Under the Environment Act 1995 (as amended), the Council must monitor and review local air quality against health-based Air Quality Objectives. Where those objectives are exceeded, the Council must declare an Air Quality Management Area (AQMA). Kirklees currently has seven AQMAs. The Council must identify measures to reduce emissions and improve air quality across the AQMAs and the wider district and set these out in an Air Quality Action Plan (AQAP) every five years.

Before the proposed measures or actions can be adopted, the Council must submit the draft AQAP to Defra for approval. Defra oversees the Local Air Quality Management process. The deadline for submitting the draft AQAP to Defra was 31st May 2026.

Because of the Defra deadline, and because there has been no sitting Cabinet since the pre-election period, the decision to submit the draft Air Quality Action Plan 2026-2031 has been made by the Executive Director for Place.

This decision is being taken on the basis of ‘delegation by exception’, which is permitted under the Constitution. The Constitution also allocates to the Executive Director all functions and responsibilities relating to the strategic direction and development of the Council’s environmental strategy, unless legislation prevents this.

Once Defra has approved the draft AQAP, the final AQAP will be presented to Cabinet for consideration and approval.