

CHESHIRE EAST COUNCIL

REPORT TO: Sustainable Communities Scrutiny Committee

15th July 2010

Date of Meeting:

Report of:

Head of Safer and Stronger

Subject/Title:

A review of Air Quality work within Cheshire East

1.0 Report Summary

- 1.1 A report outlining the Air Quality work within the Borough under the Local Air Quality Management Regime.

2.0 Recommendations

- 2.1 To note the report

3.0 Reasons for Recommendations

- 3.1 To update members and allow the Environment and Prosperity Scrutiny Committee to evaluate the performance of services including the Local Air Quality Management Regime undertaken within the Borough.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications including - Climate change - Health

- 6.1 There is an intrinsic link between Local Air Quality Management, climate change and the health agenda. This updating report however has no significant policy implications.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

- 7.1 None

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

8.1 None

9.0 Legal Implications (Authorised by the Borough Solicitor)

9.1 None

10.0 Risk Management

10.1 No implications

11.0 Background and Options

A Brief Overview of Local Air Quality Management

The Environment Act 1995 requires Local Authorities to review and assess local air quality against national health based objectives for seven key pollutants, as set out in the Air Quality Regulations 2000 (as amended).

The Review and Assessment process is a staged approach, outlined by the Department for the Environment, Food and Rural Affairs. Screening tools and monitoring are used to identify areas where more detailed assessment is required.

If a more detailed assessment determines that a pollutant is exceeding the Government Standard and Objective then a local authority is required to declare an Air Quality Management Area (AQMA) and through an Air Quality Action Plan the Council is required to work towards achieving the Objectives.

The Current Situation

The Review and Assessment process has identified that nitrogen dioxide is the main pollutant of concern in Cheshire East. Nitrogen dioxide emissions are predominantly vehicular based, and exceedances of the objective have been identified in locations where residential properties are in close proximity to busy or congested roads. At present the Borough has twelve Air Quality Management Areas (See Appendix 1) each of which is declared for an exceedance of the Annual Mean objective for nitrogen dioxide.

Duties in an Air Quality Management Area

Local Authorities are charged with a number of duties relative to the declaration of Air Quality Management Areas;

1. Further Assessment of Air Quality within an Air Quality Management Area

There is a statutory requirement to undertake a further assessment of air quality within an Area, within 12 months of designation. The further assessment is used to determine whether the Air Quality Management Area is justified and to analyse in greater detail exactly what is causing the problem.

Work is ongoing within six of the AQMA's; additional monitoring has been sited both within the areas and also in adjacent areas to help to fully define the air quality situation.

2. Action Planning

The local authority is required to draw up an Action Plan setting out how the authority intends to use measures and powers available to work towards improving the air quality within an AQMA. The Action Plan should be submitted within 12-18 months of the designation of an AQMA.

In 2007, an Air Quality Action Plan has been produced for three AQMA's within the former Congleton Borough area, and a further Action Plan has been produced in 2009 for an area within Nantwich. Both Action Plans focus on reducing nitrogen dioxide emissions and detail the initiatives that are planned to address air quality both within the Air Quality Management Area and the Borough as a whole with each AQMA having their own specific action section.

Within the former Congleton Plan, progress has been made with 66 of 69 actions, including 41 that have been completed. One action worthy of note is attached as Appendix 2, which shows a presentation relating to an initiative undertaken within one of the AQMA's.

A revised Action Plan is currently being written in light of changes to the Council following Local Government Reorganisation. The revised plan will incorporate all the legacy authorities' action plans, and develop a strategic approach for the Borough. It is intended to produce a draft action plan by 2011.

The Emerging Situation

The Update and Screening Assessment produced in 2009 identified the potential for 4 further sites within the Borough where levels of nitrogen dioxide were likely to be exceeding the Air Quality Standard and Objective. In addition, the assessment highlighted the potential for an exceedance of the particulate objective in respect of a poultry farm within the Borough. These areas include a poultry plant at Checkley; a

small stretch of railway line at Holmes Chapel; Chester Road, Macclesfield and Altrincham Road, Wilmslow.

As a result of these findings, Detailed Assessments are currently being undertaken and are due to be out for consultation by the autumn.

Air Quality: The Borough Wide Picture

Running in tandem with this work is the production of the Annual Progress Report 2010, which focuses on air quality borough wide. The report has identified Wistaston Road, Crewe as having the potential to exceed the Air Quality Standard Objective for nitrogen dioxide. As a result a Detailed Assessment will be undertaken by April 2011.

A Cheshire East Air Quality Strategy is currently being developed which will be incorporated into the Local Transport Plan. This will ensure that Local Air Quality is considered as an intrinsic part of the transport strategy.

Work is also ongoing with the development of a Low Emission Strategy designed to reduce emissions and accelerate the uptake of low emission technologies through the development control framework. Cheshire East Council has been invited as a partner in the Merseyside Regional Group Initiative, and members will be consulted about this work in due course.

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Rebecca Pointon and Phil Mason

Designation: Enforcement Officers

Tel No: 01270 686597/ 01625 504332

Email: rebecca.pointon@cheshireeast.gov.uk; phil.mason2@cheshireeast.gov.uk