

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

17 SEPTEMBER 2019

REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

LOCAL AIR QUALITY MANAGEMENT – ANNUAL PROGRESS REPORT 2019

1. Purpose of report

- 1.1 The purpose of this report is to seek approval for the 2019 Bridgend County Borough Council (BCBC) Local Air Quality Management (LAQM) Annual Progress Report (APR) based upon on air quality datasets obtained in 2018. This report requires Cabinet approval in order to submit a final version to Welsh Government (WG) before the 30th September 2019.

2. Connection to corporate improvement objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate priority:
- Supporting a successful economy – taking steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.

3. Background

- 3.1 Under Section 82 of the Environment Act 1995 every local authority has an obligation to regularly review and assess air quality in their areas, and to determine whether or not air quality objectives to protect health are likely to be achieved. Where the air quality reviews indicate that the air quality objectives are not being achieved, or are not likely to be achieved, Section 83 of the 1995 Act requires local authorities to designate an Air Quality Management Area ('AQMA'). Section 84 of the Act ensures that action must then be taken at a local level which is outlined in a specific Air Quality Action Plan (AQAP) to ensure that air quality in the identified area improves.
- 3.2 The Annual Progress Report provides details on the ratified data for the air quality monitoring undertaken in 2018 within Bridgend County Borough Council.
- 3.3 Welsh Government issue statutory policy guidance to Local Authorities under section 88 of the Environment Act 1995 to bring the local air quality management system in Wales into line with the sustainable development principle outlined in Welsh Government's Well-being for Future Generations legislation, 2015. This guidance, with which local authorities must have regard to when carrying out their air quality functions under the Environment Act 1995, sets out that authorities in Wales have to produce an Annual Progress Report in **draft** by 30th September each

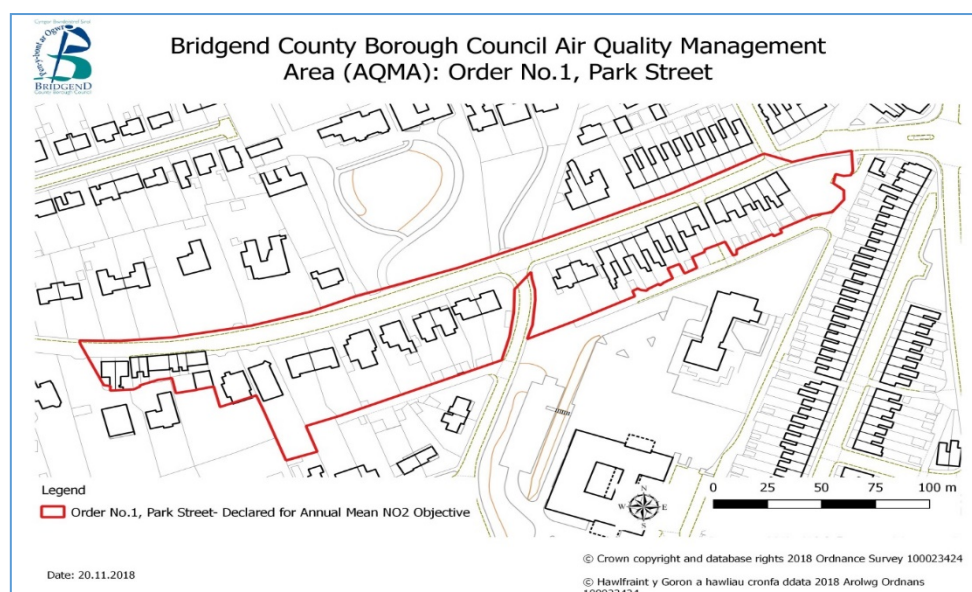
year and publish it by 31st December at the latest. This report must include monitoring results for the previous calendar year, a progress report on action plan implementation and an update on any new policies or developments likely to affect local air quality.

- 3.4 This Annual Progress Report satisfies the above criteria examining ratified datasets for air quality monitoring undertaken in 2018 within Bridgend County Borough Council.

4. Current situation/proposal

- 4.1 On 20th November 2018 BCBC's Cabinet approved the recommendation to implement an Air Quality Management Area (AQMA) on Park Street based on evidence provided by Shared Regulatory Services (SRS) who manage LAQM on behalf of BCBC. Cabinet also approved the detail of the proposed AQMA order.
- 4.2 The Park Street, Bridgend AQMA Order was officially implemented on the 1st January 2019. The area comprising the Bridgend County Borough Council Air Quality Management Area Order No. 1, Park Street is outlined by Figure 1.

Figure 1- Extent of Park Street Air Quality Management Area



- 4.3 The 2019 Annual Progress Report confirms that in general air quality within Bridgend County Borough continues to meet the relevant air quality objectives as prescribed in the Air Quality (Wales) Regulations 2000 and the Air Quality (Amendment) (Wales) Regulations 2002.
- 4.4 However, it is notable that in 2018 air quality was a prevalent concern along Park Street, which coincides with the boundary of the AQMA Order raised on 1st January 2019. It is also noted that elevated annual average NO₂ air quality levels exist in

close proximity to Park Street along adjoining road networks where relevant exposure is apparent.

Figure 2- 2018 Park Street NO₂ Diffusion Tube Locations



Figure 3- 2018 Tondu Roundabout NO₂ Diffusion Tube Locations



4.5 It is noted that monitoring undertaken at the new established site for 2018 (OBC-110), located on Park Street, does not only demonstrate annual average levels in exceedance of the annual average air quality objective set at (40µg/m³) for NO₂, but levels captured are also encroaching upon the 1-hour objective; 200µg/m³ not

to be exceeded > 18 times per year. OBC-110 recorded an annual average figure of **58.7.µg/m3**.

- 4.6 As highlighted by Figure 3, focusing upon those monitoring sites outside the AQMA boundary, but located in close proximity on pieces of adjoining road network, site OBC-108, located at a residential façade on Tondu road demonstrates elevated annual average levels recorded at **38.5µg/m3**.
- 4.7 It is essential that the highlighted monitoring sites are closely examined and suitable action is taken where necessary. Such action may involve amendments to the AQMA Order including revisions of the geographical boundary to encapsulate a wider area and reasoning for declaration.
- 4.8 As part of the LAQM statutory duties, from the date of raising the AQMA Order (in this instance 1st January 2019) SRS and BCBC has 18 months in which to prepare a DRAFT Action Plan to improve air quality in the area, and once agreed, this plan must be formally adopted before two years has elapsed.
- 4.9 SRS/ BCBC are currently working in accordance with WG's Policy Guidance to produce an Air Quality Action Plan (AQAP).
- 4.10 In preparing such a document SRS has established a Work Steering Group which ensures the AQAP considers all aspects, including transport, planning, strategy & policy, public health and communications. The work steering group consists of representatives from BCBC's various departments, as well as representatives from the local Public Service Board (PSB). Meetings held to date have allowed for cross department integration and the development of realistic mitigation measures to alleviate the air quality concerns.
- 4.11 In order to build a cohesive understanding for air quality data trends along Park Street, with particular focus upon nitrogen dioxide (NO₂), it is imperative that BCBC improve the air quality monitoring capabilities along Park Street by introducing an automated air quality monitoring system. The equipment will allow for air quality trends to be examined on a high temporal resolution basis and therefore be able to assist with underpinning those short term periods whereby raised levels of NO₂ are particularly prevalent. This data will be particularly useful in assigning traffic control measures for certain time periods.
- 4.12 At the time of writing this report planning permission has been received for the positioning of an automated air quality monitoring station at an agreed appropriate location, however a final agreement is yet to be made on the legal ownership agreement between the Council and Land occupant representatives for the use of the proposed automated air quality monitoring system.
- 4.13 To date SRS has developed a preliminary list of proposed mitigation measures to address and hopefully alleviate the air quality concerns within the established Park Street, Bridgend AQMA. This preliminary list of measures considers the following main categories;
 - Public Information;

- Traffic Management;
- Policy Guidance and Development Control;
- Promoting Travel Alternatives;
- Transport Planning and Infrastructure; and
- Alternative to Private Car use.

4.14 SRS/BCBC will be engaging with members of the public via 'Drop-in' sessions to answer any questions from residents and businesses in regards to the development of the Park Street AQMA Action Plan. The drop in sessions will provide an outline understanding for Council proposed mitigation measures and will allow persons to comment or request further information on the proposal.

4.15 Following completion of the DRAFT Air Quality Action Plan a public consultation will be undertaken which will allow residents and businesses to make necessary comments.

5. Effect upon policy framework and procedure rules

5.1 The Report does not have any impacts on policy framework and procedure rules.

6. Equality Impact Assessment

6.1 There are no equality implications arising from this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 SRS & BCBC adopt the principles of The Well-being of Future Generations (Wales) Act 2015 (WFG). The act is a significant enabler to improve air quality as it calls for sustainable cross-sector action based on the principles of long-term, prevention-focused integration, collaboration and involvement. It intends to improve economic, social, environmental and cultural well-being in Wales to ensure the needs of the present are met without compromising the ability of future generations to meet their own needs.

7.2 Subject to approval, declaration of the AQMA on Park Street and the subsequent production of an Action Plan, will ensure that future decision making in terms of air quality complies with the WFG, and the Council meets the five ways of working, as detailed below:

- Long term – The action plan will balance short-term needs of improving air quality, and will also look at measures to safeguard the ability of meeting long-term needs.
- Prevention – By implementing measures which will be set out in the Action Plan, the Council should ensure improvements in air quality and will be able to prevent air quality deteriorating in the future.

- Integration – SRS will look to ensure that the work undertaken as part of the Action Plan integrates with public body’s environmental well-being objectives.
- Collaboration –The Action Plan will be developed in collaboration with many departments within the Council and other external organisations, i.e., Public Health Wales.
- Involvement – The action plan will be subject to public consultation, and will ensure that those who have a strong interest in improving air quality will be fully involved and their ideas considered.

8. Financial implications

- 8.1. SRS has an existing budget to complete a programme of air quality monitoring across Bridgend.
- 8.2. The proposed public drop in sessions can be met from existing budgets and resources.
- 8.3. To support the development of the Park Street, AQMA Action Plan detailed air quality and transport modelling will be required to support any decisions to implement mitigation measures to improve NO₂ levels along Park Street. To support the decision as to which measures will be implemented there will be further detailed modelling assessments. Firstly each measure will be assessed in terms of cost and benefit which will allow Cabinet to make an informed decision as to which measure/ measures they wish to pursue for further scrutiny and examination. A further report will be brought to Cabinet in order to facilitate this process. Any further detailed assessments will require financial support which, depending on the amount required, will necessitate discussion with the Section 151 Officer as to how it can be funded.

9. Recommendation

- 9.1. To note and accept the monitored results gathered in 2018;
- 9.2. To note the progress made developing the Air Quality Action Plan to accompany the Park Street, Bridgend AQMA; and
- 9.3. Recommend the finalisation of the 2019 Annual Progress Report (as attached as Appendix 1) for submission as a final version to Welsh Government before 30th September 2019.

Head of Legal and Regulatory Services
17th September 2019

Contact officer: **Helen Picton**
Operational Manager– Enterprise and Specialist Services
(Shared Regulatory Services)

Telephone: 01446 709360

Email: hpicton@valeofglamorgan.gov.uk

Background documents:

Bridgend County Borough Council (2018). Report to Cabinet, Report of the Head of Legal and Regulatory Services- Annual Progress Report 2018. From; <https://democratic.bridgend.gov.uk/documents/s17130/18.09.11%20Air%20Quality%202018%20Sep%20Cabinet%20Report%20Bridgend%20LF%20approval.pdf>

Welsh Government (2017). Local air quality management in Wales, Policy guidance, June 2017. From; <https://gov.wales/docs/desh/publications/170614-policy-guidance-en.pdf>

Appendix 1- Bridgend County Borough Council Local Air Quality Management Annual Progress Report 2019