

REPORT TO SCRUTINY COMMITTEE - PLACE

Date of Meeting: 13 September 2018

Report of: Environmental Health and Licensing Manager

Title: Local Air Quality Management

Is this a Key Decision?

No

Is this an Executive or Council Function?

Executive

1. What is the report about?

1.1 To present the statutory Annual Status report that has been submitted to the Department of Environment, Food and Rural Affairs (DEFRA)

2. Recommendations:

2.1 That Scrutiny Committee – Place: notes the statutory annual status report

3. Reasons for the recommendation:

3.1 Action on local air quality is a legal duty placed upon the Council (and all district and county councils) by Part IV of the Environment Act 1995. Safeguarding air quality will help reduce any detrimental effects from air pollution on the health and wellbeing of Exeter's population. We are required under this legislation to submit an Annual Status Report to DEFRA using their template and to present the report to members at a local level.

4. What are the resource implications including non-financial resources.

4.1 The City Council will continue to monitor air pollution and report on levels. This will take place within existing resources.

5. Section 151 Officer comments:

5.1 There are no additional financial implications contained within this report.

6. What are the legal aspects?

6.1 Part IV of the Environment Act 1995 sets out statutory provisions on air quality. Section 82 provides that local authorities shall review the air quality within their area. Section 83 requires local authorities to designate Air Quality Management Areas (AQMAs) where air quality objectives are not being achieved, or are not likely to be achieved (i.e. where pollution levels exceed the air quality objectives) as set out in the Air Quality (England) Regulations 2000. Where an area has been designated as an AQMA, Section 84 requires local authorities to develop an Air Quality Action Plan (AQAP) setting out the remedial measures required to achieve the air quality standards for the area covered within the AQMA. Where air quality issues have been

identified, it is recommended that a steering group is formed to include the main parties involved in developing either Action Plans or Air Quality Strategies.

- 6.2 The Department for Environment, Food and Rural Affairs (DEFRA) has recently provided new statutory guidance in the form of the Local Air Quality Management Policy Guidance (PG16). The guidance gives particular focus to so-called 'priority pollutants' such as Nitrogen Dioxide (NO₂) and so-called 'Particulate Matter' (PM₁₀ and PM_{2.5}) which are relevant to both district and county councils. Local Authorities are required to submit an Annual Status Report (ASR) to the Department for Environment, Food and Rural Affairs in order to report the progress being made in achieving reductions in concentrations of emissions relating to relevant pollutants below air quality objective levels. The completed report is submitted to the Secretary of State (DEFRA) for consideration. DEFRA provide comments back to the Local Authority which the Authority must 'have regard to'.

7. Monitoring Officer's comments:

The Monitoring Officer has no observations to make on this report.

8. Report details:

- 8.1 There are two national objectives for levels of nitrogen dioxide. These are for the average level over a whole year, which should be below 40 µg/m³, and the average level for one hour, which should be below 60 µg/m³. The annual average objective applies to residential, hospital and educational sites. The hourly average objective applies to these sites and to busy streets and workplaces as well.
- 8.2 Exeter City Council has a monitoring network that is designed to identify the areas with the highest levels of nitrogen dioxide, at the locations where the objectives apply. Most of the monitoring sites are therefore on residential properties in close proximity to the busiest roads and junctions in the city. The results of the monitoring conducted by the City Council is not representative of typical or average conditions across the city. Instead it is indicative of the worst case locations.
- 8.3 In recent years the annual average objective has not been met at a number of places in the city. These are Alphington Street, the junction with Blackboy Road and Pinhoe Road, and along the Heavitree corridor into the city. The highest levels are measured on the Heavitree corridor, at East Wonford Hill. Here levels are close to also exceeding the hourly objective, but have not (in the last three years) been above that target. The measured results can be found in table A.3 of the Annual Status Report (appendix 1). Trends in annual nitrogen dioxide concentrations can also be seen in Figure A.1.
- 8.4 A few sites have levels between 35 and 40 µg/m³ (ie are close to but not above the objective level of 40). These are York Road, Barrack Road at Livery Dole, Sidmouth Road and Topsham Road near Tollards Road. Away from these locations, but still along the busy routes into and around the city, concentrations of nitrogen dioxide are in the range between 25 and 35 µg/m³.
- 8.5 As you move away from busy roads, levels fall below 25 µg/m³. Typical suburban streets with only local traffic flows experience levels of between 13 and 25 µg/m³. The majority of the population of Exeter therefore live in locations with concentrations of nitrogen dioxide well below the objective, but a small number are exposed at home to levels above the objective. No schools in Exeter experience levels above the objective.

8.6 The Annual Status Report also summarises the results of particulate pollution measurements (PM₁₀). No areas in the city are thought to exceed the objectives for this type of air pollution. Measurements of PM_{2.5} have been made in Exeter since July 2018 following the replacement of the fixed air quality monitoring equipment. This data will be presented to the committee in future annual reports on air pollution.

8.7 The annual status report also summarises the measures that the City Council has taken in the last year to reduce pollution levels, and the actions that will be implemented in the coming year (table 2.2 of the Annual Status Report). Work in this area is also being co-ordinated with Exeter City Futures.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The main contribution of effective management of air quality is to support the purpose of 'Keep me / my environment safe and healthy and building a stronger city'.

10. What risks are there and how can they be reduced?

10.1 Various risks have been identified to the air quality in Exeter. These include pressures from future development and failure to agree or implement measures to reduce transport emissions. These risks will be monitored over the coming year and as the Air Quality Action Plan develops and steps taken to mitigate and risks as appropriate.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

11.1 Areas with high levels of air pollution tend to be relatively deprived. This means that more deprived populations are disproportionately affected. There is a higher incidence amongst deprived populations of the types of diseases that are exacerbated by poor air quality. Thus the most vulnerable members of society are often worst affected by air pollution.

12. Are there any other options?

12.1 No, the action to reduce exposure to PM_{2.5} and to reduce local air pollution where levels exceed the government objectives are legal duties imposed on local authorities through Part IV of the Environment Act 1995.

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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

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