

Update Report to the Finance, Resources and Partnerships Overview and Scrutiny Committee

1st September 2014

Air Quality Management



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Introduction

Local authorities in the UK have statutory duties for managing local air quality under [Part IV of the Environment Act 1995](#).

The corporate plan details performance in relation to air quality and further information was requested by members regarding management of air quality, this report aims to provide detail on the current and future work required regarding local air quality management throughout the Borough.

Background

The Council has been carrying out reviews of air quality since December 1997; these involve measuring air pollution and trying to predict how it will change over the next few years. The review process aims to make sure that the national [air quality objectives](#) prescribed in the Air Quality Regulations will be achieved throughout the UK by the relevant deadlines. These objectives, as shown in Appendix 'D', have been put in place to protect people's health and the environment.

The Environment Act 1995, implemented rounds of air quality assessments, the programme is detailed as below:

Year	Updating and Screening Assessment	Progress Report	Detailed Assessment*	Further Assessment	Declaration AQMA	Action Plan
2012	USA on 2011 results	-	Whenever necessary			
2013	-	PR on 2012 results	Whenever necessary	Within 12 months of Detailed assessment		
2014	-	PR on 2013 results	Whenever necessary		Based on findings of Further assessment	

2015	USA on 2014 results	-	Whenever necessary			Within 18 months of declaration of AQMA
2016	-	PR on 2015 results	Whenever necessary			
2017	-	PR on 2016 results	Whenever necessary			

* Detailed assessments are required whenever any of the USA or PR identify a likely exceedance of and AQ objective level.

In 2013 a detailed assessment and further assessment of air quality was undertaken of four areas of the Borough where exceedances of the pollutant nitrogen dioxide were identified. The statutory limit for nitrogen dioxide is 40µgm³ and the pollution is created from vehicles. The four identified exceedance areas were:

- Madeley – an area encompassing one property, Collingwood, Newcastle Road close to the M6 motorway.
- Kidsgrove – one area along Liverpool Road and Hardingswood Road from the junction with Heathcote Street and Gloucester Road.
- Town centre – areas within the ring road, namely London Road, Barracks Road and King Street.
- Porthill/May Bank – adjacent to the southern approach from the Queensway to Porthill Bank and the High Street up to the junction with Basford Park Road.

In 2014, a progress report has been undertaken, this is based on the monitoring of air quality in 2013, and this report concurred with the findings of the detailed assessment.

Questions to be Addressed

What is currently being done in respect of air quality?

The detailed assessment has been reviewed and accepted by DEFRA. It is therefore necessary to proceed to declaration of air quality management areas (AQMA) for nitrogen dioxide for the four identified areas. There is a statutory timetable for the declaration and it is intended that these areas will be formally declared by the Council in 2014.

There is a need to consult with members of the public, residents and other stakeholders, on the geographical extent of the air quality management areas being declared. The proposed AQMA are shown in appendices 'E' to 'G'. This consultation period is due to commence from 1st September to 12th October. There is an article in the September reporter, public consultation days have been arranged as follows:

Public Meetings:

- Tuesday 9th September from 9am to 6pm at Kidsgrove Tesco
- Wednesday 10th and Thursday 11th September from 9am to 6pm at ASDA Morris Square, Wolstanton
- Friday 12th and Saturday 13th September from 9am to 5pm in the Town Centre (Market)

Stakeholder Meetings:

- Wednesday 3rd Sept from 7pm to 9pm in the Civic Offices (Council Chamber) - Stakeholder meeting for Town Centre, Maybank, Wolstanton, and Porthill AQMA's.
- Thursday 4th Sept from 7pm to 9pm in Victoria Hall Kidsgrove - Stakeholder meeting for Kidsgrove area.

The following stakeholder will be invited to the respective meetings:

1. Council Leader
2. Portfolio Holder
3. Elected members for relevant Ward
4. Newcastle-under-Lyme Town Centre Partnership
5. Town Centre, Kidsgrove, Maybank, Wolstanton, and Porthill Businesses
6. Kidsgrove Town Centre Partnership
7. Kidsgrove Town Council
8. County Councillor
9. Highways Agency
10. Staffordshire Highways
11. Stoke on Trent Highways
12. Staffordshire County Public Health Lead
13. Stoke on Trent City Council AQ officer
14. Wolstanton Chamber of Trade Businesses
15. GP Surgeries in the area
16. Public Protection Committee Chair
17. Local Planning Authority Committee Chair
18. Head of Planning and planning policy officers
19. Planning Policy officers from Stoke
20. Staffordshire and Stoke on Trent LEP chair
21. Local bus operators / Taxi operators
22. Keele University

What is the future work relating to air quality?

Declaration of Air Quality Management Areas – Winter 2014

Following the consultation exercise, your officers will prepare a report to public protection committee concerning the recommended AQMA's detailing the adopted consultation methodology, the findings of the consultation exercise and a recommended Air Quality Management Area order detailing the boundary of the AQMA in each of the affected area for formal adoption by the council. Once adopted there is a requirement that this is notified to DEFRA.

Preparation and adoption of Air Quality Action Plans – Within 18 months of declaring an AQMA

Following the declaration of the air quality management areas, the Council will need to develop and adopt an Air Quality Action Plan with key stakeholders for each of the affected areas. The local authority is then required to produce an 'action plan' to demonstrate how the Authority intends to work towards meeting the air quality objectives within its Air Quality Management Area. By necessity a number of partners will need to be involved in developing the Air Quality Action Plan and identifying agreed measures and timescales for implementation. As the pollution is vehicle related significant input from the highway authorities will be necessary.

Action plans are required to be submitted to DEFRA within a maximum of 18 months from the declaration of an AQMA. Progress against the action plan and compliance with the

relevant pollutant objectives is required to be reported annually to DEFRA in the air quality report for the preceding calendar year.

Air Quality and Planning

The National Planning Policy Framework (NPPF) recognises that the planning system has an important role to play in improving air quality. To this end the NPPF advises the following:

“Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.”

Air Quality thus becomes a material consideration concerning any of the parameters set out in the NPPF.

Officers within the Environmental Protection Team currently assess all applications for development in the Borough for their impact upon local air quality and in appropriate circumstances will require the developer to submit an appropriate air quality impact assessment for consideration and comment. Appropriate recommendations are then made to the relevant planning authority concerning the development.

Constraints

This work is undertaken within a specific statutory regime with associated technical guidance to assist in the completion of the work.

The detailed assessment required complex computer modelling to be undertaken to determine the AQMAs, this report was completed by TRL on behalf of the Council. TRL are also supporting the stakeholder meetings, the declaration process and assisting with the creation of the action plan.

All work relating to air quality is independently reviewed and validated by DEFRA.

This project work is being undertaken from existing budgets.

Conclusions

The process of monitoring and assessing air quality and introducing AQMAs is complex, but this work is underway and support is being received from consultants.

The authority upon completion of the declaration of AQMAs and the creation of the action plan will have robust plans on how to improve air quality within the designated areas. Due to the pollution being vehicle created, significant work with the highways authorities will be undertaken to bring about the improvements necessary.

We propose to continue to actively monitor and promote controls to improve air quality in accordance with our statutory requirements.

Relevant Portfolio Holder

Environment & Recycling – Ann Beech

Local Ward Members

Town	Cllr Mrs Shenton Cllr Wallace
Porthill	Cllr Cooper Cllr Miss Cooper

Wolstanton	Cllr Miss Olszewski Cllr Woolley Cllr Eastwood
May Bank	Cllr Matthews Cllr J Tagg Cllr S Tagg
Kidsgrove	Cllr Mrs Astle Cllr Bailey Cllr Turner
Madeley	Cllr White Cllr Welsh

Background Materials

Newcastle-under-Lyme Air quality reports available at [Newcastle Borough Council - Air Quality Reports](#)

Newcastle under Lyme Air Quality Detailed and Further Assessment – Client Project Report CPR2631 prepared by TRL

DEFRA Technical guidance TG09