

REPORT TO: HOUSING, DUNDEE CONTRACT SERVICES & ENVIRONMENT SERVICES COMMITTEE - 25th OCTOBER 2010

REPORT ON: VARIATION OF AIR QUALITY MANAGEMENT AREA TO INCLUDE PARTICULATES (PM₁₀)

REPORT BY: HEAD OF ENVIRONMENTAL HEALTH & TRADING STANDARDS

REPORT NO: 567-2010

1.0 PURPOSE OF REPORT

To inform the Committee of the Council's statutory requirement to declare an Air Quality Management Area (AQMA) for particulates (PM₁₀) and seek approval to vary the existing Air Quality Management Area to include this pollutant.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee:-

- (i) notes the requirement to declare an Air Quality Management Area for particulates (PM₁₀)
- (ii) approves variation of the existing order to include PM₁₀.
- (iii) approves the remit to amend the Air Quality Management Area boundary on an ongoing basis.
- (iv) approves the additional remit for the Corporate Air Quality Steering Group as detailed in Section 4.4, 4.5 and 4.6 of this report.

3.0 FINANCIAL IMPLICATIONS

3.1 The expenditure required for the financial year 2010/2011 can be met from the Environmental Health and Trading Standards Department's revenue budget.

4.0 MAIN TEXT

4.1 As directed by the Environment Act 1995 Part IV, all local authorities in the UK are under a statutory duty to undertake an air quality assessment within their area and determine whether they are likely to meet the air quality objectives for a number of pollutants. The process of review and assessment of air quality undertaken by local authorities is set out under the Local Air Quality Management (LAQM) regime and involves a phased three yearly assessment of local air quality. Where the results of the review and assessment process indicate difficulty in attaining health-based objectives for air quality, the authority is required to declare an Air Quality Management Area (AQMA). An AQMA is a geographic area defined by high levels of pollution and exceedences of health-based standards. In this way the local authority declared an AQMA for nitrogen dioxide in 2006 (Reference Committee Report 108/2006, Article V of the Environment Services and Sustainability Committee of 20th February 2006).

4.2 Declaring an AQMA places a further requirement on the local authority to produce an Air Quality Action Plan (AQAP) detailing the measures the authority intends to take to work towards achieving the required standards. To this end the development of the AQAP is ongoing and it is anticipated that this task will be completed early 2011 as per the time table detailed in Appendix 1.

- 4.3 Assessments to date continue to demonstrate that the pollutant of concern within the local authority area is not limited to nitrogen dioxide but also includes particulates (PM₁₀) as contained within the Dundee Detailed and Further Assessment Report 2009. The findings of this report confirm the need to maintain an AQMA for nitrogen dioxide. However, the report also confirms the need to declare an AQMA for PM₁₀
- 4.4 The mitigating measures to address nitrogen dioxide currently being discussed by the Corporate Air Quality Steering Group largely mirror those which will be required for PM₁₀, particularly in respect of traffic. Our consultants recommend that in order for the local authority to meet its statutory obligations, an AQMA for PM₁₀ should be declared. As an AQMA already exists for nitrogen dioxide it is recommended that the Order sanctioning the AQMA be varied to include PM₁₀. Varying the Order will ensure efficient use of the local authority's resources.
- 4.5 The Air Quality Management Area boundary will be reviewed in accordance with the LAQM process on an ongoing basis.
- 4.6 It is proposed that the remit of the Corporate Air Quality Steering Group be amended to include this additional undertaking

5.0 POLICY IMPLICATIONS

This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-poverty, Equality Impact Assessment and Risk Management.

The major issues identified are:

5.1 Sustainability

5.1.1 The sustainability policy principles that are addressed in this report are -

- ensure compliance with relevant environmental legislation and related policy guidance

5.1.2 The acceptance of the contents of this report will assist the Council in meeting its statutory obligations in relation to Local Air Quality Management.

6.0 CONSULTATIONS

6.1 The Chief Executive, Depute Chief Executive (Support Services), Director of Finance, Assistant Chief Executive and Director of City Development have been consulted in relation to this report.

7.0 BACKGROUND PAPERS

7.1 None.

Albert Oswald
Head of Environmental Health & Trading Standards

27th September 2010

APPENDIX 1 - Agreed Timetable for the Development of the Air Quality Action Plan

Action	Previous Target Date	Revised Date
Steering Group Meeting (1)	26th August 2009	Target Met
Finalise Further Assessment Report –	October/November 2009	Target Met
Preparation and dissemination of working draft Air Quality Action Plan, incorporating Steering Group Meeting 1 feedback –	December 2009	Target Met
Steering Group Meeting (2) – Review of draft Action Plan proposed measures and Identification of further actions to be included in the draft Action Plan	December 2009	Target Met
Dissemination of draft Air Quality Action Plan, incorporating Steering Group Meeting (2) feedback.	January 2010	Now end of July 2010
Undertaking of impact assessment for measures where measures lend themselves to dispersion modelling assessment		To be completed during August 2010
Screening Assessment for Strategic Environmental Assessment		End of August 2010
Consultation with Steering Group Meeting (3) following assessment of impacts. Further revision to AQAP as appropriate		September 2010
Preparation of questionnaire and summary document for public consultation.	January 2010	Now end of October 2010
Consultation on draft – with Statutory and external stakeholders (questionnaire and summary document) – Minimum 8 weeks	February/March 2010	Now end of November 2010
Finalisation of Action Plan following consultation comments – depends on consultation timeframe.	April 2010	Now end of January 2011