

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
5 September 2017

Subject: AIR QUALITY MANAGEMENT ORDER (BEDALE)

Bedale Ward
Portfolio Holder for Environmental Health, Waste and Recycling Councillor S Watson

1.0 PURPOSE AND BACKGROUND:

- 1.1 This report seeks approval for the declaration of an Air Quality Management Area for Bridge Street in Bedale due to nitrogen dioxide concentrations above the UK air quality objective.
- 1.2 Local Air Quality Management forms a key part of the UK Government's strategies for achieving air quality objectives. Local Authorities are required to carry out regular reviews and assessments of air quality in their area against standards and objectives in the national Air Quality Strategy and submit findings annually to the Department for Environment, Food and Rural Affairs.
- 1.3 The routine air quality monitoring carried out in Bedale shows an exceedance of the annual average objective at one location by the White Bear Hotel on Bridge Street. Prior to the Bedale Aiskew and Leeming Bar bypass being built, the annual average in 2015 at the White Bear Hotel was 50.2µg/m³ of nitrogen dioxide which is above the annual average standard of 40µg/m³. Two other nearby monitoring points either side of the White Bear Hotel do not exceed the annual average objective. This indicates that the area exceeding the objective is relatively small and confined to the 'White Bear junction' rather than being a more widespread problem in Bedale. Nitrogen dioxide emissions tend to be due to traffic based pollution.
- 1.4 The Environment Act 1995 requires that where it appears an air quality objective is not being achieved, nor is likely to be achieved, and where people are likely to be regularly present, the local authority shall by order designate the area as an Air Quality Management Area. The Department for Environment, Food and Rural Affairs accepted the Council's Air Quality Status Report for 2015 and although exceedances are small and contained, the Department for Environment, Food and Rural Affairs confirmed that an Air Quality Management Area must be declared for Bridge Street, Bedale.
- 1.5 The Council has now completed the required consultation of relevant stakeholders; in particular, the Highways Department of North Yorkshire County Council. A public consultation via the Council's website was undertaken although the Council did not receive any responses.
- 1.6 The Council must fulfil its statutory duty and declare, by Order, the area in Bedale as an Air Quality Management Area as the air quality objective for nitrogen dioxide is not being met.
- 1.7 Following the Order being made the Authority is then required to undertake further assessment of the area and produce an Action Plan within 12 months, detailing measures that are or will be actively implemented to improve air quality and quantifying their impact over time. The Action Plan will also include how the Council will work with North Yorkshire County Council in respect of actions for which they have responsibility, such as traffic management. It is anticipated that the newly opened Bedale Aiskew and Leeming Bar bypass scheme will reduce congestion and air pollution in Bedale and the surrounding area.

Traffic monitoring and modelling will be carried out by the County Council to assess how the bypass scheme and the improvements to the A1 motorway in North Yorkshire have affected traffic flows in Bedale. This work will carry on until potentially May 2018. However the County Council and Hambleton District Council will carry out reviews in September 2017 and December 2018 to assess the outcomes of the modelling. Hambleton District Council will continue its routine monitoring of the air quality (nitrogen dioxide) in Bedale. The Action Plan, when completed will be presented to Cabinet for consideration and approval.

2.0 LINK TO COUNCIL PRIORITIES:

- 2.1 Approval for the declaration of an Air Quality Management Area and subsequent required improvements to air quality will contribute to the delivery of three of the Councils key priorities: Enhancing Health and Well Being, Caring for the Environment and Driving Economic Vitality.

3.0 RISK ASSESSMENT:

- 3.1 There are no risks with implementing the recommendation.
- 3.2 The key risks in not approving the recommendation as shown below:-

Risk	Implication	Prob*	Imp*	Total	Preventative action
Failure to gain approval for the designation of the Air Quality Monitoring Area in Bedale.	Hambleton District Council will not comply with its legal duty and could be subject to sanctions from the Department for Environment, Food and Rural Affairs.	4	3	12	Approve declaration of Air Quality Monitoring Area.
An action plan to improve the air quality in Bedale will not be devised and implemented.	Potential health effects due to a continuation of the exceedance of the air quality standard for nitrogen dioxide in Bedale.	3	4	12	Approve declaration of Air Quality Monitoring Area.

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

- 3.3 Overall the risk of agreeing with the recommendation outweighs the risks of not agreeing the recommendation and is considered acceptable as the Authority has a statutory duty to declare Air Quality Monitoring Areas where appropriate.

4.0 FINANCIAL IMPLICATIONS:

- 4.1 Air quality monitoring will continue as part of the Council's routine duties and will be met within the existing Environmental Health service budget. Any financial implications of the Action Plan will be brought forward when the Action Plan is compiled. In the future further monitoring or air pollution modelling may be required if the Air Quality Management Area remains in place and may require additional funding out with the current Environmental Health budget.

5.0 LEGAL IMPLICATIONS:

- 5.1 The Authority must fulfil its statutory duty and declare the Air Quality Monitoring Area or risk sanctions form the Department for Environment, Food and Rural Affairs. The declaration is by Order which has been approved by the Legal Department.

6.0 EQUALITY/DIVERSITY ISSUES:

- 6.1 Equality and Diversity Issues have been considered however there are no issues associated with this report.

7.0 RECOMMENDATION:

- 7.1 That Cabinet approves and recommends to Council that the area in Bridge Street Bedale is designated as an Air Quality Management Area.

PAUL STAINES
DIRECTOR OF LEISURE AND ENVIRONMENT

Background papers: None

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