

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 SEPTEMBER 2020

REPORT OF THE CHIEF OFFICER LEGAL, HR AND REGULATORY SERVICES

LOCAL AIR QUALITY MANAGEMENT – ANNUAL PROGRESS REPORT 2020

1. Purpose of report

- 1.1 The purpose of this report is to seek approval for the 2020 Bridgend County Borough Council (BCBC) Local Air Quality Management (LAQM) Annual Progress Report (APR) based upon on air quality datasets obtained in 2019. This report requires Cabinet approval in order to submit a final version to Welsh Government (WG) before the 30th September 2020.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective/objectives under the **Well-being of Future Generations (Wales) Act 2015:-**

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.

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, annexed as Appendix 1, provides details on the ratified data for the air quality monitoring undertaken in 2019 within Bridgend County Borough Council.

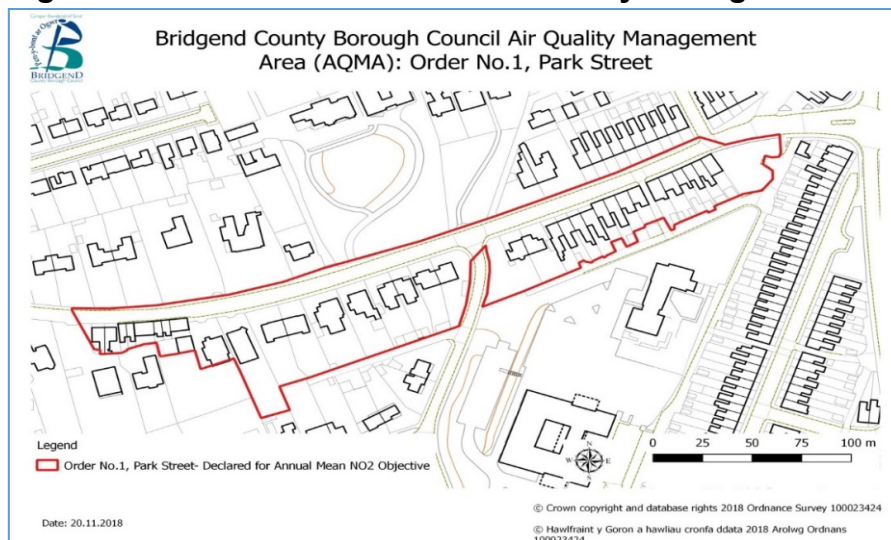
3.3 Welsh Government issues statutory policy guidance to Local Authorities under section 88 of the Environment Act 1995 to bring the local air quality management system in Wales into line with the sustainable development principle outlined in Welsh Government's Well-being for Future Generations Act, 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 2019 within Bridgend County Borough Council.

4. Current situation/proposal

4.1 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

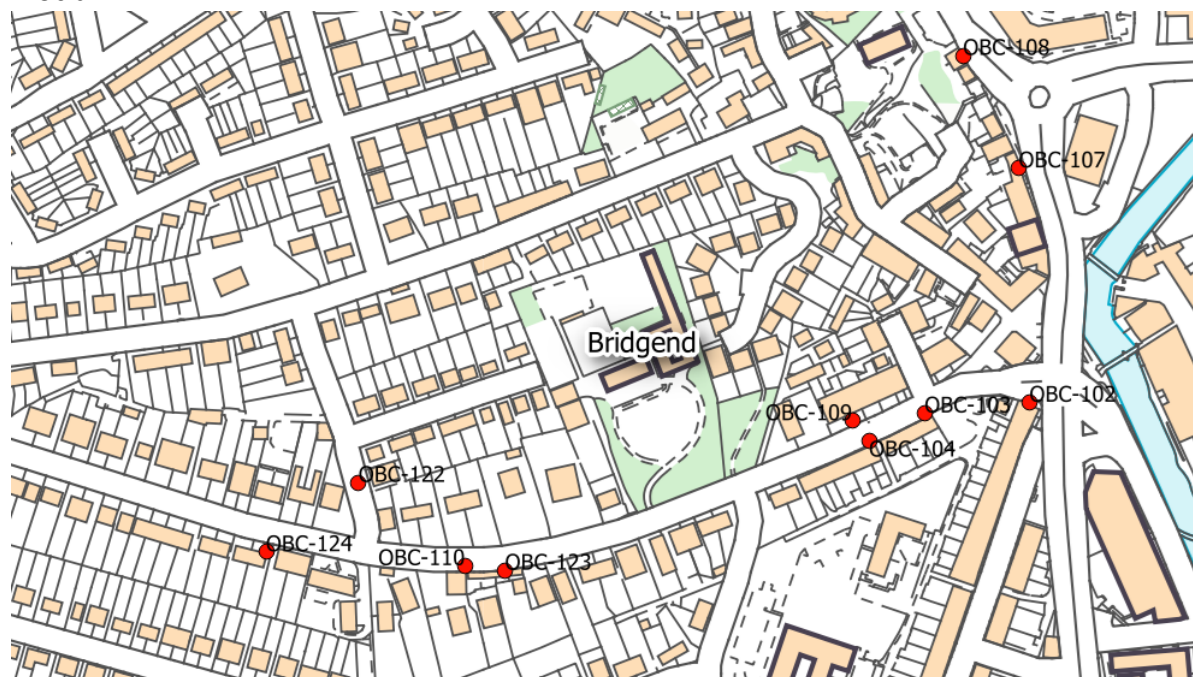


4.2 This 2020 Annual Progress Report (APR) outlines the revisions made to the NO₂ non-automatic monitoring network utilised in Bridgend for 2019. Existing non-automatic NO₂ monitoring locations were decommissioned due to continued compliance and new NO₂ monitoring locations were commissioned to strengthen understanding in existing monitored areas, such as the Park Street AQMA and Cowbridge Road.

- 4.3 This 2020 APR confirms that in 2019, 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 This 2020 APR does confirm that in 2019 air quality continues to be a prevalent concern along Park Street coinciding with the geographical boundary of the Park Street, Bridgend AQMA Order raised on the 1st January 2019. It is also noted that elevated annual average air quality levels exist in close proximity to Park Street along adjoining road networks where relevant exposure is apparent.

Figure 2 depicts the non-automated monitoring sites located in and around the Park Street AQMA.

Figure 2- 2019 NO₂ Diffusion Tube Monitoring Locations, Park Street/ Tondu Road



- 4.5 It is noted that monitoring undertaken at monitoring sites **OBC-110 & OBC-123**, located on Park Street residential facades, 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 & OBC-123** are calculated at **53.7µg/m³ & 55.2µg/m³**.
- 4.6 Focusing upon those monitoring sites outside the AQMA boundary, but located in close proximity on pieces of adjoining road network, site **OBC-108** demonstrates an elevated annual average level of **36.2µg/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 Park Street AQMA Order, including revisions of the geographical boundary to encapsulate a wider area and reasoning for declaration.
- 4.8 In addition to the non-automated monitoring network specific to the Park Street AQMA, it is imperative that SRS/ BCBC improve the air quality monitoring capabilities along Park Street by introducing an automated air quality monitoring system (AMS). 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.
- 4.9 Planning permission has been received for the AMS at the highlighted address, however although a final legal agreement has been agreed with representatives of the Quaker Meeting House for the use of the proposed AMS, the impact of the

COVID 19 pandemic, has somewhat hindered progress in formalising the agreement. At the time of writing this report it has been agreed to reconvene the formalisation of the agreement and verify some details about the site's implementation.

Park Street, AQMA Action Plan Update

- 4.10 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.
- 4.11 SRS/ BCBC are currently working in accordance with WG's Policy Guidance to produce an Air Quality Action Plan (AQAP).
- 4.12 In order to develop ideas and ensure an effective AQAP which considers all aspects, prioritising public health, an AQAP Work Steering Group has been put together consisting of representatives from Bridgend County Borough Council's various departments, as well as persons from the local PSBs. In addition to works and discussions held by the AQAP Work Steering Group, a number of informal 'drop-in' sessions have been facilitated by SRS/ BCBC in December 2019 which provided opportunities for the public find out more about air quality in the area, AQAP updates and suggest ideas for the AQAP.
- 4.13 Collaborating the ideas and suggestions made to date a list of proposed mitigation measures has been put together. At this stage of developing an AQAP, all mitigation measures are considered which provides a degree of transparency to allow interested persons to view all options considered.
- 4.14 An indicative cost and benefit score has been provided for each action. The potential actions have been scored for cost benefit and the resulting rank in order to identify the most deliverable actions.
- 4.15 Agreed by the AQAP Working Steering Group and coincided with the feedback received at the December 2019 public engagement sessions, the extent of the air quality levels examined on Park Street are derived by the nature of traffic flows utilising the network. Queuing and inconsistent traffic flows would appear to be the principal cause of the portrayed poor air quality levels.
- 4.16 Following the indicative Cost Benefit Analysis a decision was made by the AQAP Work Steering Group to pursue those mitigation options that will manage and improve traffic flows through the Park Street AQMA and in doing so deliver air quality improvements in the **shortest time possible**, and in line with the ambitions of Welsh Government and BCBC; reduce levels to **as low as reasonably practicable**.

4.17 It is recommended that in order to proceed with the development of a successful and meaningful AQAP the Council would need to make the decision whether to undertake detailed transport and air quality assessments to quantify and ensure that correct mitigation measures are implemented. With this viewpoint BCBC/ SRS has taken the informed decision to agree and pursue the necessary works to examine the impacts expected of a preferred mitigation options package;

The preferred options include;

1. Deny all access onto St Leonards Road (Measure 18);
2. Implement a 4 phase junction (3 traffic, 1 pedestrian) at the Heol-y-Nant turning (Measure 21); and
3. Optimise the Park Street/ Angel Street/ Tondu Road Junction (Measure 20).

4.18 It is proposed that SRS/ BCBC seek external consultant support to undertake transport and air quality modelling for the above options to illustrate any benefits for air quality levels. As the above measures work in conjunction with one another any transport and air quality modelling undertaken would assess the options cumulatively as one preferred scenario. Works are now underway to progress with the assessments working with external consultants to ensure a suitable scope of works.

Covid-19 Impacts

4.19 Due to the unprecedented circumstances, this has had an impact on the local air quality monitoring and the development of the action plan for the Park Street AQMA, in terms of its scheduling and delivery. Welsh Government have been made aware of delays to delivering the action plan. In doing so Welsh Government recognise the need to allow for an extension period to facilitate the delivery of the DRAFT action plan. It has been confirmed that a 6 month extension for the DRAFT action plan has been accepted by Welsh Government's Minister, therefore the deadline for submission is the 31st December 2020. Despite the difficulties SRS do see the completion of the action plan as a necessity and are committed to producing the DRAFT action plan.

4.20 During the COVID-19 pandemic local air quality monitoring has continued in Bridgend, however some non-automated results for a few selected months in 2020 will not be available for next year's reporting due to 'lockdown' measures introduced in the month of March 2020. Local Authorities including SRS at the time of the 'lockdown' measures being imposed looked for official clarity to ascertain if the monitoring was classified as essential in view of quietened road networks which may lead to a favourable bias, as well as difficulties faced by analytical laboratories

utilised by SRS which had to adapt their working practises which added to postage delays.

- 4.21 Air quality data collection has been deemed as an essential service by Welsh Government, whereby monitoring was resumed for May 2020. The results for 2020, which will be recorded in the 2021 Annual Progress Report will need to be corrected/ ratified to account for the gaps in the annual datasets incurred by the COVID situation. The exclusion of this data will be further discussed, however at this moment in time, results gathered during the COVID pandemic, where it is apparent that road traffic volumes have decreased significantly are perhaps not representative of a true business as usual scenario which could generate a bias/ underestimate of levels.

Welsh Government, Clean Air Plan for Wales, Healthy Air Healthy Wales

- 4.22 At the time of drafting this report WG has published its latest plan which underpins its commitment and long term ambition to improve air quality in Wales. The plan sets out WG's policy direction and proposed actions to reduce air pollution to support improvement in public health and the natural environment. Actions are proposed across four thematic themes, examined as People, Environment, Prosperity and Place.
- 4.23 The plan and its proposed actions is available at <https://gov.wales/sites/default/files/publications/2020-08/clean-air-plan-for-wales-healthy-air-healthy-wales.pdf>
- 4.24 SRS/ BCBC support the aspirations of the plan and welcome the development of more stringent mitigation measures that will enable a cohesive approach to air quality management and protecting public health and the natural environment.

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 To support the development of the Park Street AQMA Action Plan, and the decision as to which mitigation measures need to be implemented to improve NO₂ levels along Park Street, detailed air quality and transport modelling will be required. Any further detailed assessments will require financial support which, depending on the cost involved, will necessitate discussion with the Section 151 Officer as to how this can be funded.

8.3 To support the development of the Park Street AQMA Action Plan, the implementation costs for the appointed automated air quality monitoring station onto Park Street will require financial support, and depending on the amount required to install, this would necessitate discussion with the Section 151 Officer as to how this can be funded.

9. Recommendation(s)

- 9.1. To note and accept the results of air quality monitoring gathered in 2019
- 9.2. To note the progress made in developing the Air Quality Action Plan for Park Street, and endorse the decision to proceed with detailed transportation and air quality assessments to help quantify the impact the favoured measures could have on air quality within the Park Street, Bridgend AQMA; and
- 9.3. To agree the finalisation of the 2020 Annual Progress Report (as attached as Appendix 1) for submission as a final version to Welsh Government before 30th September 2020.

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September 2020

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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%2018%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>