

Cherwell District Council

Executive

1 September 2014

<p>Air Quality Management Areas for Banbury and Kidlington</p>

Report of Head of Community Services

This report is public

Purpose of report

To declare Air Quality Management Areas in Banbury and Kidlington.

1.0 Recommendations

The meeting is recommended:

- 1.1 To declare an Air Quality Management Area in Horsefair/North Bar, Banbury.
- 1.2 To declare an Air Quality Management Area in Bicester Road, Kidlington.
- 1.3 To agree deferring the declaration of an Air Quality Management Area in Kings End/Queens Avenue, Bicester so that additional monitoring and assessment can be carried out following the changes to the road layout.

2.0 Introduction

- 2.1 Part IV of the Environment Act 1995 established the legislative framework for local air quality management. Under the Act the Council has a statutory duty to review and assess air quality in the district against national air quality objectives and co-ordinate actions to improve air quality where exceedances are identified.
- 2.2 DEFRA oversees the Council's role and monitors progress by requiring local authorities to undertake a review and assessment on a three year cycle. This is a two stepped approach. Step 1 requires an Updating and Screening Assessment Report (USA) to be completed in the first year. The purpose of the USA is to look at the current and likely future air quality in the district and to assess if an air quality objective is, or is likely to be exceeded. If the USA identifies a risk that an air quality objective will be exceeded the local authority is required to proceed to Step 2, a Detailed Assessment to formally identify the need to declare an air quality management area. Review and Assessment Progress Reports are completed in the interim years to ensure continuity.

- 2.3 Local authorities have a duty to declare any area where an air quality objective is unlikely to be, or is not being met as an Air Quality Management Area (AQMA).

3.0 Report Details

- 3.1 Previous rounds of the review and assessment process have identified nitrogen dioxide from road transport sources as the pollutant of concern in Cherwell. These review and assessment reports can be found on the local air quality management page of the Councils website; www.cherwell-dc.gov.uk/airquality.
- 3.2 The 2009 USA report identified that air quality objectives for nitrogen dioxide may be exceeded at Hennef Way and Horsefair/North Bar in Banbury, Kings End/Queens Avenue in Bicester, and Bicester Road in Kidlington.
- 3.3 A Detailed Assessment was completed for Hennef Way, Banbury and an AQMA declared in January 2011 because the annual and hourly mean air quality objectives for nitrogen dioxide were exceeded.
- 3.4 Detailed Assessments for Horsefair/North Bar in Banbury, Kings End/Queens Avenue in Bicester, and Bicester Road in Kidlington were completed in April 2013 and exceedances of the annual mean air quality objective for nitrogen dioxide were confirmed for these areas.
- 3.5 The findings and conclusions of the Detailed Assessment reports have been confirmed by Defra.
- 3.6 Once an AQMA has been declared the Council is required to develop an Air Quality Action Plan (AQAP) outlining the measures required to improve air quality in that area. As road transport sources are the cause of the problem the AQAP will be developed in consultation with the Highways Agency and Oxfordshire County Council.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Due to exceedances of the annual mean air quality objective for nitrogen dioxide it is recommended that AQMA's are declared for:
- (i) Horsefair/North Bar in Banbury as outlined in Figure 1 in Appendix 1.
 - (ii) Bicester Road in Kidlington as outlined in Figure 2 in Appendix 1.
- 4.2 Due to significant changes to the road layout in Bicester during 2013 it is recommended that the declaration of an AQMA in the Kings End/Queens Avenue area of Bicester be deferred until additional monitoring and assessment has been undertaken, so that the impact of these changes on air quality can be assessed. This course of action has been agreed with Defra.

5.0 Consultation

Defra

Defra has been consulted on the Detailed Assessment reports and they are in agreement with the findings and conclusions. Defra have also agreed that the declaration of an AQMA in the Kings End/Queens Avenue area of Bicester should be deferred until additional monitoring and assessment of air quality, as a result of the recent road changes, has been undertaken.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: An alternative option would be to not declare the areas as AQMA's. However, if an air quality objective is not being met then the Council is required to declare that area as an AQMA and so for this reason this is not an alternative option.

7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications arising directly from this report. The continuing review and assessment of air quality will be met within existing budgets.

Comments checked by:

Tim Madden, Interim Head of Finance and Procurement, 0300 0030106, tim.madden@cherwellandsouthnorthants.gov.uk

Legal Implications

7.2 There is a statutory requirement to review and assess air quality and if an air quality objective is not being met to declare an Air Quality Management Area.

Comments checked by:

Nigel Bell, Team Leader Planning & Litigation, 01295 221687, nigel.bell@cherwell-dc.gov.uk

Risk

7.3 There is an increase in risk to health to prolonged exposure to elevated levels of nitrogen dioxide. This risk is being managed through the service risk register and will be escalated if necessary to the corporate register.

Comments checked by:

Louise Tustian, Acting Corporate Performance Manager, 01295 221786, Louise.tustian2@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

Banbury Grimsbury and Castle Ward
Banbury Easington Ward
Yarnton, Gosford and Water Eaton Ward
Bicester Town and Bicester West

Links to Corporate Plan and Policy Framework

Fulfilling the statutory regulatory functions of the council, supporting the protection of human health and wellbeing from poor air quality, and protecting the natural environment, this links to the following strategic priorities:

- Safe, green, clean
- A district of opportunity
- Thriving communities
- Sound budget and customer focused council

Lead Councillor

Councillor George Reynolds, Deputy Leader

Document Information

Appendix No	Title
Appendix 1	AQMA Maps
Background Papers	
None	
Report Author	Chris Rothwell Head of Community Services
Contact Information	0300 003 0104 chris.rothwell@cherwellandsouthnorthants.gov.uk