



Title	Local Air Quality Management
For further information about this report please contact	Paul Briggs – (01926-456714) Richard Hall (01926-456700)
Service Area	Environmental Health
Wards of the District directly affected	All Wards
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No
Date and meeting when issue was last considered and relevant minute number	25 th March 2008
Background Papers	Air Quality Action Plan; Air Quality Management Orders; Report to 25 th March 2008 Executive.

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes

Officer/Councillor Approval

With regard to officer approval all reports must be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).

Officer Approval	Date	Name
Chief Executive	21.5.09	Chris Elliott
CMT	21.5.09	
Deputy Chief Exec	21.5.09	Bill Hunt
Section 151 Officer	15.5.09	Mike Snow
Legal	15.5.09	Peter Oliver
Finance	15.5.09	Mike Snow
Portfolio Holder(s)	15.5.09	Felicity Bunker

Consultation Undertaken

- 1) An extensive public consultation exercise has been conducted during the production process of the AQAP document.
- 2) Work undertaken by WDC in association with WCC and AQ Consultants in the production of the latest USA before the submission to DEFRA (on time and meeting the deadline of April '09).
- 3) 2 years worth of data modelling / assessment as well as consultation from DEFRA and AQ Consultants in terms of the Barford AQMA revocation.

Final Decision?	Yes
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1. SUMMARY

1.1 Adoption of the Air Quality Action Plan

Minute 1061 approved the Executive report of 25th March 2008 in relation to finalisation of an Air Quality Action Plan. This Action Plan is now being brought back for approval.

1.2 Completion / Submission of the latest Updating and Screening Assessment (USA) document to DEFRA

WDC commissioned AQ Consultants to produce the latest USA document as set out within the Air Quality framework / legislation. The document was submitted to meet the scheduled deadline for DEFRA assessment by the end of April 2009. The Executive Summary of the latest USA is set out in Appendix 2.

1.3 Revocation of the Barford Air Quality Management Area (AQMA)

Within the latest Upgrading and Screening Assessment document, in relation to the Barford AQMA, there have been 2 years of low nitrogen dioxide concentrations within Barford following the Barford bypass construction completion. It is therefore now proposed that the AQMA can now be revoked.

2. RECOMMENDATION

2.1 That the Air Quality Action Plan document is fully adopted.

2.2 That the latest Updating and Screening Assessment document completion and submission to DEFRA, be noted.

2.3 That the proposed revocation of the Barford AQMA be approved.

3. REASONS FOR THE RECOMMENDATIONS

3.1 The Council is required to formally adopt the Air Quality Action Plan and to approve revocation of the Barford AQMA.

3.2 Executive is asked to note the ongoing process of review and assessment of air quality which the Environmental Health department carries out, of which the USA report is a part.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 There is no legal alternative to the publication of an AQAP.

4.2 Once it has been determined that remedial actions have removed the necessity for the retention of an AQMA, there is a legal requirement that such AQMA areas be revoked following all consideration of all other potential influences within that area.

5. BUDGETARY FRAMEWORK

5.1 The work of monitoring and assessment of air quality is part of the normal function of the Environmental Health department and therefore there is no budgetary implication.

6. POLICY FRAMEWORK

- 6.1 The Corporate Strategy refers to maintaining high standards of environmental services across the district delivering a sustainable and quality environment. The work to improve air quality contributes to this.

The work also aligns with the County's Local Transport Plan and Local Planning Policies for transport which contribute to meeting the CO₂ reduction targets.

7. BACKGROUND

- 7.1 It is a requirement, under the Environment Act 1995 Part IV, to produce the AQAP document (AQMA's) in circumstances where there are exceedances or if there are likely to be exceedances of air quality standards.

After extensive monitoring and assessment the only parameter identified to be exceeding the air quality standards was nitrogen dioxides (NO₂).

As such, the aim of the Action Plan is to identify how WDC will use its existing powers and work together with other organisations in pursuit of the Air Quality Objectives for nitrogen dioxide. Measures were proposed to improve air quality both within the Districts AQMA's and across the District as a whole.

- 7.2 WDC in association with WCC and AQ Consultants worked on the Air Quality Action Plan (AQAP) for Warwick District, completing the document for submission to DEFRA in October 2008. The submission followed the consultation process encompassing all relevant statutory bodies and the public.

The AQAP was endorsed by DEFRA when notification of their acceptance of the report format and findings was received on the 23/02/09. Only minor amendments / recommendations were required, which have now been included within the final AQAP document. The acceptance from DEFRA is set out in Appendix 1

- 7.3 It is a legal requirement that local authorities review the levels of all relevant pollutants in their districts and infrastructure changes such as roads and buildings on a three year cycle. This constitutes the Upgrading and Screening Assessment (USA). WDC have submitted the report to DEFRA and, as the process requires, are awaiting comments and approval of the document.

If potential problems are identified, this leads to further detailed monitoring work.

- 7.4 Nitrogen dioxide levels within the Barford AQMA (as measured over the last two years) have dropped significantly below the legal limits due to the construction of the Barford bypass. It is therefore appropriate to revoke the existing AQMA. The revocation process requires notification and consultation. The Parish Council will be notified, in writing, and asked to disseminate the information to the local residents.

All relevant statutory bodies will also be contacted and the revocation documents will be published on the WDC website. The passive NO_x monitoring tubes that will be removed from the current AQMA in Barford shall be relocated in the Coventry Road vicinity of Warwick to aid in the investigation / pinpointing of the Warwick AQMA boundaries.

The proposed revocation document that will be published is set out in Appendix 3.

APPENDIX 1

DEFRA Review / Recommendations of the WDC AQAP

Re: “Air Quality Action Plan” Warwick District Council 2008

The air quality issue(s):

The submitted report contains a comprehensive summary of the review and assessment work conducted in Warwick to date and outlines the requirement for the declaration of an Air Quality Management Area and subsequent provision of an Air Quality Action Plan. In terms of air quality management the key issues are:

- Following a Detailed Assessment in 2004, Warwick District Council declared Air Quality Management Areas (AQMA's) in Leamington Spa, Warwick and Barford.
- The AQMA in Warwick was subsequently extended with effect from 1st July 2008 following results of a Further Assessment.
- Two new AQMA's are also proposed, in Kenilworth along sections of Warwick Road and New Street.
- All AQMAs were declared for likely exceedences of the annual mean objective for NO₂.
- Source apportionment demonstrated that of the locally generated road component of nitrogen oxides, cars and rigid HGV's make up the major proportion of emissions.
- Within the Warwick AQMA, a minimum reduction of 43.1% in NO_x is required. For the Leamington Spa AQMA, a minimum reduction of 45.3% in NO_x is required.

The Draft AQAP (2007):

A draft version of the Air Quality Action Plan (AQAP) was submitted to Defra in 2007. The draft plan incorporated information outlined in Defra's guidance on Action Plans and described existing plans and policies in the District that have a bearing on air quality.

The draft plan detailed statutory and non-statutory consultation being undertaken by the Council and identified 15 measures grouped under 5 themes that were to be considered. Direct action themes included reduction of traffic flows, reduction of emissions and encouragement of public transport uptake. Indirect action themes were identified as reduction of the need to travel by car and reduction of background concentrations.

Assessment of the air quality benefits of the direct measures was reported as ongoing. The report provided a qualitative assessment of the potential air quality improvements and the result of three preliminary scenario assessments.

It was indicated that financing of measures in the action plan required further consultation before being finalised and that the implementation timescales, cost-effectiveness and the prioritisation of measures would be further developed in the final action plan.

Following submission of the draft AQAP, a series of recommendations were forwarded to Warwick Council for their consideration during the finalization of the Action Plan. A summary of these recommendations is presented below:

- a) *The air quality emission reductions for the actions should be calculated where appropriate. For example, for feasibility studies on traffic management options, inclusion of the quantification of the likely emission reduction, along with an implementation plan, should be made.*

- b) Targets and key performance indicators for each action should be identified if possible. This will clearly focus action and performance success towards meeting the aims of the Action Plan. Where this is not practicable now, a commitment to identifying such should be made.*
- c) Clear statements should be included on the implementation timetable, whether the plan is to be fully integrated with a Local Transport Plan and whether the final plan will be sufficient to achieve the air quality objective in the AQMAs.*

The Final AQAP (2008):

Following receipt of these comments / recommendations, Warwick DC have demonstrated considerable effort in addressing these in the updated version of the Action Plan.

Information is provided within the report concerning expected air quality improvements in the AQMA as a result of implementing the individual measures. Improvements are described in terms of low/medium/high. It is expected that in future progress reports that further quantification of emissions reductions would be provided where possible. We appreciate that this is difficult to do for some actions; however, a calculation or best estimate should be given for each.

The Council has provided timescales for each action however it is noted that timescales are described as short/medium/long-term or ongoing. We would recommend that in future reports a specific deadline, preferably a month and year is given for each action. Where actions are ongoing it is suggested that these are broken down into smaller tasks, or sub-actions, which can be given individual deadlines. This will allow the Council to evaluate progress against these targets. The final action plan does clearly identify indicators for each action/measure identified as recommended.

The final action plan clearly states that Warwick District Council aims to integrate its air quality action plan with the WCC Local Transport Plan (LTP) 2006 – 2011.

Conclusions

The final report 2008 is well structured and the action plan is largely consistent with guidelines in LAQM.PG(03) and has been updated in light of recommendations made following submission of the draft report in 2007. The report gives a detailed and thorough evaluation of the current situation; required improvements and an action plan which will address the issues.

The overall purpose of an action plan is to detail those actions which will be implemented, detail the indicators which will be monitored to follow progress, and to set out targets for these indicators along with an assessment of air quality benefits that would occur as a result of the action.

It is recommended that the Council identify performance indicators and clear targets for as many actions as feasible, and where possible list sub-actions for long-term measures. In future progress reports the Council should provide an indication of the success of each measure in terms of quantified evidence relating to emissions reductions. The Council however is commended for its efforts to date and it is recommended that the final action plan be accepted.

APPENDIX 2

2009 Air Quality Updating and Screening Assessment – Warwick District Council

Executive Summary

This report fulfils the requirements of the Local Air Quality Management process as set out in Part IV of the Environment Act (1995), the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 and the relevant Policy and Technical Guidance documents. It represents Warwick District Council's third Updating and Screening Assessment (USA). Results from monitoring by the Council are presented and any potentially significant sources of emissions are identified. The USA evaluates those changes since the last assessment, which could lead to the risk of an air quality objective being exceeded.

The monitoring carried out in the district has not identified any exceedences of the PM₁₀, sulphur dioxide and carbon monoxide objectives.

For nitrogen dioxide, there are still widespread exceedences of the annual mean objective, and of the hourly objective at Pageant House. In the majority of cases, the exceedences are within currently declared AQMAs. The exceptions are Tachbrook Road, West Street and Coventry Road.

Tachbrook Road is a site where there are exceedences, but no relevant exposure.

Due to the maintenance work on the building on which the original tube was located in West Street (representing relevant exposure), the diffusion tube site was relocated to the nearest lamppost (from the 30th October 2008), which was on the opposite side of the road, and much nearer to the road. This site is not representative of exposure, and currently only 2 months of data are included in this report. This site will be further analysed once more data are available, and, where necessary, corrected to the site of nearest relevant exposure.

Coventry Road currently has one diffusion tube site, at a location of relevant exposure, exceeding the objective. It is proposed that Coventry Road will be re-evaluated within a Detailed Assessment and an AQMA declared following the Detailed Assessment, if required.

In relation to the Barford AQMA, a bypass was implemented in 2006 which significantly reduced traffic flow, and the resulting nitrogen dioxide concentrations. Since then, there have been 2 years of low nitrogen dioxide concentrations within Barford and as such, it is recommended that the AQMA can now be revoked. Because the data are so clear cut, it is advised that a Detailed Assessment (or any further modelling) is not required in order to revoke the AQMA.

The USA has not identified any significant changes in emissions sources within the Warwick district area. There have been no new relevant industrial installations and no new or substantially altered roads within Warwick District area. There are also no new significant commercial, domestic or fugitive sources of emissions.

APPENDIX 3

Draft AQMA Revocation documents for Barford

WARWICK DISTRICT COUNCIL

Air Quality Management Order N^o. 6 Barford (Revocation)



Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5HZ (the Council) in exercise of the powers conferred on it by the Environment Act 1995 Section 83 HEREBY ORDERS THAT:

1. This Order may be cited as the Warwick District Council Air Quality Management Area Order N^o.6 – Barford (Revocation) and will come into operation on ** **** 2009.
2. The designated area, hatched on the plan prepared, was declared to be an Air Quality Management Area under Order N^o.3 in December 2004. The map was deposited at the offices of the Council.
3. The Air Quality Management Area N^o.3 was designated as an air quality management area in relation to the pollutant Nitrogen Dioxide (NO₂; annual average) only.
4. This Order **REVOKES** the Air Quality Management Order N^o.3

Dated:

THE COMMON SEAL of
WARWICK DISTRICT COUNCIL
was hereunto affixed in the presence of:-

Duly Authorised Signatory

WARWICK DISTRICT COUNCIL

Air Quality Management Order N^o. 6 Barford (Revocation)



Schedule of Roads and Properties included within the Order

Properties fronting onto the following streets in Barford

- Bridge Street – full length from the river bridge to the junction with Church Street
- A short length of Church Street – up to and including property N^os: 1 & 4
- Wellesbourne Road – from the junction with Church Street up to and including property known as Unit 2 Barford Exchange

Existing AQMA Order N^o. 3 – Barford

