

<b>Title of Report:</b>	<b>Air Quality Management in Thatcham</b>
<b>Report to be considered by:</b>	Licensing
<b>Date of Meeting:</b>	29 June 2011
<b>Forward Plan Ref:</b>	

**Purpose of Report:** To inform the Licensing Committee of the progress made with air quality management in Thatcham.

**Recommended Action:** The Licensing Committee note for information the principle to the Declaration of an Air Quality Management Area in relation to the exceedence of the annual mean of Nitrogen Dioxide (NO2) levels on a section of the A4 in Thatcham from the Harts Hill Road Junction to the Junction with The Broadway (as shown in Appendix B ) as already agreed by Transport Policy Task Group on 27 May 2011.

**Reason for decision to be taken:** There is a legal duty on the Local Authority to declare an Air Quality Management Area where the Government and EU Air Quality objectives are likely to be exceeded. Measurements in Thatcham currently indicate this is the case at the above location.

**Other options considered:** When exceedences are determined there is a Statutory duty to declare an AQMA therefore no other options are available.

**Key background documentation:** Further Assessment 2010 (Newbury and Thatcham)  
- Detailed Assessment 2009 (Thatcham)  
- Local Air Quality Management Technical Guidance (2003), LAQM TG. (03), DEFRA (2006 Update)  
- The Air Quality Standards Regulations (2007), Statutory Instrument 2007 No 64

The proposals contained in this report will help to achieve the following Council Plan Priority(ies):

- CPP1 – Support our communities through the economic downturn** – to alleviate the impact on different communities and individuals who find themselves out of work and/or disadvantaged
- CPP2 – Raise levels of educational achievement** – improving school performance levels
- CPP3 – Reduce crime and the fear of crime**

The proposals will also help achieve the following Council Plan Theme(s):

- CPT1 - Better Roads and Transport**
- CPT2 - Thriving Town Centres**
- CPT3 - Affordable Housing**
- CPT4 - High Quality Planning**

- CPT5 - Cleaner and Greener
- CPT6 - Vibrant Villages
- CPT7 - Safer and Stronger Communities
- CPT8 - A Healthier Life
- CPT9 - Successful Schools and Learning
- CPT10 - Promoting Independence
- CPT11 - Protecting Vulnerable People
- CPT12 - Including Everyone
- CPT13 - Value for Money
- CPT14 - Effective People
- CPT15 - Putting Customers First
- CPT16 - Excellent Performance Management

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:

Working towards the Governments air quality objectives and ensuring compliance with our Air Quality Policy with the aim of reducing pollution levels in West Berkshire Council

Portfolio Member Details	
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<b>Date Portfolio Member agreed report:</b>	

Contact Officer Details	
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## Implications

**Policy:** These documents are required as part of the national air quality strategy and are in line with our Air Quality Policy.

Local Air Quality Strategy (future planning of Air Quality work in West Berkshire), Local Development Framework (Air Quality as a consideration in proposals) and the Local Transport Plan 3.

**Financial:** The declaration itself has no direct financial implications other than officer time in coordinating the declaration. Future work, however, following declaration of the AQMA, will have both direct and indirect costs. We have used DEFRA Capital Grant to cover part of the costs of the monitoring equipment installed in Thatcham. Although the Grant Programme has been changed for 2011/12 we will still look to seek additional external funding towards maintaining the continuous monitoring unit and diffusion tubes in Thatcham (approx £12,000). If we are unsuccessful in the grant application there will be a financial pressure. If there are any financial implications contained within this report this section **must** be signed off by a West Berkshire Finance Manager. Please note that the report cannot be accepted by Policy and Communication unless this action

has been undertaken.

**Personnel:** Currently work relating to Air Quality is undertaken by a Senior Environmental Health Officer. The declaration itself will not require additional resources; however, as with Finance, the work following the declaration will have a direct impact on officer resources to work on the action plan. This will require diverting officer time from other areas of the Environmental Health Service

Current officer workloads will be prioritised and communicated through routine performance management.

**Legal/Procurement:** As indicated above there is a legal duty on the Local Authority to declare an Air Quality Management Area where the Government and EU Air Quality objectives are likely to be exceeded. Our current monitoring indicates that air quality objectives have been exceeded. This has now been reported to DEFRA in both the Detailed and Further Assessment reports, we are awaiting confirmation of their acceptance of the need for an AQMA to be created.

In discussion with the relevant Portfolio Holder it has been agreed that initial scrutiny provided by the Transport Policy Task Group followed by delegated officer authority is a suitable method to make this decision and the matter will then be referred to the Licensing Committee for information.

The declaration of an Air Quality Management Area will require some support from Legal Services

**Property:** There may be implications should West Berkshire own any properties which fall within the proposed Air Quality Management Area

To the best of our knowledge there are no West Berkshire Council owned properties, which will be impacted by this declaration. Members should be aware for the potential for blight on those private dwellings and businesses which fall within the AQMA

**Risk Management:** There is a statutory duty on the Local Authority to declare an AQMA within 4 months of the acceptance of the need for the declaration. Failure may result in West Berkshire Council's inadequacies being highlighted

**Equalities Impact Assessment:** There may be blight to some of the properties within the declared area.

An assessment will need to be carried out for the options within the action plan as proposals such as Road Charging could have a negative impact on those on a low income, whereas improved public transport links will provide a positive impact.

Where a decision is required, Policy and Communication are not able to accept your report without an EIA being completed. These should be sent to P&C along with your report and should be copied to the Principal Policy Officer (Equality & Diversity). For advice please contact Principal Policy Officer (Equality & Diversity) on Ext. 2441.

**NOTE: The section below does not need to be completed if your report will not progress beyond Corporate or Management Board.**

<b>Is this item subject to call-in?</b>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input checked="" type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

## **Executive Summary**

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### **1. Background**

- 1.1 Under the Local Choice Functions in Part 3 of the Constitution, the Licensing Committee are the appropriate body to be notified when officers exercise their delegated powers in relation to air quality management.
- 1.2 The Transport Policy Task Group and Executive Member have been consulted throughout this process.

### **2. Decision to Declare**

- 2.1 Consultants have been employed to analyse the data relevant to Thatcham and they conclude that an Air Quality Management Area (AQMA) should be declared.

### **3. Conclusion**

- 3.1 Officers agree with the Consultants report and are proceeding with the declaration.

## **Executive Report**

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### **4. Introduction**

- 4.1 The Transport Policy Task Group (TPTG) is the nominated group to examine issues relating to air quality for West Berkshire Council.
- 4.2 On 27<sup>th</sup> May 2011 a report was submitted to the Group for scrutiny and outline agreement with progress being made on Thatcham's air quality management.
- 4.3 This report is specifically designed to update the Licensing Committee on current air quality issues in Thatcham following this scrutiny and liaison with the Executive Member.
- 4.4 The aim of the Government's air quality standards is to improve local air quality and thus improve the standard of living and well being of those people living in areas of poor air quality. Part IV of the Environment Act 1995 and subsequent relevant regulations require West Berkshire Council to monitor and review air quality throughout the District.
- 4.5 AEA Technology Ltd was contracted to undertake a Detailed Assessment of Tidmarsh and Thatcham, and the Further Assessment of Thatcham and Newbury in relation to Nitrogen Dioxide (NO<sub>2</sub>) levels.

### **5. Conclusions from Consultants Reports**

- 5.1 Detailed Assessment - The monitoring and dispersion modelling demonstrate that an AQMA is required in Thatcham and that the declaration of an AQMA should proceed in this area. The AQMA boundary for Thatcham should include all specified receptors where the NO<sub>2</sub> annual mean objective is exceeded.
- 5.2 Further Assessment – Confirmed the earlier detailed assessment conclusion for an AQMA to be declared and also stated that the primary source of emissions were derived from heavy vehicles, local traffic, queuing vehicles near junctions and traffic lights.

### **6. Action following an AQMA Declaration**

- 6.1 The report will be taken to the Executive and once agreed we need to provide DEFRA with a copy of the Order. The Order will be held by Legal but will be available on our website and residents and business will be notified in writing once it has been declared.
- 6.2 Local Ward Members and Thatcham Town Council will be notified at this stage.
- 6.3 There will inevitably be some concerns from residents and businesses with regard to any health implications and the effect that an AQMA could have on their homes. To date, there have only been positive messages to authorities that have declared such areas, with an AQMA demonstrating a commitment to minimising the impact.
- 6.4 Once the declaration is made the Council must submit an Action Plan within 12-18 months of declaring the AQMA to DEFRA, which outlines how it proposes to work

towards reducing the levels of NO<sub>2</sub> within the AQMA. This additional work will require both finance and staff resource. It will also involve both internal and external consultation and partnership working.

## **7. Conclusion**

- 7.1 The Licensing Committee note the Declaration of an Air Quality Management Area in relation to the exceedence of the annual mean of Nitrogen Dioxide (NO<sub>2</sub>) levels on a section of the A4 in Thatcham from the Harts Hill Road Junction to the Junction with The Broadway (as shown in Appendix B).

## **Appendices**

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Appendix A – Detailed Assessment for Thatcham, 2010 and Further Assessment for Thatcham and Newbury (large document so available on request)

Appendix B – Map of area to be declared

## **Consultees**

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**Local Stakeholders:** N/A

**Officers Consulted:** Anna Smy, Paul Anstey

**Trade Union:** N/A

Appendix B

