

Bolsover District Council

Executive

29th June 2020

Annual Status Report for Air Quality in 2019

Report of the Portfolio Holder – Environmental Health & Licensing

This report is public

Purpose of the Report

- To present the 2019 Annual Status Reports for Air Quality in the Bolsover district, which has been submitted to the Department for Environment, Food and Rural Affairs (DEFRA).

1 Report Details

1.1 Background

- 1.2 The Council has, since the 1990s, a statutory Local Air Quality Management duty to assess air quality using screening methodology prescribed in statutory guidance for a range of pollutants. These are: -

- nitrogen dioxide
- sulphur dioxide
- small particles (called PM₁₀)
- lead
- 1,3-butadiene
- benzene
- carbon monoxide.

- 1.3 The pollutants of principal concern are nitrogen dioxide and small microscopic particles (PM₁₀), the main sources of which are emissions from road vehicles.

- 1.4 There are a number of standards (concentrations) against which the air quality is assessed, called Air Quality Objectives (AQO's) which are set in the UK Air Quality Strategy and Regulations.

- 1.5 Where the assessment identifies an exceedance the authority must declare an Air Quality Management Area (AQMA) and then develop an Air Quality Action Plan detailing measures to reduce pollutant levels to a concentration below the AQO. The assessment is undertaken at a sensitive property such as a dwelling.

- 1.6 The Council currently operates a programme of monitoring for nitrogen dioxide using passive diffusion tubes at more than 20 selected locations across the Bolsover district.
- 1.7 The Service then prepares an Annual Status Report (ASR) in consultation with Highways England and Derbyshire County Council's Transport and Public Health departments, and summarises partnership activity to tackle air quality as well as progress against the action plans in any AQMA's it has declared.
- 1.8 The ASR is forwarded by the Director of Public Health as a requirement of the national standard format for the ASR, and to ensure there is a senior level of public health awareness of the air quality matters in the County which could then influence policy and action plans.

2 Conclusions and Reasons for Recommendation

- 2.1 The Council has in the past identified three areas that were in exceedance of the annual mean Air Quality Objective for nitrogen dioxide at three locations. These are:
- Carter Lane East, South Normanton (12 dwellings)
 - Chesterfield Road, Barlborough (1 dwelling)
 - Orchard Close, Barlborough (5 dwellings)
- 2.2 The Council declared Air Quality Management Areas for these three locations in 2004, 2005 and 2007 respectively. Since 2012 there have been no exceedances of the annual mean AQO for nitrogen dioxide in the Council's area. Following an external review of the monitoring data, it has been concluded that the two Barlborough AQMAs are now significantly below the Objective such that they should be revoked. A separate report has been prepared to consider these revocations.
- 2.3 The South Normanton AQMA is only marginally below the AQO and will be monitored closely over the next few years to establish whether the conversion of the M1 to a smart motorway has had an effect on air quality. Guidance from DEFRA recommends that AQMA's should be consistently and significantly below the AQO for 3 to 4 years before being considered for revocation, as levels can fluctuate. While the levels have been below the AQO for 5 years, there was a significant change in 2018 following the implementation of the smart motorway on the M1. Should this trend continue the AQMA may be suitable for revocation in 2021.
- 2.4 Separate to the Council's duties for Local Air Quality Management (LAQM), the Council has been directed by the Government to undertake a feasibility study to evaluate measures that would bring about compliance with the EU Air Quality Directive before 2021 for a short stretch of the A38 at South Normanton, between the M1 and the Ashfield district boundary. This was due to a successful challenge to the Governments approach to implementation of the EU Directive.
- 2.5 The Council was awarded a sum of money from central Government to undertake this work, which is currently undergoing the final phase of data analysis prior to a final development of an action plan in partnership with Derbyshire County Council.

- 2.6 Publication of the ASR is a statutory duty and the format of the document is prescribed. The ASR contains action plans developed as part of other work programmes which have Cabinet Member, and where applicable, Executive and Council oversight.

3 Consultation and Equality Impact

- 3.1 Derbyshire County Council have been consulted on the ASR's and Legal Services have been consulted and have contributed to this report. The Cabinet Member for Street scene and Environmental Health has also been consulted on the ASR.

4 Alternative Options and Reasons for Rejection

- 4.1 The ASR could be referred to the Senior Alliance Management Team for consideration. There is no executive decision being made in publishing the ASR as it is a statutory return. However, referring the item to Executive demonstrates a commitment to air quality and raises awareness of the Council's actions.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 There are no financial implications associated with the publication of these reports.

5.2 Legal Implications including Data Protection

- 5.2.1 The Council has a statutory duty to publish the ASR, in the prescribed format. There are not data protection concerns with this report.

5.3 Human Resources Implications

- 5.3.1 There are no human resource implications for these recommendation.

6 Recommendations

- 6.1 That the content of the Annual Status Report for Bolsover District Council is noted.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
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Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	

8 **Document Information**

Appendix No	Title
1	Annual Status Report - Bolsover District Council
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Annual Status Report Information Tables available on request from Environmental Health.	
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