication of where they come from.
- The timescales for implementing and completing each proposed measure.
- Details of other organisations or agencies whose involvement is needed to meet the plan's objectives and what the authority is doing to get their co-operation.

Local authorities should decide the timescale for consultation. The Scottish Government recommends, however, that no consultation exercise should last for fewer than six weeks and ideally be for a period of twelve weeks.

9.4 Consultation/liaison across local authority departments

It is important that there is effective internal consultation/liaison across local authority departments. Steering groups and committee meetings should have the support of the Chief Executive. This should help to ensure that air quality is dealt with consistently across the authority.

9.5 Co-operation between authorities

Co-operation between authorities has been greatly helped by the SPCCC and local pollution control liaison groups. These groups can assist with the exchange of information and ideas in carrying out the LAQM duties.

9.6 Consultation with the public/local businesses

Local authorities should look for innovative ways of engaging with local resident/community groups and local businesses because, if people feel personally involved in air quality issues, they are more likely to be receptive to any proposed actions to improve air quality. See [National Standards for Community Engagement - National Standards for Community Engagement](#).

It is important that local authorities provide information on local air quality in a clear and accessible way. Authorities are ideally placed to tell people about the causes and effects of air pollution. Many local authorities have experience of health education, and they should consider exploring links with health boards and NHS bodies. They should use their local contacts, e.g. social media, websites, local newspapers, radio, libraries to reach as wide an audience as possible. Some local authorities have already developed local air quality information strategies and make review and assessment reports publicly available. Ideally, each local authority should have a website page

which contains all air quality information (historic and current) pertaining to their authority.

Day-to-day information on local air pollution levels and advice to the public when pollution is high can be important catalysts for changes in behaviour. The terminology used to describe levels of air pollution should be consistent to avoid confusion. The Scottish Government advises local authorities to adopt the Daily Air Quality Index (DAQI) banding system it uses, i.e. the pollution bands are described against a numerical index as follows: 1-3 (low), 4-6 (moderate), 7-9 (high) and 10 (very high). An explanation of the banding system can be found on the Air Quality in Scotland website: [Daily Air Quality Index \(DAQI\) \(scottishairquality.scot\)](http://scottishairquality.scot)

9.7 Public access to information

Schedule 11 of the 1995 Act also provides for public access to information about air quality. Local authorities have a duty to make available at all reasonable times for inspection by the public free of charge a copy of each of the documents below and to provide public facilities for obtaining copies of them on payment of a reasonable charge. The documents are:

- Reports of the results of air quality reviews
- A report of the results of any assessment which the authority made under section 82 of the 1995 Act
- Any order made under section 83 of the 1995 Act
- Any action plan
- Any proposal or statement submitted by the authority pursuant to subsection (3) or (4) of section 86 of the 1995 Act
- Any directions given to the authority under Part IV of the 1995 Act
- Orders (and supporting information) designating, amending or revoking an AQMA.
- Action plans and air quality strategies.

It is for individual authorities to decide on the scope of these reports and how widely to distribute them. All reports should be provided to the Air Quality in Scotland website to provide a national resource for LAQM practitioners and interested parties. They should consider the most appropriate targeting of information and how best to make it easily accessible and widely available. In any event, information which the local authority holds on air quality is subject to the Environmental Information (Scotland) Regulations 2004 (SSI 520)¹³. These Regulations oblige local authorities and other organisations to deal with requests for environmental information.

10. Air quality and transport

10.1 Background

Cleaner Air for Scotland 2 (CAFS2) sets out the current policy framework for air quality and transport and describes the key responsibilities of central and local government. The guidance in this chapter supplements the information contained in CAFS2, and

¹³ [FOI law | Scottish Information Commissioner](http://www.scottishinformationcommissioner.gov.uk)

the Scottish Government expects local authorities to ensure that both documents are taken into account by all relevant departments.

Road transport is a major source of local air pollution, particularly in our towns and cities. In urban areas, road traffic accounts for a major part of the total emissions of nitrogen dioxide and particles – the objectives of most concern for human health. Transport generates just over one-sixth of Scotland’s total particulate matter (PM10) and over one-third of total nitrogen oxide (NOx) emissions¹⁴

Cutting road transport emissions is therefore a key part of LAQM. Local authority officers dealing with air quality duties should liaise regularly with transport and planning colleagues, and with Transport Scotland where the pollution arises from trunk roads and motorways.

10.2 The Transport (Scotland) Act 2019

The Transport (Scotland) Act 2019¹⁵:

- Sets out the powers to make provision for Low Emission Zones.
- Makes provision for and in connection with the powers of local transport authorities in connection with the operation of local bus services in their areas.
- Makes provision about arrangements under which persons may be entitled to travel on local bus and other transport services.
- Prohibits the parking of vehicles on pavements, double parking and parking adjacent to dropped footways.
- Enables local authorities to make schemes under which a charge may be levied for providing workplace parking places.
- Makes provision in connection with regional Transport Partnerships.

10.3 Low Emission Zones (LEZs)

Low Emission Zones¹⁶ (LEZs) are a moving traffic contravention working to prevent the most polluting vehicles driving within an area. LEZs have two mandatory objectives:

- To contribute towards meeting the air quality objectives
- To contribute towards meeting the emissions reduction targets set out in Part I of the Climate Change (Scotland) Act 2019.

There are two sets of national regulations for LEZs:

- The Low Emission Zones (Emission Standards, Exemptions and Enforcement) (Scotland) Regulations 2021¹⁷ covering emission standards, exemptions, penalty charge rates, and enforcement.

¹⁴ [National Transport Strategy](#)

¹⁵ [Transport \(Scotland\) Act 2019](#)

¹⁶ [Low Emission Zones](#)

¹⁷ [The Low Emission Zones \(Emission Standards, Exemptions and Enforcement\) \(Scotland\) Regulations 2021](#)

- The Low Emission Zones (Scotland) Regulations 2021¹⁸ covering consultation, publication and representations, examinations, approved devices, and accounts.

LEZ guidance to local authorities was published on 25 October 2021 following Ministerial approval and can be accessed here: [Low Emission Zone Guidance](#)

10.4 Low Emission Zone Support Fund

The LEZ Support Fund provides funding for lower-income households and smaller business to prepare for the implementation of LEZs. Funds allow for the disposal or retrofit of non-LEZ compliant vehicles belonging to residents within 20km of a LEZ.

10.5 Air quality action planning and transport measures

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

10.6 Local roads

Local authorities, in their role as highways authorities, have a range of powers, including compulsory purchase of land for road building and restrictions on and the stopping up of roads.

10.7 Local Transport Strategies

Local Transport Strategies are significant for LAQM as they set out local authorities' plans and priorities for the development of an integrated transport policy within their area of responsibility. They cover all forms of local authority provided transport and set out how authorities plan to tackle the associated problems, including those related to poor air quality. Among other things, Strategies may contain any proposals to utilise the road user charging powers, promote green transport plans, and provide the context for walking and cycling strategies. The Scottish Government considers it important that air quality action plans and local air quality strategies are consistent with, and where appropriate linked to, Local Transport Strategies.

10.8 Workplace parking levy

The Transport (Scotland) Act 2019 provides local authorities with a discretionary power to set up workplace parking levy (WPL) schemes. Guidance for local authorities on implementing a WPL scheme was published in 2022 and can be assessed here: [Workplace Parking Licensing Guidance](#)

10.9 Parking controls

A big influence on whether people drive is parking cost and availability. The Road Traffic Regulation Act permits local authorities to determine where motorists can park

¹⁸ [The Low Emission Zones \(Scotland\) Regulations 2021](#)

and how much it will cost them. They may also restrict parking in other ways. Residents' parking schemes, for example, can be a good way of encouraging non-residents to find other ways of travelling into town centres. Authorities can also use the planning process to regulate the amount of private non-residential parking (PNR) associated with a new development.

Transport Scotland commissioned research through ClimateXChange which aimed to gather evidence on the effectiveness of different parking management interventions in reducing car use. The report identifies five parking intervention types as having an impact on car kilometre reduction, modal split and car ownership. The report can be accessed here: [Reducing car use through parking policies](#).

10.10 Parking prohibitions

The Transport (Scotland) Act 2019 prohibits pavement parking, double parking and parking at dropped kerbs, and gives local authorities the relevant powers to enforce these new provisions. To support these provisions, a suite of regulations is required to bring the new legislation into force.

10.11 Pedestrian/vehicle restricted areas

A local authority may wish to restrict access to a road or area to some or all vehicles at different times of the day. The Environment Act 1995 added 'improving air quality' as a reason for making TROs under the Road Traffic Regulation Act 1984. Where there are objections to an order which would have the effect of restricting or prohibiting access outside peak hours, the local authority would first need to hold a public enquiry. The reason for restricting vehicle access may be to create a pedestrianised area. Typically, these allow vehicular access for all or some parts of the day. In any case, authorities will need to ensure that delivery and service vehicles have suitable access.

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

- Good public transport, perhaps with park and ride.
- Facilities for cyclists and pedestrians.
- Peripheral car parking and paid parking.
- Access for people with limited mobility.
- Access for taxis, where appropriate.

10.12 Scottish Zero Emission Bus Challenge Fund

The Scottish Zero Emission Bus Challenge Fund¹⁹ (ScotZEB) supports the swift transition to zero emission vehicles and improves air quality while contributing to the delivery of Low Emission Zones [Scottish zero emission bus challenge fund](#).

10.13 Active travel

¹⁹ [Zero Emission Bus Challenge Fund](#)

At the heart of the Scottish Government’s long-term vision is the ambition that by 2030, Scotland’s communities are shaped around people and place, enabling walking and cycling to be the most popular mode of transport for short, everyday journeys. Central to the delivery of this ambition is the Walking Strategy, Active Travel Framework and Cycling Framework for Active Travel. Active travel should be a key component of local air quality management for local authorities.

10.14 Active travel strategies

Local authorities are encouraged to develop their own active travel strategies that align to the Active Travel Outcomes Framework and the corresponding 2030 Active Travel Vision²⁰. Active Travel Strategy Guidance was issued in 2014 and updated in February 2023 to support local authorities prepare an active travel strategy for their area²¹. From an air quality perspective, active travel strategies and air quality action plans should be closely aligned.

11. Placemaking and air quality action planning

Placemaking is about collaborative working across professions and with communities to identify place-based solutions for the issues we face. Placemaking done well helps address air pollution, and creates better quality, more sustainable places that contribute to improving our mental and physical health.

This guidance should be read alongside National Planning Framework 4 (NPF4)²² and the Local Development Plan (LDP)²³ for the area. The Place Principle²⁴, the Place Standard Tool²⁵ and the Local Living Framework²⁶ are also referenced and are all applicable to thinking about our existing and future places in relation to air quality.

11.1 Background

The planning system will impact on improving air quality mainly in the longer term through local development plans that seek to tackle health inequalities. Day-to-day decision making on individual planning applications can help improve air quality or avoid or mitigate air quality impacts that could be caused or be exacerbated.

The Place Standard Tool can support individuals, communities and organisations think in a structured way about physical and social aspects of place that are important to health and wellbeing. It helps to identify strengths and weaknesses as a means of prioritising action for improvements.

National Planning Framework 4 (NPF4) is the Scottish Government’s national spatial strategy for Scotland’s long-term development. Local development plans are prepared

²⁰ [Active Travel Vision](#)

²¹ [Active Travel Strategy Guidance](#)

²² [National Planning Framework 4](#)

²³ [Local Development Planning Guidance](#)

²⁴ [Place Principle Introduction](#)

²⁵ [Place Standard](#)

²⁶ [Local Living Framework](#)

by planning authorities across Scotland. These are the 32 Councils in Scotland and the National Park Authorities.

11.2 National Planning Framework 4 (NPF4)

NPF4 is part of the statutory development plan for the area along with the LDP. The NPF4 spatial strategy supports the planning and delivery of sustainable places, liveable places and productive places. It was informed by CAFS2.

The approach of Policy 23 'Health and Safety' is crucial for considering air quality impacts. The policy does not support new developments with significant adverse impacts for air quality. It is clear that development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. The policy also enables air quality impact assessments to be undertaken for proposals for new development where the proposal or the air quality in the location suggest significant effects are likely.

AQMAs are not directly addressed in the NPF4 policy. However, a proposal for new development within an AQMA can indicate to applicants and the planning authority that particular attention to the air quality aspects of NPF4 policy and spatial strategy should be considered in the design of and decision making on development proposals.

Where an air quality impact is likely from proposed development, Environmental Health Officers should discuss the issues raised and potential options with the relevant planning officers.

Other NPF4 policies relating to air quality include:

- Policy 2 Climate mitigation and adaptation: The policy aims to promote and facilitate development that minimises greenhouse gas emissions, some of which also have air quality impacts.
- Policy 11 Energy: The policy aims to promote and facilitate all forms of renewable energy including those associated with negative emissions technologies, carbon capture and the co-location of such technologies.
- Policy 12 Zero waste: The policy is clear that proposals for waste infrastructure and facilities (excluding landfill and energy from waste) will only be supported where a range of matters are addressed including part (d)(ii), environmental impacts including pollution of air. Part (g) does not support proposals for energy from waste facilities except under limited circumstances set out in the policy.
- Policy 13 Sustainable Transport: The policy supports the sustainable transport hierarchy and a place-based approach to consider how to reduce car dominance and supports active forms of movement.
- Policy 14 Design, Quality and Place: The policy supports well designed development leading to successful places through the application of the six qualities of successful places. The 'Pleasant' quality includes mitigating against air pollution. The 'Connected' quality supports well connected networks to make moving around by active and sustainable means easy to support reduced car dependency.

- Policy 15 Local Living and 20 Minute Neighbourhoods: The policy supports the creation of compact neighbourhoods where people can meet the majority of their daily needs by active or sustainable transport options.
- Policy 33 Minerals: The policy supports sustainable management of resources and minimisation of extraction impacts on communities and the environment. Part (d)(iv) is clear that proposals should demonstrate acceptable levels of potential pollution including for air.

11.3 Development management

The Town and Country Planning (Scotland) Act 1997²⁷ provides that planning permission is required to carry out works which constitute 'development' for the purposes of the Act. Applications for planning permission are determined on the basis of policies in the development plan (NPF4 and the LDP) and material considerations.

Permitted Development Rights (PDR) grant planning permission through legislation, thereby removing the need to apply for such permission where development complies with specified conditions and limitations. This includes domestic flues, including those related to biomass heating systems which can impact air quality. There are also PDR for extensions to industrial, forestry and agricultural buildings for the purposes of biomass burning. Further guidance on domestic and non-domestic PDR can be found in relevant planning circulars²⁸.

The full policy wording contained in NPF4 should be referred to in the preparation of development proposals, commentary and decision making on them. Some LDPs may have particular arrangements in their spatial strategy and policies in relation to air quality. These approaches should be understood and applied to development proposals.

11.4 Place Standard Tool

The integrated approach offered by the Place Standard²⁹ tool to understanding the physical, social, and economic aspects of a place provides a holistic means of assessing and taking action on issues such as travel and transport, green infrastructure, place design and layout, that can deliver co-benefits such as air quality improvements.

The Place Standard tool with Air Quality Lens³⁰ is specifically designed to be used in areas to engage with local communities to find out how local people feel about air quality, and their ideas to improve air quality. These additional specific prompts can support a stronger focus on air quality within a holistic assessment of a place. This can support actions to address air quality concerns, as well as help to raise awareness and engagement with the issue.

²⁷ [The Town and Country Planning \(Scotland\) Act 1997](#)

²⁸ [Planning Circulars](#)

²⁹ [Place Standard Tool](#)

³⁰ [Place Standard with Air Quality Lens](#)

More recently, the Place Standard with Climate Lens³¹ provides step-by-step support on how to develop productive conversations focussed on the important relationship between place and climate change and environmental sustainability. It too integrates air-quality related issues, with a range of practical resources to support users.

Another complementary addition to inform the emerging design or development of a place is the 'Design'³² version. It is aimed at designers (architects, planners), developers and clients to directly inform and support the design and development process to deliver healthier places, including the delivery of air quality improvement co-benefits.

All the Place Standard tool resources are free and easy to use and a range of guidance, resources and additional materials available online will guide you to plan and carry out your assessment³³.

11.5 Air quality as a material consideration

Air quality is capable of being a material planning consideration, in so far as it affects land use. Whether it actually is will depend upon the facts of the case. Wherever a proposed development is likely to have significant air quality impacts, close co-operation will be essential between planning authorities and those with responsibility for air quality and pollution control. The impact on ambient air quality is likely to be particularly important where:

- the proposed development is inside or adjacent to an AQMA;
- the development could result in designation of a new AQMA; and
- the granting of planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan.

This does not mean that all planning applications for developments inside or adjacent to AQMAs should automatically be refused if the development is likely to affect local air quality. Such an approach could sterilise development, particularly where authorities have designated large areas as AQMAs. All such applications will continue to be considered according to their individual merits on the basis of all available information. It may mean, however, that consideration of planning conditions could be required in some circumstances.

In considering whether a site inside an AQMA is an appropriate location for new housing, planning authorities should consider where within the AQMA likely exceedences have been identified, how great these exceedences are and when it is forecast that the objectives will be met. It should also consider the potential effect on air quality of the new housing development.

11.6 Air Pollution Assessment Service (APAS)

³¹ [Place Standard with Climate Lens](#)

³² [Place Standard Design Lens](#)

³³ [Place Standard Guide](#)

The Air Pollution Assessment Service (APAS)³⁴ is a novel tool developed by the Joint Nature Conservation Committee (JNCC) and partners including SEPA to enable planning authorities to carry out air quality and human health assessments during the planning process. APAS will support the CAFS strategies by incorporating the National Modelling Framework (NMF) Regional Air Quality Model in its work to allow planning authorities to screen and assess potential impacts on air quality arising from changes in traffic-related emissions associated with large-scale development proposals.

The Improvement Services (IS) and Transport Scotland are working on the development of common standards to guide future traffic data collection. The IS established a central facility to store traffic data which is now live on the Spatial Hub. Local authorities are encouraged to upload their existing and new traffic data to these pages with the aim of providing a “one stop shop” for traffic data. This will enable local authority planners to retrieve and utilise the most recent data more easily and add it into development planning scenarios in APAS.

Bringing together both ecosystem and human health assessments into one platform will support the local air quality management and NPF4 objectives in delivering sustainable places that protect human health and the wider environment.

12. Air quality and domestic heating

12.1 Heat in Buildings Strategy

The Scottish Government’s Heat in Buildings Strategy (2021)³⁵ set out the Government’s policy on Scotland’s route to decarbonisation and aspects of renewable energy development in the built environment, including biomass. The Scottish Government’s position is that bioenergy should only be used in those applications where its carbon reduction impact is maximised, where alternative options are not available, and where it comes from sustainable sources.

Both the Heat in Buildings strategy and proposals included in the consultation on a Heat in Building Bill put forward the Scottish Government’s intention to prohibit the use of polluting heating systems after 2045. In addition, homes would need to meet a minimum energy efficiency standard by 2033, with properties in the private rented sector needing to meet this standard by the end of 2028. These regulations would allow a wide range of suitable clean heating systems to be used, including heat pumps, direct electric heating systems, smart storage heaters and connections to heat networks.

12.2 Medium Combustion Plant Directive

The medium combustion plant requirements of the Pollution Prevention and Control (Scotland) Regulations 2012³⁶ (known as PPC) are designed to control emissions of sulphur dioxide (SO₂) and nitrogen oxides (NO_x) and dust into air from plants with a net rated thermal input of between 1 and 50 megawatts (MW), contributing to improved

³⁴ [UK Air Pollution Assessment Service](#)

³⁵ [Heat in Buildings Strategy](#)

³⁶ [Pollution Prevention and Control \(Scotland\) Regulations 2012](#)

air quality. For more information please visit the SEPA website: [Medium combustion plant - SEPA information](#).

13. Air quality and noise

13.1 Integrating air quality and traffic noise management

Air pollution and noise are often emitted from the same sources (notably road traffic) and locations of poor air quality can coincide or overlap with locations subject to high noise levels. Even where they do not, poor air quality at one location and high noise levels at a neighbouring location may be related through the way in which traffic is managed across the wider area. In aiming for the most beneficial outcome for members of the public, it is important to seek measures that both improve air quality and reduce noise levels – for example speed restrictions – and avoid measures that worsen one while seeking to improve the other. Local authorities should ensure that an integrated approach to managing air quality and noise is taken across all departments, and when working with external partners.

13.2 Air quality action planning and noise

As stated elsewhere in this guidance, air quality action plans must include evidence that all available options have been considered in relation to cost effectiveness and feasibility.

Whenever air quality action plans prioritise measures in terms of costs and benefits, traffic noise should receive due consideration, qualitatively if not quantitatively. Special consideration should be given to noise management areas identified by the noise action plans, and any other areas where a local authority considers traffic noise to be a matter of concern, particularly where proposed air quality measures may potentially impact on noise levels.

Certain measures, particularly those concerned with reducing local traffic flows, may benefit both air quality and noise, although in some cases this may only hold true when speeds are not permitted to increase. Other potential measures that can reduce both air pollution and noise include restrictions on heavy vehicles, reducing speeds on motorways and dual carriageways, and strategies to increase the separation between the source and sensitive receptors, for example by building a bypass. However, measures to lower average speeds of traffic in urban areas, whilst usually benefitting noise, may increase air pollutant emissions. Modelling may be required to determine the optimum public health outcome for a given locality. The level of detail sought should sensibly reflect the scale of changes proposed.

14. Glossary

AQMA	Air Quality Management Area
APAS	Air Pollution Assessment Service
APR	Annual Progress Report
AURN	Automatic Urban and Rural Network
CAFS	Cleaner Air for Scotland – The Road to a Healthier Future
CAFS2	Cleaner Air for Scotland 2 – Towards a Better Place for Everyone
CCC	Committee on Climate Change
COSLA	Convention of Scottish Local Authorities
DAQI	Daily Air Quality Index
DTDES	Diffusion Tube Data Entry Systems
EIA	Environmental Impact Assessment
EU	European Union
JNCC	Joint Nature Conservation Committee
LDP	Local Development Plan
LEZ	Low Emission Zone
NHS	National Health Service
NLEF	National Low Emissions Framework
NMF	National Modelling Framework
NO ₂	Nitrogen Dioxide
NO _x	Oxides of Nitrogen
NPF4	National Planning Framework 4
NTS2	National Transport Strategy 2
PAN	Planning Advice Note
PCLG	Pollution Control Liaison Group
PDR	Permitted Development Rights
PG 22	LAQM Policy Guidance 22 (England and Wales)
PG (S) 24	LAQM Policy Guidance 24 (Scotland)
PHS	Public Health Scotland
PM _{10/2.5}	Particulate Matter less than 10 micrometres and less than 2.5 micrometres in diameter respectively
PPC	Pollution Prevention and Control
QA/QC	Quality Assurance/Quality Control
RTP	Regional Transport Partnerships
ScotZEB	Scottish Zero Emission Bus Challenge Fund
SEA	Strategic Environmental Assessment
SEPA	Scottish Environment Protection Agency
SO ₂	Sulphur Dioxide
Sox	Oxides of Sulphur
SNH	Scottish Natural Heritage (now NatureScot)
SPCCC	Scottish Pollution Control Coordinating Committee

STAG Scottish Transport Appraisal Guidance
STPR2 Strategic Transport Projects Review
TG 22 LAQM Technical Guidance (UK-wide)
UK United Kingdom
WHO World Health Organisation



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