

Leicester
City Council

WARDS AFFECTED
All Wards

Cabinet

8 November 2004

Leicester's Statutory Air Quality Action Plan

Report of the Service Director, Community Protection and Well-being

1. Purpose of Report

To introduce the first consultation draft of Leicester's statutory Air Quality Action Plan, complying with the Environment Act 1995, and to seek Member's views on the content and future development of Air Quality Action Planning in Leicester.

2. Summary

2.1 The Action Plan:-

- Identifies the key air quality issue as nitrogen dioxide from traffic, near major roads and indicates that long term, radical options are needed to meet national Objectives;
- Seeks to establish a framework for integrated working towards better air quality, in line with the Council's strategic priorities of Environment and Education; and
- Sets out possible, broad directions and time-scales for actions to improve air quality.

2.2 This report incorporates an executive summary of the Air Quality Action Plan, together with a more detailed explanation of the legal background and air quality findings to date. Copies of the full text of the draft Air Quality Action Plan have been deposited in the Members' Area.

3. Recommendations

Cabinet are asked to endorse the Air Quality Action Plan.

4. Headline Financial and Legal Implications

4.1. Financial Implications: The cost of the immediate work programmes and activities set out in the Action Plan will be met from the Pollution Control Budget of £416,200.

4.2. The proposed consultation will help determine which of the packages and measures are favoured. Officers will further develop these measures and will assess the financial implications of adopting specific measures once this information has been obtained. The choice of measures to be implemented will determine the level of financial resources required. Current budgets may not be sufficient to cover all options available. (Alan Tomlins x7390)

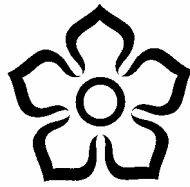
4.3. Legal Implications: the report sets out the relevant provisions of the Environment Act 1995, with which the Council has a statutory duty to comply.
(Anthony Cross, Assistant Head of Legal Services, Extension 6362).

5. Report Author/Officer to contact:

Evan Davies, Team Manager (Pollution)
Extn. 6411.

DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	No
Executive or Council Decision	Cabinet



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Leicester's Statutory Air Quality Action Plan

Report of the Service Director, Community Public Protection and Well-being

1. Executive Summary of the Air Quality Action Plan

1.1 Background

Leicester City Council has completed a detailed assessment of air quality across the city, to identify areas where members of the public are exposed to exceedences of a health-based air quality objective for nitrogen dioxide. In December 2000, the Council declared these locations as an *Air Quality Management Area* (AQMA).

1.2 The Position

Detailed analysis of the exceedence area has been undertaken to ascertain the amount of improvement required and the relative contribution of traffic and industrial sources to nitrogen dioxide levels in Leicester.

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| <ul style="list-style-type: none">• Levels of nitrogen dioxide need to be reduced by as much as a quarter in some parts of the Air Quality Management Area.• Road traffic is responsible for over 90% of local levels of nitrogen dioxide |
|--|

1.3 Developing an Action Plan

- 1.3.1 Having identified the nature of the air quality problem, the challenge is to prepare and implement an Air Quality Action Plan (AQAP) that can deliver the improvements required. Such a plan requires the involvement of a large number of partners, both corporately and externally to the Council. The AQAP will be adopted at a corporate level and is multi-disciplinary in its development, implementation and evaluation. The development of the AQAP will be an inclusive process involving consultation with a wide range of stakeholders: For the measures and policies within the AQAP to be accepted and implemented they will need to receive wide support from the public, businesses and other interest groups.

1.3.2 Consultation via provision of information and active participation has been encouraged throughout the air quality management process via newspaper articles and leaflets. A questionnaire survey to all households within Leicester was completed in spring 2004, asking residents for their suggestions on how to improve local air quality.

- 80% of residents agree that action is required to improve local air quality
- 91% of residents want to see more Walk to School schemes for children
- 90% of residents want improved bus services: More level access buses, more frequent services, better shelters and timetable information
- 90% of residents want initiatives to encourage walking and cycling
- 72% of residents support Roadside Emission Testing

1.3.3 During June 2004, a multi-disciplinary officers' workshop was held by Leicester City Council to identify suitable options and measures for inclusion within an AQAP. In addition to the air quality impacts, each option was also evaluated on the basis of cost, feasibility, timescale and social impacts.

1.3.4 The conclusion of this exercise is that no single measure will provide the solution to improving air quality in Leicester, and instead packages of measures are proposed, as set out below:

1.4 The Packages

Package 1

This comprises low cost measures, which are feasible to deliver and could be implemented in the short-term. This package of options could deliver a small air quality improvement. Measures include:

- Roadside Emissions Testing
- Cleaner emission fleet for City Council
- Education and information campaigns targeted for example at schools
- More provision for walking and cycling
- Integration of air quality concerns with area planning guidance for developers

Package 2

This comprises medium cost measures, which are feasible to deliver and could be implemented within the time frame of the next Local Transport Plan (2006-11). This package of options could deliver a significant air quality improvement. Measures include:

- Implement Leicester West Transport Scheme
- Improve bus services across the city: Frequency, attractiveness, level access, off bus ticketing
- Minimum emission standards for buses
- Feasibility study for a Low Emission Zone
- Divert heavy traffic from the Inner Ring Road

Package 3

This comprises high cost measures, which would require a longer time frame (beyond 2010) to be implemented. Further investigation would be needed to consider feasibility and scope of implementation, however it is considered that these measures could deliver measurable improvements in air quality. Measures include:

- Implementation of a designated freight hub for the city.
- Implementation of a Low Emission Zone with effective enforcement.
- A scheme involving the voluntary scrapping of older polluting vehicles.
- Introduction of subsidised bus services

1.5 Barriers to progress

Some measures being suggested may already be in place, but there may be scope for allocating additional resources to develop the programme further, for example Travel Planning. However, for many of the options, funding sources would need to be identified, for example within the Local Transport Plan, in order to secure delivery. At this stage, some of the options need changes to enabling legislation or to mechanisms of funding.

1.6 What happens next?

Further consultation is proposed for Autumn 2004. Many of the measures being proposed inevitably relate to road traffic and it is essential that Air Quality Action Planning continues to co-ordinate closely with and inform the Local Transport Plan that is currently being devised. Public consultation via the LINK magazine, local press and a series of presentations and briefings to stakeholders groups are planned. Copies of the AQAP will be available at all Council Libraries and at New Walk Centre. The report can also be viewed at www.leicester.gov.uk.

The Action Plan will be submitted to DEFRA for appraisal.

Following consultation, officers will further develop the proposed measures within each of the three packages, together with timeframes for implementation and likely financial implications

1.7 Technical detail

A technical description of the monitoring and modelling work involved in this assessment can be found in '*Leicester City Council Air Quality Reviews and Assessments 2003*'.

2. Background Information

2.1 Legislative Background to Air Quality Action Planning

- 2.1.1 Local Air Quality Management is an activity required by Part IV of the Environment Act 1995. It is regulated in detail by technical and administrative guidance issued under the Act.
- 2.1.2 The Government is required to produce, and periodically update:
- A national Air Quality Strategy.
 - Statutory Air Quality Objectives.
- 2.1.3 Air Quality Objectives are laid down for seven key pollutants – Nitrogen dioxide, PM₁₀ particulates, Sulphur dioxide, Carbon monoxide, Benzene, 1,3-Butadiene and Lead.
- 2.1.4 The Objectives are based on human health and are aimed at avoiding adverse health effects on even the most vulnerable groups. They also have a time component, for example the deadline for the Objective for Nitrogen dioxide is 31st December 2005.
- 2.1.5 It is estimated that 24,000 premature deaths occur annually in the UK from the effects of poor air quality.
- 2.1.6 The Act requires the Council to carry out a periodic Review and Assessment of air quality within its area in order to assess whether there will be a breach of any of the air quality Objectives.
- 2.1.7 If, despite the effects of national and international actions and legislation, such a breach is predicted, the implication is that additional local action is required to improve air quality. In such a case, the Local Authority must:
- Designate the affected zone as an Air Quality Management Area (AQMA).
 - Carry out a more detailed Review and Assessment of air quality in the AQMA.
 - Prepare and publish a time-based Air Quality Action Plan (AQAP), specifying how the Council will work towards achieving the Objectives for air quality.
- Each stage of this process is subject to statutory, public consultation.

2.2. Findings in Leicester

- 2.2.1 Leicester completed its first round of Review and Assessment in 2000, identifying predicted breaches of the Objective for Nitrogen dioxide. As a result an Air Quality Management Area was designated in December 2000. These findings were confirmed by the more detailed Review and Assessment published in September 2004.
- 2.2.2 It should also be noted that compliance with the air quality Objective for Nitrogen dioxide is an explicit target under:
- The Corporate Plan 2003- 2006
 - Best Value Planning
 - The Local Transport Plan.
 - The Community Plan and Neighbourhood Renewal Strategy.
 - The Eco-Management Audit Scheme.
 - The LEP Environment Strategy.

- 2.2.3 The two Reviews and Assessments were carried out in accordance with detailed technical guidance provided by DEFRA and have been formally appraised and accepted by DEFRA. They can be regarded as robust predictions of the air quality situation at the end of 2005.
- 2.2.4 The methodology used comprises detailed computer modelling of air quality. Real-time monitoring is used to assess the current situation and to validate the predictions of the model. Changes, such as approved new road schemes, changed traffic flows and technological improvements in the vehicle population are factored into the model. Systematic bias and random error are corrected by calibration, using observed data.
- 2.2.5 The Review and Assessment process has eliminated all of the prescribed pollutants, except for Nitrogen dioxide (i.e. it is predicted that the Objectives for all of the others will be met).
- 2.2.6 The air quality issue in Leicester is therefore excess levels of Nitrogen dioxide from motor vehicles, where people are exposed, near to busy roads. National and international action will not abate this problem and so, under the terms of the legislation, local action is required.
- 2.2.7 Leicester is not unique in having a problem with Nitrogen dioxide from traffic. In fact, this problem exists in every city and many significant urban areas. Leicester's neighbouring authorities have also declared Air Quality Management Areas because of traffic pollution.
- 2.2.8 Over 90% of measured Nitrogen dioxide in Leicester can be attributed to traffic. In the relevant worst affected areas a reduction in annual mean levels of about 25% will be required.
- 2.2.9 Projects currently in the pipeline (e.g. the Leicester West park-and-ride scheme) will not achieve a reduction in nitrogen dioxide remotely approaching that required. Long term, radical measures would be needed.
- 2.2.10 Action planning is now, therefore required to work towards an improvement: Gradual Incremental progress should be demonstrated in annual reports to DEFRA.
- 2.2.11 The publication of the Air Quality Action Plan has been delayed beyond the deadline set in the Guidance. This is because the action planning process was linked to the Leicester West Scheme, which was the only major project capable of delivering a measurable improvement in air quality along the major road corridors. Delays to that scheme have correspondingly delayed air quality action planning.
- 2.2.12 As a result, pressure was applied by DEFRA and a delegation was received at Leicester in April 2004 to discuss their concerns. At this meeting, it was agreed that:
- 2.2.13 Notwithstanding the continuing uncertainty about the Leicester West Scheme, a pre-consultation draft would be submitted to DEFRA for appraisal by the end of September 2004.

2.2.14 Public consultation would take place in autumn 2004, with the final Air Quality Action Plan being published in spring 2005.

2.2.15 Detailed development and consultation work on the Air Quality Action Plan is therefore currently in progress. This includes identification and evaluation of potential options in terms of cost, feasibility and time-scale.

2.2.16 Care is being taken to integrate the Action Plan with other Council policies and projects and, in particular, the planning for the next round of the Local Transport Plan (2006-11). However, some progress can be achieved by relatively modest, short-term measures, similar to those already undertaken, eg:

- The-NRF funded "Breathe Easy" programme, which took the issue into schools.
- Voluntary and statutory vehicle emissions monitoring and advice campaigns.

FINANCIAL, LEGAL AND OTHER IMPLICATIONS

3. Financial Implications

- 3.1. The cost of the immediate work programmes and activities set out in the Action Plan will be met from the Pollution Control Budget of £416,200.
- 3.2. The proposed consultation will help determine which of the packages and measures are favoured. Officers will further develop these measures and will assess the financial implications of adopting specific measures once this information has been obtained. The choice of measures to be implemented will determine the level of financial resources required. Current budgets may not be sufficient to cover all options available. (Alan Tomlins x7390)

4. Legal Implications

The relevant statutory requirements from the Environment Act 1995 are set out in paragraph 2.1 (Anthony Cross, Assistant Head of Legal Services, Extn. 6362).

5. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	Yes	Paragraph 2.1
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	

6. Background Papers – Local Government Act 1972

Local Air Quality Management in Leicester, 2003, Part A: Air Quality Reviews and Assessments.

7. Consultations

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