Air Quality Management Area and draft Air Quality Action Plan

To: Cabinet – 17 November 2011

Main Portfolio Area: Environmental services

By: Harvey Patterson, Corporate & Regulatory Service Manager

Classification: Unrestricted

Ward: All wards

Summary: In April 2010 the Council declared Thanet’s second Air Quality Management Area (AQMA) at High Street St Lawrence. An Air Quality Action Plan has been produced to help tackle pollution and must be submitted to Defra following Cabinet approval.

Following stakeholder meetings and public consultation it is also recommended that the boundaries are re-defined to incorporate both AQMAs and encompass the entire urban area and that the draft Action Plan is approved:

a) Confirm new urban AQMA declaration; and

b) Support draft Air Quality Action Plan.

For Decision

1.0 Introduction and Background

1.1 Urban AQMA declaration

In accordance with the provisions of the Environment Act 1995, where a local authority identifies that any part of its area is unlikely to meet a prescribed air quality objective, it has a mandatory duty to designate by Order those areas as Air Quality Management Areas (AQMAs). The Council has already declared the minimum required AQMA boundaries at The Square Birchington and High Street St Lawrence Annex 1.

Extensive monitoring undertaken at 23 locations around Thanet has shown that there are several potential new exceedence areas e.g. junctions at College Road, Margate and Hereson Road / Boundary Road Ramsgate.

Government guidance states that it is entirely a matter for the local authority to determine the extent of any AQMA. Consequently some authorities have declared very defined AQMAs, for example where the source of pollution is possibly static or well determined and limited in extent, whereas others have declared the whole of their borough / district due to either the number of individual AQMAs that would otherwise be needed, the nature of the pollution source (for instance road traffic), ease of administration and financial burden, and the avoidance of blight. By declaring an urban area, as have Maidstone and Canterbury, problems associated with road traffic and transportation can be dealt with in an integrated fashion, not only within the exceedence area or ‘hot spot’, but also across a broader geographical area which is important for strategic planning, transport planning, sustainability and climate change measures. Annex 2 shows the proposed single larger urban area AQMA.
Tackling this in a wider geographical sense has an added benefit in that the Air Quality Action Plan to redress poor air quality can consider broader implications, and on balance is considered to be the preferred option. There is an advantage of only having to make one AQMA declaration, thus future changes brought about should air pollution increase are already provided for. Therefore, any new exceedence area will not require individual consultation, as already addressed within the urban area which has already been consulted on. A single urban AQMA is also more readily linked to other strategies at corporate level i.e. Climate Change Strategy key themes: Transport, Procurement, Planning & Regulation and Education & Promotion; the Corporate Plan key project under the Places priority which includes an action to declare Thanet as an Air Quality Management Area to facilitate planning and transport policy; and the emerging Local Development Framework Core Strategy for Climate Change.

The re-designation of AQMAs will have a positive long term environmental impact by paving the way for the Council to implement measures to reduce air pollution from traffic at affected locations. It is important to note that the Urban AQMA declaration is not anticipated to have a negative impact on economic regeneration in Thanet. The important role of SMEs for Thanet’s economic health is recognised, as is their considerable contribution to continued economic improvement in the area. Existing environmental controls should be sufficient to prevent significant adverse effects on air quality under typical circumstances and, in principle, this proposal is not intended to prevent the birth and growth of small business.

1.2 Air Quality Action Plan

Thanet Council is obliged under section 84 of the Environment Act 1995 to produce an Air Quality Action Plan setting out measures to lower pollutant concentrations within designated Air Quality Management Area (AQMA). The deadline for submission to DEFRA is April 2012. The Council is also obliged to consult with the public and key stakeholders on a draft of this Plan, before a finalised Plan is submitted to DEFRA. This report seeks to fulfil the Council’s statutory obligations in these respects.

The Draft Air Quality Action Plan, which follows a prescribed format, is attached - Annex 3 to this report.

The Air Quality Management Area (AQMA) is an air quality action zone within which:

- Ways to improve air quality are actively sought, planned for and coordinated.
- Ways and means of maintaining improvements in air quality are also sought, planned for and coordinated.
- By declaring an AQMA the vulnerability of an area to poor air quality is recognised and ways to address the problems and help safeguard future air quality are actively sought and carried out through the implementation of an Air Quality Action Plan.

The Action Plan will encourage the use of non-motorised means of transport, such as cycling and walking, as a means of reducing local emissions of pollutants, measures in air quality action plans can help directly improve the health and fitness of local populations. Local measures are one of the most important means by which the UK Government can meet these Air Quality limit values. More importantly, improved air quality has significant health benefits, and local authorities are best placed to improve air quality at localised hotspots and deliver both health benefits and improved quality of life. It will also reduce the financial burden on the Council as less reporting will be required if additional exceedence areas are identified in the future.
2.0 The Current Situation

Although there is no statutory requirement to consult the general public when declaring an AQMA, Government guidance recommends that this is given proper consideration. However, there is a requirement to consult on the draft Air Quality Action Plan. Accordingly, members of the public have been informed of the implications of the declaration by reporting on the declarations in newspapers circulating in the affected areas and inviting comments either in writing, by telephone or in person. The AQMA maps designating the area and draft Action Plan were also placed on the Council’s website, made available at libraries and the Gateway.

We have also:

• Issued a press release
• Leafleted the existing AQMAs
• Environmental Health held a drop-in information day at Westwood Cross; The Square, Birchington and High Street, St Lawrence.
• Updated our air quality website to include the consultation, air quality monitoring data, to include FAQ and promote free parking for Low Emissions Vehicles trial scheme at Alpha Road and Albion Road Birchington car parks.
• Issued contact details for further questions.

Annex 4 contains details of the public consultation.

At the close of the consultation period, comments received were considered and the Draft Action Plan amended as appropriate. The finalised Action Plan will then be sent to DEFRA. Once approved by DEFRA the Action Plan will be published and made publicly available. The Council will be obliged to monitor progress on a regular basis and meet national deadlines, as specified in the national Air Quality Strategy 2007.

3.0 Options

3.1 To approve or not the extended urban AQMA for reasons given above.

3.2 To approve or not the draft Air Quality Action Plan (Annex 3).

4.0 Corporate Implications

4.1 Financial Implications

4.1.1 None outside of the budget.

Free parking for low emissions vehicles is a pilot scheme within Birchington timed to launch with the public consultation, if successful, funding will be sought from developers through planning obligations and the scheme extended to other areas across Thanet.

4.2 Legal Implications

4.2.1 The Environment Act 1995 (section 84) requires that the steps described above are enacted.

The Environment Act 1995 does state the Order must designate the area of land (usually by a map) and be dated and officially sealed. The proposed Orders designating the urban AQMA and map showing the boundary of the area are attached as Annex 2. It is proposed that the Order will become operative immediately as consultation has been carried out. Legal Services have been consulted on the wording and content of the Orders designating the proposed urban Air Quality Management Area.
4.3 Corporate Implications

4.3.1 The main source of nitrogen dioxide contributing to the exceedance of the air quality objective is road traffic. Accordingly, the declaration of an urban Air Quality Management Area and subsequent action plan will have significant implications for land use and transportation planning policies. The focus will be on encouraging the use of non-motorised means of transport, such as cycling and walking, as a means of reducing local emissions of pollutants. This will help to minimise congestion being both an environmental and economic benefit to Thanet.

It is firmly linked to strategies at corporate level i.e. Climate Change Strategy key themes: Transport, Procurement, Planning & Regulation and Education & Promotion and is also a key project under the Places priority of the Corporate Plan which specifically includes an action to declare Thanet as an Air Quality Management Area to facilitate planning and transport policy as well as the emerging LDF Core Strategy.

In terms of planning policy, the proposal offers significant benefits in ensuring a comprehensive strategic approach to safeguarding air quality. Officer discussions, with transport and strategic planners, suggest this is a logical and practical method for guiding future development and identifying appropriate mitigation measures; with relevant schemes contributing proportionately to elements of the action plan.

Once endorsed by DEFRA, the Action Plan will be publicly available.

4.4 Equity and Equalities

4.4.1 UK research suggests that the prevalence of poor air quality is higher in socially deprived areas. The Defra report on Air Quality and Social Deprivation states:

‘AQMA populations, who are likely to experience high pollution levels by virtue of the designation of an AQMA, are disproportionately deprived relative to the rest of the population in Scotland and England. This apparent inequality is not surprising given that urban populations have a greater number of deprived communities.

AQMAs, at least for those declared for nitrogen dioxide in England, appear to cover a significant number of the census areas that are considered to be high deprivation high pollution (e.g. in the top percentile). Therefore, AQMAs may be an effective means of reducing inequalities in the future, where they realise the necessary reductions.’


5.0 Summary

The principle driver for declaring the urban Air Quality Management Area is the coordination of corporate strategies to offer a comprehensive strategic approach to air quality across Thanet.

This will enable key issues, including road traffic, transportation and development, to be addressed in an integrated manner and will assist in the promotion of effective Air Quality monitoring, management and education across a broader geographic area.
6.0 Recommendations

1) Members are requested to approve the revocation existing Air Quality Management orders at Birchington & St Lawrence (Annex 1).

2) That Cabinet approve the preferred option of declaring the urban area as an Air Quality Management Area for the purposes of meeting nitrogen dioxide air quality objectives set out in the national Air Quality Strategy and in accordance with the Order (Annex 2) to cover the area outlined in blue on the map of Thanet and authorise the application of the Common Seal to the Order.

3) Members are requested to approve the draft Action Plan Annex 3.

7.0 Decision Making Process

7.1 This matter does not involve making a key decision.

Budget and Policy Framework

The decision recommended is in line with the Budget and Policy Framework and the decision may be taken by the Cabinet.

Call-in

The Cabinet’s decision will be subject to the call-in process.

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Reporting to: Penny Button, Environmental Health Manager, 7425

Annex List

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Corporate Consultation Undertaken

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<tr>
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<td>Sarah Martin, Financial Services Manager</td>
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