

## Bath & North East Somerset Council

MEETING:	<b>Cabinet</b>	
MEETING DATE:	<b>5 December 2012</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		<b>E 2490</b>
TITLE:	<b>Proposed Air Quality Management Area for Saltford</b>	
WARD:	Saltford	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>		
Appendix 1: Map showing the proposed Air Quality Management Area		
Appendix 2: A Summary of Consultation Responses – Air Quality Management Area in Saltford		

### 1 THE ISSUE

The Environment Act 1995 introduced a requirement that every local authority is under a duty to carry out regular reviews of the air quality in their boundaries. Following a review of the air quality across the whole of the local authority an area within Saltford has been identified as exceeding the government's acceptable limits for air quality. The authority is therefore required to declare an Air Quality Management Area (AQMA) for that part of Saltford. A consultation exercise has been undertaken to offer various options for the outline of the proposed area and to hear the public's views on what should be included. The Cabinet is being asked to approve the recommended option.

### 2 RECOMMENDATION

The Cabinet agrees that:

- 2.1 An Air Quality Management Area is declared which extends along the A4 Bath Road, Saltford from Beech Road/Manor Road to the Southern end of Saltford which is approximately 12 m from the centre of the road in each direction (as shown in Appendix 1). Any residential property whose façade is within the area is deemed to be included.

### **3 FINANCIAL IMPLICATIONS**

- 3.1 The cost of carrying out the consultation and producing the report have been £3-4K in officer time which has been met from the Public Protection Environmental Monitoring budget.
- 3.2 Following the declaration of an Air Quality Management Area or areas the authority is legally required to produce an Air Quality Action Plan, which states what measures the authority is going to take to reduce the levels of pollution in the affected areas. Prior to declaring its Action Plan, the authority must consult with the local community on the proposed measures.
- 3.3 The Action Plan may commit the local authority to some measure of expenditure. However the Action Plan will require further approval by the Cabinet before being adopted and more detail on the estimated cost of the plan will be provided in that report. The cost of developing the Action Plan and carrying out the consultation will be in the region of £5-6K of officer time and this will be met from within the existing Public Protection service budgets.
- 3.4 Addressing air quality problems is one of the criteria used by the Department for Transport to allocate Local Transport Plan funds to local authorities through the Integrated Transport Block. Improving air quality is one of the main objectives of the Joint Local Transport Plan. Those schemes recommended in the Action Plan that provide good value for money will be considered for funding from the Integrated Transport Plan Block allocation.

### **4 CORPORATE OBJECTIVES**

- *Building a stronger economy*
  - *Where people are able to travel easily with reduced traffic congestion and pollution*

- 4.1 Declaring the Air Quality Management Area will “Make Bath & North East Somerset an even better place to live, work and visit” by highlighting the area of high pollution which needs to be addressed. The Action Plan which is required following the declaration will aim to reduce pollution in the specified area.

### **5 THE REPORT**

- 5.1 The Consultation Report in Appendix 2 forms part of the on-going review and assessment of air quality within Bath and North East Somerset. Local Authorities are required under Part IV of the Environment Act 1995 to periodically review and assess the air quality in their area. Present and likely future quality of the air is compared to air quality objectives. The guidance issued by Department for Environment, Food and Rural Affairs (DEFRA) on how this should be approached has been followed in this assessment.
- 5.2 The report details the consultation which has taken place relating to the extent of the proposed AQMA.

5.3 The consultation shows that 44% of the responses prefer Option 2 – Bath Road for the proposed AQMA. It is therefore recommended based on monitoring data and the consultation that an AQMA be declared for Saltford along the A4 Bath Road extending from the junction of Beech Road to the Southern extent of Saltford as detailed in Appendix 1.

5.4 The full report is attached in Appendix 2.

5.5 The AQMA will be declared by means of an official order.

## **6 RISK MANAGEMENT**

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

An Equality Impact Assessment (EqIA) has been completed. Adverse impacts were identified and have been justified/mitigated in the following ways:

Air pollution effects on the very young, old as well as those suffering from poor health, this is mitigated by ensuring that Air Quality Management Areas declarations are informed by thorough monitoring and that all possible actions are fully explored in the Action Plans.

To ensure air quality is assessed effectively a program of monitoring air quality across the district is in place.

## **8 RATIONALE**

8.1 The rationale behind recommending that the area outlined in Appendix 1 is declared an Air Quality Management Area is that this meets the statutory obligation placed on the authority. The area selected encompasses the area around The Crown which is exceeding the limit value of 40 µg/m<sup>3</sup> and the area around 562 Bath Road where the annual average nitrogen dioxide monitoring was 40 µg/m<sup>3</sup> in 2011 (at the limit value but not exceeding). The area was preferred by 44% of the consultees.

## **9 OTHER OPTIONS CONSIDERED**

9.1 Not to declare an Air Quality Management Area. This is not an option as the Council would be in breach of Part IV of the Environment Act 1995.

9.2 To declare an Air Quality Management Area along the A4 Bath Road, Saltford from Tynning Road to Rodney Road. This is not recommended as there is a further area at 562 Bath Road which is close to the limit value and could lead to a further declaration if levels rise.

9.3 To declare an Air Quality Management Area along A4 Bath Road, Saltford from Grange Road to the Southern end of Saltford. This area includes a section from Grange Road to Beech Road which currently doesn't include any exposure as the houses are set back from the road. However it would prevent possible variations

being required to the Air Quality Management Area if development occurred close to the road.

## 10 CONSULTATION

10.1 *Ward Councillor; Cabinet members; Parish Council; Staff; Other B&NES Services; Local Residents; Community Interest Groups; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Chief Executive; Monitoring Officer*

10.2 A leaflet and questionnaire was delivered to all houses along the A4 Bath Road, Saltford and several houses back on the side roads (approx. 190 houses). Further leaflets were left in Saltford Library and sent to the Parish Council. Details were also posted on our website and sent electronically to all Statutory Consultees (list was taken from PG(09))

## 11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 *Social Inclusion; Customer Focus; Sustainability; Human Rights; Other Legal Considerations (Environment Act 1995)*

## 12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

<b>Contact person</b>	<i>Dr Nicola Courthold, 01225 396622</i>
<b>Sponsoring Cabinet Member</b>	<i>Councillor David Dixon</i>
<b>Background papers</b>	<i>2010 Detailed Assessment of Saltford for Bath and North East Somerset Council.</i>
<b>Please contact the report author if you need to access this report in an alternative format</b>	