

Overview and Scrutiny Committee



Forest Heath
District Council

Title of Report:	LOCAL AIR QUALITY STRATEGY - PROGRESS REPORT 2015-2016	
Report No:	OAS/FH/16/023	
Report to and dates:	Overview and Scrutiny Committee	15 September 2016
	Licensing and Regulatory Committee	10 October 2016
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Lead officer:	Peter Gudde Service Manager – Environmental Health Services Tel: 01284 757042 Email: peter.gudde@westsuffolk.gov.uk	
Purpose of report:	To report the work undertaken during 2014-2015 to meet Local Air Quality regulations across the District and recommend changes to the approach and specific actions.	
Recommendation:	<p>Overview and Scrutiny Committee:</p> <p>It is <u>RECOMMENDED</u> that the Committee is asked to support and recommend to the Licensing and Regulatory Committee the proposal to undertake external consultation on the proposal to amend the declared area of the Air Quality Management Area in Newmarket, subject to technical approval from Defra.</p>	

Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>		<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:		<ul style="list-style-type: none"> Consultation will be required with Defra and, following approval by Licensing and Regulatory Committee, other organisations as specified in Schedule 11 of the 1995 Environment Act. 	
Alternative option(s):		<ul style="list-style-type: none"> Not taking action covered by the recommendations – this would leave the Council at risk of challenge by the public and the Department of Environment (Defra) for not meeting its statutory obligations under the Local Air Quality Management regulations to protect public health. 	
Implications:			
<i>Are there any financial implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
<i>Are there any staffing implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
<i>Are there any ICT implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • An Equalities Impact Assessment will be undertaken prior to the statutory consultation. The outcomes of the Assessment will be taken into account during this process.	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Statutory Responsibilities	Medium	Delivering the statutory responsibilities will help reduce the inherent level of risk.	Low
Reputational	Medium	The Councils' work will help achieve a credible pathway to improving air quality.	Low
Financial	Low	Cost-benefit of key work will continue to be reviewed and adjusted.	Low

Ward(s) affected:	All Wards Specifically in relation to the Newmarket AQMA – All Saints, Severals, St Mary's
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	
Documents attached:	Appendix 1 – Further details of the conclusions of the strategic review of air quality procedures. Appendix 2 - 2016 Air Quality Annual Status Report (ASR) published June 2016.

1. Key issues and reasons for recommendation

- 1.1 Air quality has direct implications for human health. Research shows that poor air quality can reduce the quality of life by causing health problems, especially in those who are more vulnerable such as children, the elderly and those with pre-existing health conditions. There is considerable research showing a link between exposure to air pollution and effects on health.
- 1.2 Improving the air quality will help to improve the long term health of our local communities, makes our towns more attractive places to visit and therefore improves the local economy.
- 1.3 The Air Quality Regulations 2000 require all local authorities in the UK to review and assess air quality within their area. The West Suffolk Councils are the lead regulators within their administrative areas with respect to the management of local air quality. Officers in Planning and Growth carry out various activities to fulfil these responsibilities. This includes monitoring local air quality, implementing any statutory and non-statutory actions for the purpose of improving air quality, providing advice on air quality and development.
- 1.4 The key pollutant of concern locally is Nitrogen Dioxide (NO₂), which is primarily caused by emissions from vehicle exhausts, for which the national annual mean objective (threshold) is 40 microgrammes per metre cubed to be applied at the façade of residential properties. An hourly objective also exists for NO₂, to be applied along busy shopping streets, and should be considered where the annual mean level is 60 microgrammes per metre cubed or greater. Currently there are 35 monitoring sites within Forest Heath.
- 1.5 Road transport is a major source of air pollution both nationally and locally. The Councils in West Suffolk work with other organisations to maintain and monitor the quality of air in the locality. Suffolk County Council and the Highways Agency are key partners and work with Council Officers to secure good air quality.

2. Outcomes during 2015-2016

- 2.1 For the majority of the District, air quality remains good. However, our work has concluded that some areas of the major towns warranted further monitoring to confirm that this continues to be the case in respect of the main pollutant of concern, NO₂.
- 2.2 An Air Quality Management Area exists in Newmarket along the High Street and Old Station Road, which was declared in 2009. This remains the only Air Quality Management Area in Forest Heath. Limited actions have been undertaken with respect to this Air Quality Management Area as County Council Highways are awaiting the results of the High Street Design Brief, which is being progressed by the West Suffolk Councils. One action that has progressed is better signage of the off street car parks within Newmarket town centre, which is anticipated will improve traffic movements and therefore help reduce levels of air pollution. It is understood this will be implemented in September 2016.

2.3 However, broad action continues throughout the District using our influence through the planning process. For example, we are now requesting, for larger developments, all new dwellings with off street parking should be provided with an electric vehicle charge point to encourage the uptake of zero emission electric vehicles. We also carry out initiatives, where relevant with others, to raise awareness particularly focussed on the impact of transport choices.

2.4 During the year, in addition to the routine work your officers undertook a more strategic review of the approach across West Suffolk by the shared service. The timing and scope of the review reflected several factors and needs:

- changes to statutory guidance published by the Department of the Environment (Defra)
- The role of Suffolk County Council Highways Department in respect of air quality management in the light of experience locally and across Suffolk
- Experienced gained with respect to air quality regulation and planning since the publication of the National Planning Policy Framework in March 2012
- the need to revise, consult upon and adopt an Air Quality Strategy in Forest Heath District Council when it lapses in 2012-2017 given that a shared service approach has been operating for over three years and no equivalent was adopted in St Edmundsbury.
- the need to raise awareness of the issues of Local Air Quality as they affect the District.

2.5 The review has concluded the following, with additional details provided in **Appendix 1**:

- i. The new streamlined report as recommended by Defra will be adopted on a yearly basis. Full report included as **Appendix 2**.
- ii. The Air Quality Management Area in Newmarket can be amended to exclude the High Street as this is shown to be compliant, but further evidence is required before revoking along Old Station Road.
- iii. It is recommended that the Air Quality Strategy adopted by the Council in 2012 is allowed to lapse as the information therein is provided within annual reporting.
- iv. Boroughs and Districts throughout Suffolk are committed to working together to improve working practices with Suffolk County Council Highways.

Further details of the conclusions of the strategic review of air quality procedures within West Suffolk

- i. *Streamlining of reporting to Defra following a new template report published alongside their revised statutory guidance* - The completed Annual Status Report covering the calendar year 2015 is attached at Appendix 1 for information. By its nature, this is a technical report. Your officers endeavour to provide non-technical information to assist as wide an audience as possible to appreciate the work that is undertaken and be able to make informed choices, particularly where development may be proposed in areas with elevated NO₂ levels.
- ii. *Proposal to amend the area of the Air Quality Management Area in Newmarket* - A Detailed Assessment is presented within the Annual Status Report that demonstrates the hourly objective for NO₂, which would apply along the High Street shopping area, is not at risk of being breached. The Detailed Assessment also demonstrates that the threshold for the annual mean objective has been consistently met at the ten monitoring points along the High Street since 2011 with levels showing a continued downward trend. The High Street has therefore complied with the air quality objectives for several years and it is recommended the Air Quality Management Area along the High Street be removed, subject to technical approval from Defra and external consultation.

Modelling undertaken on behalf of FHDC by consultants TRL Ltd in 2011 indicated the section of the Air Quality Management Area along Old Station Road had some of the highest levels of pollution. Old Station Road is also considered more sensitive in terms of the annual mean objective due to there being ground floor residential accommodation. Although the single monitoring point along Old Station Road has shown compliance with the Annual Mean Objective, the monitoring point has had poor recovery resulting in less confidence in these results. It is also at the outermost extent of the AQMA and therefore may not represent worst case scenario. This single monitoring point cannot therefore provide the robust evidence required by Defra to recommend revocation. Greater monitoring will occur along Old Station Road to ensure robust evidence is gathered. The detailed explanation and justification is set out in **Appendix 1**.

- iii. *Proposal that a replacement Air Quality Strategy is not necessary after the current version lapses in 2017* - changes to the statutory guidance in terms of report-style now addresses much of the ground covered by the current strategy. The Council were already committed to adopting its current strategy at the time that the shared service was being formed. The service has operated as a fully integrated across West Suffolk for over three years without an equivalent strategy being necessary in St Edmundsbury.
- iv. *Districts and Boroughs throughout Suffolk to look to work together to ensure better communication with County Highways* - the majority of local air quality improvement is dependent on actions that could be taken by Suffolk County Highways but for various reasons are not. Effective engagement has been challenging despite the Borough and District councils efforts over the last four years. This reflects a national pattern. Following consultation, Defra revised the statutory guidance in order to reinforce the role of highways authorities in Local Air Quality Management. Following its publication, the Councils in West Suffolk are now in discussion with other partners with the purpose of securing better participation of Highways in Local Air Quality management.