

REPORT TO: HOUSING, DUNDEE CONTRACT SERVICES & ENVIRONMENT SERVICES COMMITTEE - 10th JANUARY 2011

REPORT ON: AIR QUALITY ACTION PLAN FOR NITROGEN DIOXIDE (NO₂) AND PARTICULATES (PM₁₀)

REPORT BY: HEAD OF ENVIRONMENTAL HEALTH & TRADING STANDARDS

REPORT NO: 16-2011

1.0 PURPOSE OF REPORT

To seek Committee approval of the draft Air Quality Action Plan for Nitrogen dioxide(NO₂) and Particulates(PM₁₀) and seek the Committee's agreement for the submission of the draft Action Plan to the Scottish Government.

Copies of the Draft Air Quality Action Plan for NO₂ and PM₁₀ have been passed to Group Leaders, Lord Provost and Deputy Lord Provost.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee:-

- (i) approve the draft Air Quality Action Plan for nitrogen dioxide (NO₂) and particulates(PM₁₀)
- (ii) agree the submission of the Air Quality Action Plan to the Scottish Government and the Scottish Environment Agency for their approval in line with the Council's statutory requirements.
- (iii) agree subject to any amendments from the Statutory Consultees.
- (iv) approves the additional remit for the Corporate Air Quality Steering Group as detailed in Section 4.12 of this report.

3.0 FINANCIAL IMPLICATIONS

3.1 In formulating this Action Plan it was necessary to consider the financial implications of the options chosen not only in terms of effectiveness in reducing NO₂ and PM₁₀ levels but also in the implementation of those options. Several options in the plan are for developing further matters which are already in place - this demonstrates the pro-active efficiency of the Council and the multi-faceted nature of so much of what the Council does:

- Workplace travel plans have already been prepared by some local employers and a Dundee City Council plan is currently in place. TACTRAN also promote a car and lift sharing website where those looking to offer a lift are matched with those looking for a lift.
- Many schools have school travel plans - minimising the 'school run' and promoting healthier alternatives.

3.2 In recent years, the Scottish Government has set aside monies (£1m in 09/10) for funding Action Plan work. It is not known whether similar funding will be available in future years but Dundee City Council would make a bid for any funding that may become available in the future. This money would be used to fund air quality work associated with the Action Plan.

3.3 Where works associated with the Plan cannot be undertaken within existing budgets, and no grant money is available, then they will be subject to the normal budgetary process with an appropriate priority rating being given compared to other priorities. This will be part of the annual progress report to the Scottish Government.

4.0 MAIN TEXT

4.1 As directed by the Environment Act 1995 Part IV, all local authorities in the UK are under a statutory duty to undertake an air quality assessment within their area and determine whether they are likely to meet the air quality objectives for a number of pollutants. The process of review and assessment of air quality undertaken by local authorities is set out under the Local Air Quality Management (LAQM) regime and involves a phased three yearly assessment of local air quality. Where the results of the review and assessment process indicate difficulty in attaining health-based objectives for air quality, the authority is required to declare an Air Quality Management Area (AQMA). An AQMA is a geographic area defined by high levels of pollution and exceedences of health-based standards. In this way the local authority declared an AQMA for nitrogen dioxide in 2006 (Reference Committee Report 108/2006, Article V of the Environment Services and Sustainability Committee of 20th February 2006). The order was varied in October 2010 to include the pollutant particulates (PM₁₀)(Reference Committee Report 567/2010, Article XII of the Housing, Dundee Contract Services and Environment Services Committee of 25th October 2010).

4.2 Declaring an AQMA places a further requirement on the local authority to produce an Air Quality Action Plan (AQAP) detailing the measures the authority intends to take to work towards achieving the required standards. The Council set up the multi-disciplined Corporate Air Quality Steering Group and commissioned specialist environmental consultants Bureau Veritas to develop an AQAP for Dundee.

4.3 Consequently following the declaration of an AQMA, Bureau Veritas carried out a Detailed and Further Assessment Report in 2009. The findings of this report confirm the need to maintain an AQMA for nitrogen dioxide and the need to declare an AQMA for PM₁₀. The Further Assessment also provided information about the proportions of the pollutants attributable to the different vehicle types and other sources and the amount of improvement required to reduce these pollutants to an acceptable level.

4.4 This information was used to guide the action planning process to the most appropriate options. It is the purpose of the Air Quality Action Plan to reduce the levels of NO₂ and PM₁₀ to below statutory objectives.

4.5 Although there is no specific legal requirement for these statutory objectives to be met by the Council, the Scottish Government does expect local authorities with an AQMA to produce Air Quality Action Plans, with appropriate targets to actively demonstrate that they are reducing the levels of the pollutants. While the Scottish Government expects all possible options to be considered, it recognises that there may be other factors to consider in terms of cost benefit analysis.

- 4.6 The steering group with the assistance of consultants looked at all the possible options and assessed them for their effect on NO₂ and PM₁₀ levels. A basic cost benefit analysis was undertaken and then the steering group members were consulted on their support for each option. These findings were consulted on by internal and external stakeholders, and the public, in 2010, with the gathered information used to draw up the final Action Plan. The Scottish Government has been kept abreast of the development of the Plan and it is not anticipated that there will be any major changes to be made during the approval process, by Scottish Ministers.
- 4.7 The Further Assessment identified that road traffic is the most significant source of NO₂ in Dundee city by contributing 74-91% of the total NO₂ concentrations at receptors. Measures that aim to reduce or deal with road traffic and transport in Dundee therefore make up a majority of the proposed options in the Action Plan. It is expected that between this Action Plan and national initiatives, the NO₂ level will reduce below the statutory standard at some point, but it is not possible to predict when this will occur.
- 4.8 In regards to PM₁₀, road traffic contributed 41-72% of the total predicted PM₁₀ concentrations at receptors while background sources of PM₁₀ were also a significant contributor by accounting for 28-59% of the total PM₁₀ concentrations. Most of the measures proposed to reduce NO₂ emissions from traffic should also benefit PM₁₀ emissions to some degree.
- 4.9 The proposed Action Plan considers options under five main headings - Traffic Measures, Policy and Partnership Working Measures, Leading by Example Measures, Education and Community Initiatives Measures, and Local Air Quality Management Measures. Details of these measures are contained in the main report.
- 4.10 If approved, the options described in the Action Plan would be taken forward not only by the Council, but also by working closely with relevant partners including TACTRAN, transport operators, schools and local businesses. Some of the measures are also at various stages of development as some will require further feasibility studies. The Action Plan indicates the predicted impact each option will have on air quality, a cost estimate of the option, the Lead Authority/s involved, a current status of the measure and a timescale. A prioritisation of the option is obtained by multiplying the cost effectiveness score of the proposal by the feasibility of the proposal.
- 4.11 Local Authorities have a duty to keep their action plans up to date. The Council is committed to the regular review of the AQAP, by reviewing progress against targets and timescales. Changes to the plan will be made where appropriate evidence supports this.
- 4.12 Local Authorities have to submit annual progress reports to the Scottish Government once the final Action Plan has been approved. The reports will refer to the quantitative/qualitative progress indicators (e.g. traffic flow reductions, emission reduction, procurement decisions, etc) and headline indicators (concentrations of NO₂ and PM₁₀, traffic flow and fleet mix in the AQMA) as set out in the Action Plan in assessing the implementation of the Plan as well as measuring its impact on air quality. It is proposed that the remit of the Corporate Air Quality Steering Group be amended to include this additional undertaking.
- 4.13 Dundee City Council has a statutory duty to produce and implement an Air Quality Action Plan to try and reduce levels of NO₂ and PM₁₀ to below the legislative standards. This Action Plan is seen as a positive, practical and robust tool to achieve these aims.

5.0 POLICY IMPLICATIONS

This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-poverty, Equality Impact Assessment and Risk Management.

The major issues identified are:

5.1 Sustainability

5.1.1 The sustainability policy principles that are addressed in this report are -

- ensure compliance with relevant environmental legislation and related policy guidance

5.1.2 The acceptance of the contents of this report will assist the Council in meeting its statutory obligations in relation to Local Air Quality Management.

5.2 Strategic Environmental Assessment

5.2.1 Section 8 (1) of the Environmental Assessment (Scotland) Act 2005 requires Local Authorities to determine if a plan is likely to have significant environmental effects. Dundee City Council has determined, in consultation with the Scottish Environment Protection Agency, Scottish Natural Heritage and Historic Scotland, that the Air Quality Action Plan 2008-2011 is unlikely to have significant effects that would require a strategic environmental assessment. A Strategic Environmental Assessment will therefore not be prepared alongside the Air Quality Action Plan.

6.0 CONSULTATIONS

6.1 The Chief Executive, Depute Chief Executive (Support Services), Director of Finance, Assistant Chief Executive and Director of City Development have been consulted in relation to this report.

7.0 BACKGROUND PAPERS

7.1 None.

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