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<b>Report to:</b> Cabinet Member – Environmental Overview and Scrutiny Committee (Regeneration & Environmental Services) Cabinet Council	<b>Date of Meeting</b> 9 November 2011  17 January 2011 19 January 2011 16 February 2011
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**Subject:** Declaration of Air Quality Management Areas

**Report of:** Director of Built Environment      **Wards Affected:** Church, Ford and Litherland

**Is this a Key Decision?** Yes      **Is it included in the Forward Plan?** Yes

**Exempt/Confidential**      No

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### **Purpose**

To seek the formal declaration of two Air Quality Management Areas (AQMAs) in Sefton as defined in the attached order.

### **Recommendation(s)**

1. Cabinet Member – Environmental

That the Cabinet be requested to recommend to Council to formally declare two Air Quality Management Areas in Sefton as detailed in the Order attached in Annex 1 to the report;

2. Cabinet

That full Council be requested to declare two Air Quality Management Areas as detailed in the Order attached in Annex 1 to the report;

3. Council

That Air Quality Management Areas be declared by making the Sefton Council Air Quality Management Area Numbers 4 and 5 Order, 2011 as detailed in the order attached in Annex 1 to the report

**How does the decision contribute to the Council’s Corporate Objectives?**

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Jobs and Prosperity		√	
3	Environmental Sustainability	√		
4	Health and Well-Being	√		
5	Children and Young People		√	
6	Creating Safe Communities		√	
7	Creating Inclusive Communities		√	
8	Improving the Quality of Council Services and Strengthening Local Democracy	√		

**Reasons for the Recommendation:**

Local Authorities have a duty under Section 83 (1) of the Environment Act 1995 to designate those areas where air quality objectives are unlikely to be met as air quality management areas.

**What will it cost and how will it be financed?**

**(A) Revenue Costs:**

None directly as a result of this statutory declaration but the future action plan may require resourcing.

**(B) Capital Costs:**

None directly as a result of this statutory declaration but the future action plan may require resourcing.

**Implications:**

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<p><b>Legal</b> Declaration of an Air quality Management Order is a statutory requirement where national air quality standards have been exceeded under section 83(1) of the Environment Act.</p>
<p><b>Human Resources</b> None</p>

<b>Equality</b>		
1.	No Equality Implication	<input checked="" type="checkbox"/>
2.	Equality Implications identified and mitigated	<input type="checkbox"/>
3.	Equality Implication identified and risk remains	<input type="checkbox"/>

**Impact on Service Delivery:** A specific action plan will be required to mitigate the breaches of air quality standards; this will be developed in consultation with those affected.

**What consultations have taken place on the proposals and when?**

The Head of Corporate Finance (FD1106) and Head of Corporate Legal Services (LD465/11) have been consulted and any comments have been incorporated into the report.

**Are there any other options available for consideration?**

The only alternative would be not to endorse the formal declaration of air quality management areas. This option was rejected because the declaration of AQMAs is a statutory requirement

**Implementation Date for the Decision**

Following the Council Meeting

**Contact Officer:** Gary Mahoney Principal EMAP Officer  
 Environmental Protection  
 Tel: 0151 934 4300  
 Email: gary.mahoney@sefton.gov.uk

**Background Papers:**

The following papers are available for inspection by contacting the above officer(s).

Local Air Quality Management Technical Guidance (LAQM TG09), Local Air Quality Management Policy Guidance (LAQM PG03), Local Air Quality Management Policy Guidance Addendum(LAQM PGA05), Air Quality Planning for Action nsca, Air Quality Action Plans Interim Guidance for Local Authorities nsca, Air Quality Management Areas Turning Reviews into Action nsca. Cabinet Member Environment information report 10/08/11

## 1. **Background**

- 1.1. An information report was presented to Cabinet Member Environment on 10 August 2011 that summarised the results of the Detailed Assessment of Air Quality 2010. The report also advised of the need to declare two Air Quality Management Areas (AQMAs).
- 1.2. Members will recall that the analysis of air pollution monitoring data carried out in the two reports showed that:
  - The National Air Quality Strategy (NAQS) Objective for nitrogen dioxide was exceeded at the junction of South Road and Crosby Road North, Waterloo and the junction of Hawthorne Road and Church Road, Litherland.

Based on the above results the following conclusion was drawn:

- AQMAs for nitrogen dioxide must be declared at the junction of South Road and Crosby Road North, Waterloo and the junction of Hawthorne Road and Church Road, Litherland.
- 1.3. The formal declaration has now been drafted and is attached as **Annex 1**. Constitutionally the order must be made by Council
  - 1.4. Both AQMAs are identified as traffic related, because of the contribution of traffic-related emissions to the concentrations of pollutants at each site. Measures to improve air quality in response to the declarations will be integrated with the Local Transport Plan capital programme and the TravelWise campaign to promote more sustainable travel. In particular, the declaration on Crosby Road North will be a key consideration in the A565 Route Management Strategy

## 2 **Information and Consultation**

- 2.1 An important part of the AQMA process is providing information to those affected by the declaration and consulting with a number of named organisations (statutory consultees) and the local community. A proposed information and consultation schedule is presented below for approval by the Cabinet Member.
  - Nov 11 – AQMA Declaration reported to Cabinet Member and Cabinet. Relevant Ward Councillors informed. Detailed Assessment and sent to Statutory Consultees.
  - Jan 12 – AQMA Declaration reported to full Council. Consultation on declaration and areas begins.
  - Jun 12 – Further Assessment completed
  - Sep 12 – Consultation on draft Action Plan

- Nov 12 – Final Action Plan completed

2.2 The Cabinet Member Environmental be requested to recommend that Council via Cabinet formally declare two air quality management areas in Sefton as detailed in the Order attached to the report.

## Annex 1

### Environment Act 1995 Part IV Section 83(1)

Sefton Council

#### AQMA Order

Sefton Metropolitan Borough Council, in exercise of the powers conferred upon it by Section 83(1) of the Environment Act 1995, hereby makes the following Order.

This Order may be cited/referred to as Sefton Metropolitan Borough Council Air Quality Management Areas numbers 4 and 5 and shall come into effect on [date].

The areas shown on the attached maps outlined in blue are to be designated as air quality management areas (the designated areas). The designated areas incorporate:

- AQMA 4: The area around the junction of Crosby Road North (A565) and South Road, Waterloo
- AQMA 5: The area around the junction of Hawthorne Road (B5422) and Church Road (A5036), Litherland.

The maps may be viewed at the Council offices in the Department of Built Environment or on the Council website.

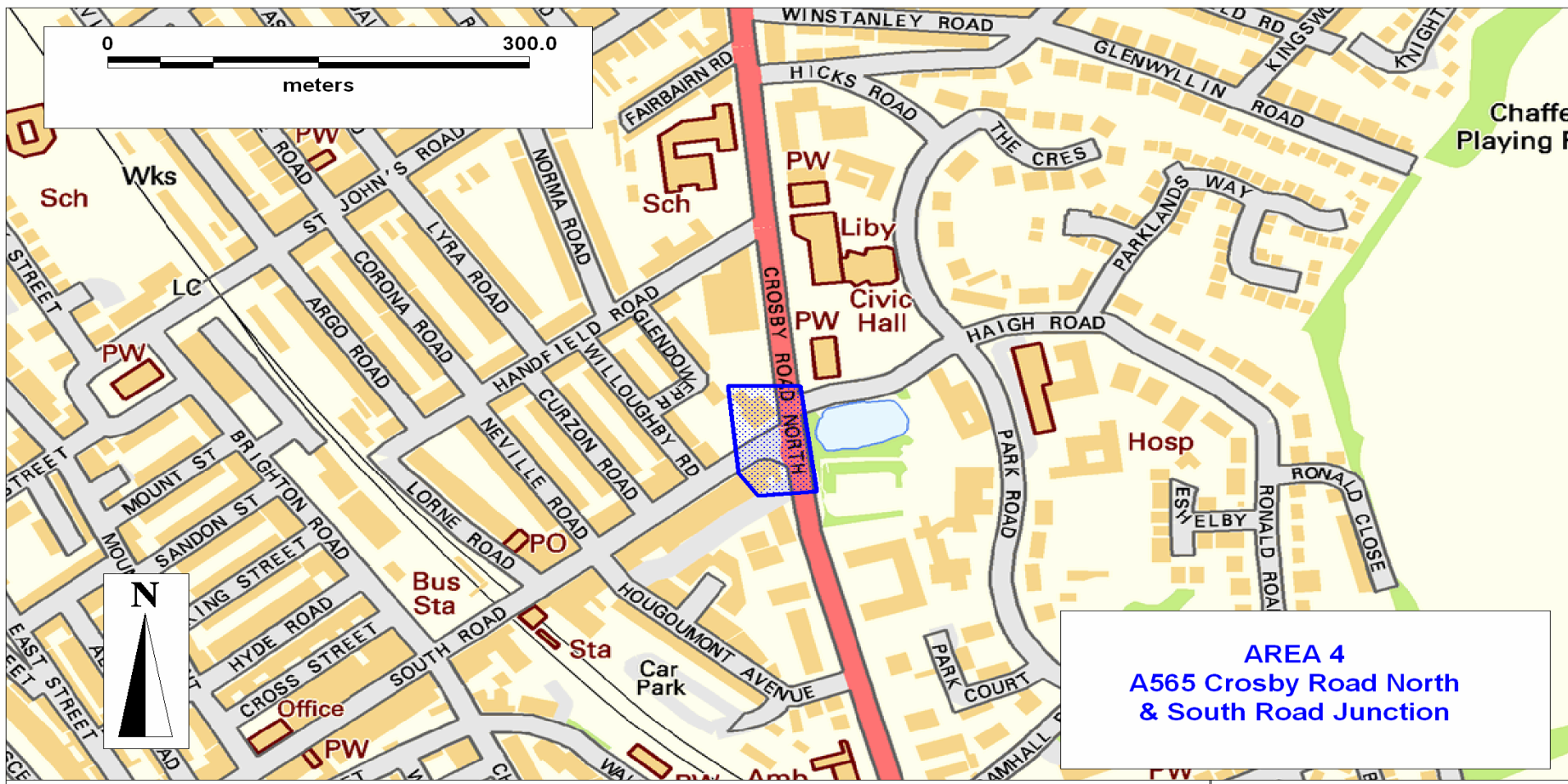
The Areas are designated in relation to a likely breach of the following Objectives as specified in the Air Quality Regulations (England) (Wales) 2000:

- AQMA 4: The nitrogen dioxide annual mean Objective.
- AQMA 5: The nitrogen dioxide annual mean Objective.

This Order shall remain in force until it is varied or revoked by a subsequent order.

The Common Seal of Sefton Metropolitan Borough Council was hereto affixed on [date] and signed in the presence of/on behalf of said Council.

*Explanatory Note: This is an Order made under S.83(1) of the Environment Act 1995. The Act provides a requirement for local authorities to undertake periodic reviews of air quality in their areas. If a review of air quality identifies a likelihood that air quality standards would not be met the local authority should declare the area(s) Air Quality Management Area(s). This is an Order that identifies areas within the Borough where air quality standards have not been met.*

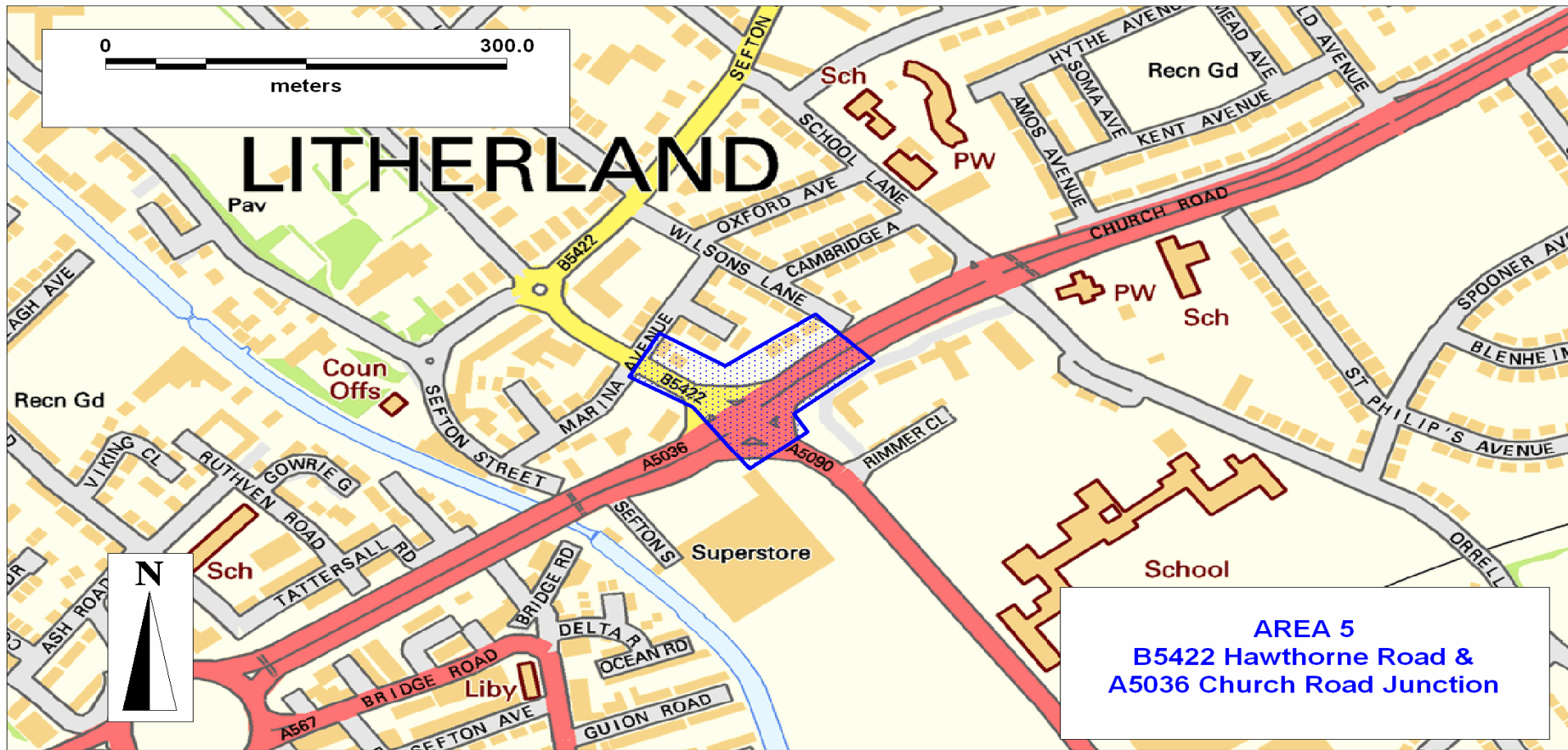


**AREA 4**  
**A565 Crosby Road North**  
**& South Road Junction**

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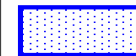
**AREA 4 Proposed AQMA**

 AQMA Region



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**AREA 5 Proposed AQMA**



AQMA Region

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## Abbreviations

AQAP	Air Quality Action Plan
AQMA	Air Quality Management Area
Defra	Department for Environment, Food and Rural Affairs
DA	Detailed Assessment
DfT	Department for Transport
DoH	Department of Health
EA	Environment Agency
EU	European Union
FA	Further Assessment
HGV	Heavy Goods Vehicles
HPA	Health Protection Agency
LA	Local Authority
LAQM	Local Air Quality Management
LSTM	Liverpool School of Tropical Medicine
MAEI	Merseyside Atmospheric Emissions Inventory
NAQS	National Air Quality Strategy
NO <sub>2</sub>	Nitrogen Dioxide
NO <sub>x</sub>	Nitrogen Oxides (NO + NO <sub>2</sub> )
PM <sub>2.5</sub>	Particulate Matter less than 2.5µm aerodynamic diameter
PM <sub>10</sub>	Particulate Matter less than 10µm aerodynamic diameter
µg/m <sup>3</sup>	Micrograms (10 <sup>-6</sup> ) of pollutant per cubic metre of air
USA	Updating and Screening Assessment