

Wiltshire Council

Cabinet

19 October 2010

Subject: Air Quality Strategy for Wiltshire.

Cabinet member: Councillor Keith Humphries – Health and Well Being

Key Decision: Yes

Executive Summary

District Councils and Unitary Authorities have a duty to monitor air quality within their areas having regard to national air quality objectives and standards and report this information to Department of for Environment Farming and Rural Affairs (DEFRA) annually. There are seven pollutants which we are required to consider under European and UK law, these include lead, benzene and sulphur dioxide.

Air quality in Wiltshire easily meets these standards with the exception of the annual averages for nitrogen dioxide and fine particulates (PM10). Both these parameters have proved problematic across the county in historic cities and towns with narrow highly trafficked streets. Other pollutants, such as ozone, are monitored at a national level.

Derogations and extensions to these time periods are being negotiated with the EU in respect of the standards for nitrogen dioxide (2015) and fine particulates (PM₁₀) (2012).

Air pollution can have a considerable effect on health of the young, elderly and vulnerable. The smog's of the 1950's were the prime example of this and resulted in the introduction of the Clean Air Acts.

Today air pollution is not visible in the way it was in the 1950's however it still has the potential to have a significant impact on health.

Parliament's Environmental Audit Committee published a report in March of this year stating that poor air quality reduces average life expectancy in the UK by an average of seven to eight months and it could lead to up to 50,000 premature deaths every year. They called for dramatic changes to be made to the UK's transport policy in order to improve the situation.

The Air Quality Strategy for Wiltshire harmonises the previous district councils' individual strategies. It has been developed as a general core document that sets out in broad terms our commitment to reduce levels of air

pollution across the county. It will help shape policy across the council, encouraging a consistent approach to this subject and has been produced in association with transport planning colleagues. It provides a framework which supports more specific work in areas where problems have been found to exist.

The strategy was subject to public consultation during the early summer and individual reports on the state of air quality were produced for those area boards, which requested this information. The Air Quality Strategy is attached as Appendix 2 to this report.

Following feedback from the Environment Scrutiny panel specific objectives were added in the form of a table of Air Quality Programme Objectives through to 2014. Flow diagrams showing where the strategy sits in relation to other air quality policies and publications and of the Review and Assessment process were also added.

Proposal

It is recommended that the Cabinet approves and adopts the attached Air Quality Strategy for Wiltshire Council.

Reason for Proposal

The Environment Act Part IV places a duty on Wiltshire Council to monitor and achieve the Air Quality Objectives contained in the National Air Quality Strategy and regulations. The strategy contributes to discharging this duty and improving air quality in Wiltshire.

Maggie Rae
Corporate Director Health & Wellbeing

Wiltshire Council

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19 October 2010

Subject: Air Quality Strategy for Wiltshire.

Cabinet member: Councillor Keith Humphries – Health and Well Being

Key Decision: Yes

Purpose of Report

- 1.0** To inform the Cabinet of the Air Quality Strategy for Wiltshire, which seeks to harmonise Air quality policy across the whole of Wiltshire Council's area and to seek its formal adoption by Cabinet on behalf of the council. The Air Quality Strategy is attached as appendix 2 to this report.

Background

2.0 Legal Requirements to monitor Air Quality

District Councils and Unitary Authorities have a duty to monitor air quality within their areas having regard to national air quality objectives and standards. There are seven pollutants which we are required to consider are detailed in table 1 below.

Air quality in Wiltshire meets these standards with the exception of the annual averages for nitrogen dioxide and fine particulates (PM₁₀). Both these parameters have proved problematic across the county in historic cities and towns with narrow highly trafficked streets, as well as metropolitan locations. Other pollutants, such as ozone, are monitored at a national level.

Derogations and extensions to these time periods are being negotiated with the EU in respect of the standards for nitrogen dioxide (2015) and fine particulates (PM₁₀) (2012).

Pollutant	UK Objectives		Date to be achieved by
	Concentration	Measured as	
Benzene	16.25 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2003
	5.00 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2010
1,3-Butadiene	2.25 $\mu\text{g}/\text{m}^3$	Running annual mean	31.12.2003
Carbon monoxide	10.0 mg/m^3	Running 8-hour mean	31.12.2003
Lead	0.5 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2004
	0.25 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2008
Nitrogen dioxide	200 $\mu\text{g}/\text{m}^3$ not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
	40 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2005
Particles (PM ₁₀) (gravimetric)	50 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 35 times a year	24-hour mean	31.12.2004
	40 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2004
Sulphur dioxide	350 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
	125 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
	266 $\mu\text{g}/\text{m}^3$, not to be exceeded more than 35 times a year	15-minute mean	31.12.2005

Table 1

2.1 Why Monitor Air Quality?

The objectives are health related and have been derived by the Government's 'Expert Panel on Air Quality' and based on the epidemiological studies available on the toxicity and effect that each pollutant has on human health.

Air pollution can have a considerable effect on health of the young, elderly and vulnerable. In the 1950's the focus was on smog, which affected

London, and other major cities. The smog had significant impact on people's day to day lives. The Clean Air Acts brought in controls to smoke.

Today air pollution is not visible in the way it was in the 1950's however it still has the potential to have an impact significantly on health.

Parliament's Environmental Audit Committee published a report in March of this year stating that poor air quality reduces average life expectancy in the UK by an average of seven to eight months and it could lead to up to 50,000 premature deaths every year. The MPs said that the UK should be 'ashamed' of its air quality and called for dramatic changes to be made to the UK's transport policy in order to improve the situation.

The report states that failing to act would result in EU imposing fines at national level, which could total as much as £300 million pounds.

2.2 Is Air Quality a problem in Wiltshire?

Generally we enjoy a high quality environment in Wiltshire however there are some specific locations which fail to meet the national objectives due to transport related pollution. These are:

Nitrogen dioxide & Fine Particulates:

- Masons Lane Bradford on Avon

Nitrogen dioxide:

- Warminster Road Westbury
- Shane's Castle Bath Road Devizes
- Salisbury City Centre
- Part of Wilton Road Salisbury (A36)
- Part of London Road Salisbury (A30)

2.3 The Review & Assessment.

The Environment Act 1995 introduced the Air Quality Review and Assessment process. This is a cyclic annual reporting scheme for local air quality. Each round of review and assessment commences with a broad brush *Updating and Screening Assessment*. In the two subsequent years if potential problems are identified a *Detailed Assessment* is produced focusing on the locality where the problem is and if concerns remain then a *Further Assessment* is carried out. If the conclusion of these reports is that an Air Quality Objective will not be met, then an *Air Quality Management Area* must be declared and an *Air Quality Action Plan* must be developed detailing measures that will be taken to reduce levels of pollution. The Review and Assessment process has currently reached its third iteration. Authorities are now also required to produce an Annual Progress Report on Air Quality

The reports are published on Public Protection Services Air Quality webpage, the link for which is below:

<http://www.wiltshire.gov.uk/environmentandplanning/publicprotection/pollutionandnoise/airandwaterpollution/airquality.htm>

And the attached diagrams give an over view of the process and current reports.

The pollutant that is of most concern in Wiltshire is nitrogen dioxide which is contained in exhaust fumes from vehicles. We monitor nitrogen dioxide using a network of small diffusion tubes which are attached to buildings and lamp posts in locations where people are exposed to higher concentrations of exhaust fumes. We also have 4 locations where we use more sophisticated real time monitoring equipment to measure nitrogen dioxide and fine particulates.

2.4 Air Quality Strategy for Wiltshire

The Air Quality Strategy for Wiltshire is a general core document that sets out in broad terms our commitment to reduce levels of air pollution across the county. It will help shape policy across the council encouraging a consistent approach to this subject and has been produced in association with transport planning colleagues. It provides a framework which supports more specific work in areas where problems have been found to exist.

2.4.1 Objectives of the Air Quality Strategy.

These include:

- To promote consistency across a range of policy areas and to ensure air quality is addressed in a multi-disciplinary way.
- To provide a framework for developing consistent approach to addressing local air quality in special planning, the Local Development Framework Core Strategy and Local Transport Plan3.
- To provide a link to wider initiatives across the authority (e.g. Local Area Agreement (LAA), Climate Change programmes and energy efficiency programmes).
- Raise the profile of air quality.
- Highlight and educate about the link between air quality and the risks to human health.
- Promote involvement at all levels through the community boards and other community based initiatives.
- Encourage co-operation and collaboration between Wiltshire Council and our neighbouring local authorities.
- Encourage partnership with and between local businesses.
- Provide a first point of contact and source of information relating to local air quality issues.

2.4.2 Strategy commitments

The Strategy defines commitments in the following areas:

- Spatial planning,
- Transport planning,
- Climate change and energy efficiency
- Health Education
- Industrial and domestic sources

2.4.3 Monitoring the strategy

We will monitor the success of the strategy indirectly through the existing mechanisms and performance indicators for example:

- Air Quality monitoring data collected from the council's network of diffusion tubes and real time monitors.
- National Indicator 194 requires nitrogen oxides and primary PM10 emissions of each local authority's estate to be monitored. This also appears as an indicator in the LAW.
- National indicator 186 Per capita Carbon dioxide emissions in a Local Authorities area which also forms part of the LAW.
- Area wide vehicle mileage, cycling trips and travel to school which are reported as a mandatory LTP indicators

These Indicators are likely to be subject to change by the new government; however they will be retained as local indicators and reviewed as required.

In addition DEFRA's review and assessment process requires the council to monitor and review the Strategy.

Main Considerations for the Council

- 3.0** The strategy unifies air quality policy once carried out by the four district councils' across the whole of Wiltshire council and provides a harmonised framework for air quality policy and future work. It recognises that this is a challenge that can only be achieved through a multi-disciplinary/ agency co-operation and the support of local communities.
- 3.1** The council's spatial planning and transport planning services are fundamental to the delivery of any improvements in local air quality as transport related pollution, highway development and traffic management are inextricably linked. The implementation of the strategy is dependent on these services working closely together with the public protection service and taking a joint lead approach.

Environmental Impact of the Proposal

- 4.0** The objective of the legislation is to protect human health and improve the quality of the environment. Approval of the Air Quality Strategy will provide an important tool to help drive improvements in local air quality. However it is recognised that that due to the heavy reliance on private motor vehicles in the county there are significant challenges to deliver these improvements.
- 4.1** To effectively improve air quality throughout Wiltshire, relationships with key council departments need to be maintained and developed. The delivery of sustainable transport measures through the LTP and community initiatives by the Climate Change Team will aim to reduce private car usage by residents, encouraging the use of public transport.

4.2 The implementation of this strategy should see a decrease in carbon emissions per capita if sustainable transport options are adopted and the Council should lead by example to reduce air quality issues and carbon emissions associated with the transport elements of its services.

Equalities Impact of the Proposal

5.0 Regard has been had to Wiltshire Council’s policies on diversity and equality. The strategy is classed as being “low Relevance” within the Corporate Equality Impact Assessment Framework however the strategy will be applied having regard to legislative duties, council policy and other relevant officer codes of Conduct.

Risk Assessment

Analysis of risk relating to the Air Quality Strategy is detailed below.

Strengths	Weaknesses
<p>Adoption:</p> <p>Allow continuance of progressive work initiated by the district councils.</p> <p>Protects the council from civil litigation & Judicial Review.</p> <p>Maintain the council’s reputation for the protection of the environment & communities.</p>	<p>Rejection:</p> <p>Inhibit officers exercising the council’s legal duties under the legislation.</p> <p>Decisions made in the context of Air Quality may be subject to legal challenge & judicial review.</p>
Opportunities	Threats
<p>To further develop the reputation of the council for protection of environment & communities</p>	<p>Failure to comply with legal duty; council will be ultra vires.</p> <p>Council may be open to claims of compensation.</p> <p>Reputation of the council at risk with potential criticism from DEFRA.</p>

Financial Implications

6.0 The council has a duty to monitor and report on the state of Air Quality in order to establish whether Objectives and Standards given in the National Air Quality Strategy and Regulations are met. The council has a small

budget for limited monitoring, however central funding from DEFRA in the form of grants can be bid for each financial year in respect of Action Planning. Funding has also been secured in Salisbury through Section 106 agreements with developers of two retail sites.

Legal Implications

- 7.0** Adoption of the Strategy will contribute to council achieving compliance with its duties under the Environment Act 1995 Part IV.

Conclusions

- 8.0** The strategy unites air quality policy in one consistent document in an area of work previous pursued by the four district councils. It represents an effective way of progressing toward compliance with national air quality standards and objectives

Proposal

- 9.0** It is recommended that the Cabinet approves and adopt the attached Air Quality Strategy for Wiltshire Council.

Reason for Proposal

- 10.0** To promote consistent approach to air quality policy and to assist with the achievement of compliance with national air quality objectives and standards.

Maggie Rae
Corporate Director Health & Wellbeing

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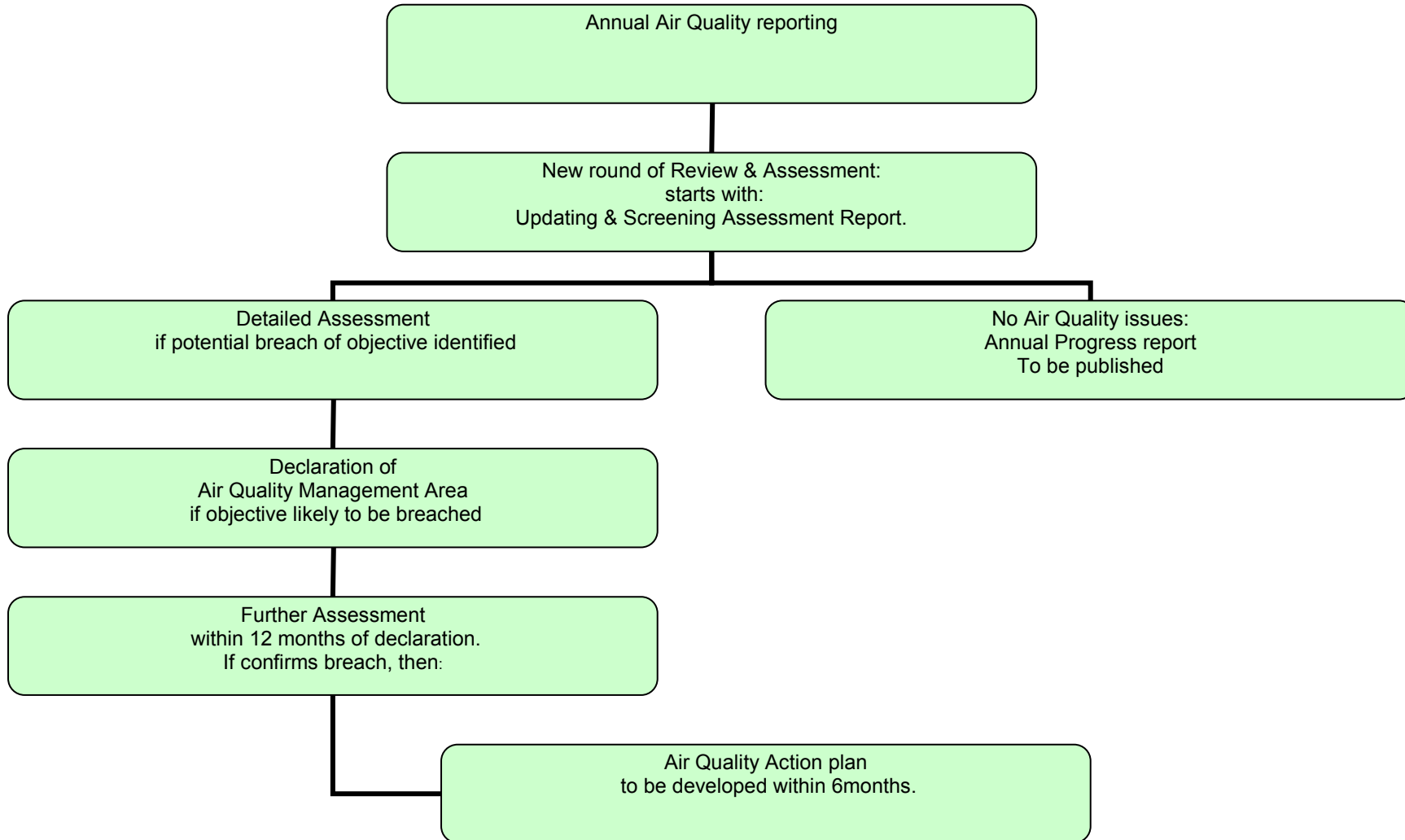
Background Papers

No additional unpublished paper used.

Appendices

- Appendix 1: Flow Diagram of the Review and Assessment Process and Diagram of where the Air Quality Strategy sits in relation to other policies and publications
Appendix 2: Air Quality Strategy for Wiltshire.

Appendix 1: Reporting Process.



Appendix 1: Policies & Publications.

