

CABINET

26th September 2012

REPORT OF THE PORTFOLIO HOLDER FOR THE ENVIRONMENT AND WASTE MANAGEMENT

TITLE OF REPORT Tamworth Local Air Quality Report 2011-12

EXEMPT INFORMATION

None

PURPOSE

To advise Cabinet of the outcome of the updating and screening assessment for local air quality conducted in accordance with current Government requirements and future requirements.

RECOMMENDATIONS

Cabinet Members are requested to:

- Approve the Updating and Screening Report (USA) and recommendations, as submitted to DEFRA, and by these actions take clear ownership of the final report and its conclusions.
- Further approve the release of revenue contingency of £10K (either in 2012-13 or 2013-14 financial years) to undertake necessary air quality assessments to comply with statutory requirements.

EXECUTIVE SUMMARY

The Local Air Quality Management (LAQM) process places an obligation on Tamworth Borough Council to regularly review and assess air quality in its area; a map of the locations is shown at **Appendix 1** and to determine whether or not air quality objectives will be achieved.

Where exceedences in results are considered likely the Local Authority must then declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP).

The conclusion of the 2012 (USA) report was that nitrogen dioxide is the only pollutant that the air quality standards might be exceeded and that this occurred at the A5 Dosthill, Two Gates Crossroads shown at **Appendix 2** and for ease and aerial photographs at **Appendix 3**. For all other pollutants recognised within air quality standards it has been previously established and confirmed by DEFRA that there are no exceedences likely to occur.

Given these results it is necessary to undertake additional monitoring at locations

which may inform whether it is necessary to proceed to a detailed assessment for Nitrogen Dioxide (NO₂) for the Two Gates Crossroads area,

RESOURCE IMPLICATIONS

The cost of a detailed assessment of air quality is estimated to be £8-10K subject to formal Quotations being obtained and this would include recommendations and options to be undertaken within our boundary. Given there is no budgeted allowance to undertake this detailed work it is requested that £10,000 is released from the general fund contingency budget to ensure adequate funding is available.

LEGAL/RISK IMPLICATIONS

Consideration needs to be given to the potential blight of properties in an area where there have been exceedences of air quality objectives. There are no areas declared in Tamworth Borough Council's area therefore a pragmatic approach to managing all aspects of the process especially communication is needed.

Additionally, there are likely to be some key risks in the implementation and operation of the Local Air Quality regime if statutory deadlines are not met or adequate resources are not provided in discharging this statutory function.

SUSTAINABILITY IMPLICATIONS

The cost of air pollution on society and our future is high in terms of health and developing a sustainable environment. This fact is continued to be considered as part of the analysis process of many projects.

BACKGROUND INFORMATION

Members will be aware of the existence of a National Air Quality Strategy that is intended to control and reduce air pollution within the UK. This national strategy is derived from European Directives regarding Air Quality control and management and has been adopted within UK legislation. This National mechanism forms part of European controls on air quality as a whole.

Local Authorities in England have legal responsibility to review and assess air quality locally and to take steps to improve local air quality in consultation with the Environment Agency, the Highways Agency and other authorities as necessary. The Committee on the Medical Effects of Air Pollution (COMEAP) in it's submission to DEFRA speculated that it was more reasonable to consider that air pollution may have made some contribution to the earlier deaths of up to 200,000 people (the number dying of cardiovascular causes) with an average loss of life of about two years per death affected, though that actual amount would vary between individuals.

Tamworth Borough Councils review (Updating and Screening Assessment - USA) of local air quality has been submitted to the Department of Environment Food and Rural affairs (DEFRA) on an annual basis. Two recent reports have flagged up a concern regarding a potential breach of the air quality objective at Two Gates Crossroads. There are four monitoring points in the vicinity of which two have had exceedences of Nitrogen Dioxide. To put this figure into perspective, the concentrations at the nearest relevant exposures (i.e. residents living at properties that are terraced houses) were below the annual mean objective of 40 µg

³micrograms per cubic metre using a fall-off with distance calculator. The levels that were obtained were 33.2 µg/m³ (Q6S) and 34.9 µg/m³ (Q6E), respectively. Furthermore, an hourly objective of 200 µg⁻³ not to be exceeded more than 18 times per year is laid out in the legislation. From the results to date, there have been no exceedences of the 200 µg⁻³ limit. It should be stressed that this does not mean that the air pollution in those locations has been found to be at harmful levels. It is merely that the pollution levels identified in the course of the increasing amounts and intensity of monitoring and modelling undertaken thus far have revealed the need for even closer scrutiny.

Further detailed monitoring at properties is being undertaken with the consent of residents and a further report will be submitted if the need to proceed to detailed monitoring is required.

Any potential fears concerning the possible generation of blight on properties located within the AQMAs does not arise because the inclusion of a premises within the area of an AQMA is not registerable for Land Charges purposes. It is recognised that this is an emotive issue given the potential health concern and personal property, therefore, any relevant information will be provided to Cabinet in subsequent reports.

REPORT AUTHOR

"If Members would like further information or clarification prior to the meeting please contact Steve Lewis, Head Of Environmental Health. Ext 437"

LIST OF BACKGROUND PAPERS

1. 2012 Air Quality Updating and Screening Assessment for Tamworth Borough Council.
2. Written evidence submitted by DEFRA – Parliamentary Session 2012-13.
3. The Air Quality (England) (Amendment) Regulations 2002 (SI 3043).

APPENDICES

1. Map Showing Monitoring Stations in Tamworth Borough.
2. Map Showing Monitoring Sites at Two Gates Cross Road.
3. Aerial Photograph showing Two-Gates Cross Roads.