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**To: City Executive Board**

**Date: 18<sup>th</sup> February 2009**

**Item No:**

Deleted: 16

**Report of: Head of Environmental Development**

**Title of Report: Air Quality Management**

### Summary and Recommendations

**Purpose of report:** To advise the City Executive Board of the results of the latest report on the Review and Assessment of Air Quality for Oxford, and to ask the City Executive Board to make a decision about the declaration of an Air Quality Management Area(s).

**Key decision?** Yes

**Executive lead member:** Cllr John Tanner (Cleaner, greener city)

**Report approved by:** John Copley, Head of Environmental Development

**Finance:** Andy Collett

**Legal:** Lindsay Cane

**Policy Framework:**

This work reflects the Council's Vision of improving performance and working with others to deliver shared goals. It specifically contributes to the strategic priority to improve the local environment, economy and quality of life, and the Community Strategy theme of working to create a better living environment.

**Recommendation(s):**

The City Executive Board is recommended to: -

- (i) Note the findings of the 2008 Progress Report and Detailed Assessment on air quality in Oxford;

- (ii) Propose an Air Quality Management Area Order (as appended to this report), for public consultation, in relation to one Air Quality Management Area for the whole City.
- (iii) Recommend Environmental Development jointly with Oxfordshire County Council, to prepare a single Air Quality Action Plan for the whole of the City within 18 months of the designation of the new AQMA.
- (iv) To note that the County Council as part of its transport function will include the above action plan within the next LTP (Local Transport Plan) 2011-2016.
- (v) Note that the continued assessment of air quality will be covered by existing budgets but measures that may be adopted as part of an Air Quality Action Plan could have financial implications requiring additional funding.

## Introduction

1. The Government published its policy for air quality management in 1995. The policy provides a framework for air quality control through a process of local air quality management and is formalised under the Environment Act 1995. The Act requires Local Authorities to undertake an air quality review of their area. Local Authorities are required to establish Air Quality Management Areas (AQMA's) so as to improve air quality in those areas where it is anticipated that air quality standards and objectives will not be met. The Act also requires public consultation to take place as part of the process.
2. Following designation of an AQMA a written Air Quality Action Plan (AQAP) must be prepared outlining cost effective measures, with time scales, designed to achieve the air quality standards and objectives. There is no prescribed timetable for the production of the AQAP but it is expected that it should normally be carried out 12 to 18 months after the AQMA has been declared.
3. The Air Quality Action Plan is the most important and significant part of Local Air Quality Management. It provides a practical opportunity for improving local air quality where it is shown that air quality objectives will not be met using national measures and that additional measures are required at the local level.
4. To date two AQMA's have been declared in Oxford, the Central Oxford AQMA in 2001 (amended in 2004), and the Green Road Roundabout AQMA in 2005. Both AQMA's have been declared because the national air quality objective for nitrogen dioxide will not be met.
5. A written AQAP has been prepared jointly with Oxfordshire County Council for the Central Oxford AQMA, which has been integrated into the Local

Transport Plan (LTP 2006-2011). Air quality is now one of five shared priorities within the current LTP. The main action proposed was that a feasibility study should be carried out for the introduction of a Low Emission Zone (LEZ) for certain streets in the AQMA. This would ensure that only vehicles meeting minimum emission standards would be allowed to enter designated parts of the city centre. The LEZ feasibility study, jointly funded by the County Council, is still in progress and has had to be extended to include the 'Transform Oxford' proposals recently announced by the County Council.

6. The ongoing action plan for Central Oxford will continue regardless of any new designation for the entire City area. At a later date the Central Oxford action plan will be merged into the City wide action plan.
7. A written AQAP has not yet been prepared for the Green Road Roundabout AQMA because a reassessment of air quality in the area was necessary following the changes to the roundabout layout. This has now been completed and can be included within the new City wide action plan.

### **2008 Progress Report and Detailed Assessment**

8. The 2008 Progress Report and Detailed Assessment is the most recent report on the review and assessment of air quality in Oxford. A copy of the report can be found at <http://occweb/environment/air-previous-reports.cfm>
9. This report, along with previous reports, highlights the fact that the major sources of emissions, contributing to poor air quality, are from road traffic. It also highlights that air quality issues in Oxford are city wide, and include local district centres, busy junctions, and roundabouts on the ring road as well as the city centre. The report has been submitted to DEFRA and the findings and conclusions accepted.
10. The main conclusions of the report are that the two existing AQMA's for the City Centre and Green Road Roundabout need to be modified, and a further six AQMA's need to be declared, as follows: -
  - (i) Central Oxford AQMA to be amended to include the following locations:
    - York Place
    - Butterwyke Place
    - Cornmarket Street
    - Thames Street (East section to St Aldate's)
    - Botley Road (Station Junction to Duke Street Junction)
  - (ii) Green Road Roundabout AQMA to be amended to include the following locations:
    - Lydia Close (North side junction with Bayswater Road and South Side junction with the A40)
    - Roundway Precinct (Flats above shops)

- Green Road (East from The Roundway to Ridgeway Road)
- (iii) New AQMA's are required at the following locations: -
- Cowley Shopping Centre, and junction of Between Towns Road and Oxford Road.
  - Headington Shopping Centre, including junction of Windmill Road and London Road.
  - Summertown Main Shopping Parade (West)
  - Wolvercote Roundabout
  - Cutteslowe Roundabout
  - Junction of Abingdon Road and Weirs Lane

11. The six new AQMA's all need to be declared because the annual mean national air quality objective for nitrogen dioxide will not be met at those locations. A map showing the location of the existing and proposed AQMA's can be found in Appendix 1.

#### **Options for Declaring AQMA's in Oxford**

12. Once it has been established that an air quality objective will not be met the Council must declare an AQMA, and then produce a written action plan outlining the measures required to improve air quality in that area.
13. The options, based on the findings of the 2008 Progress Report and Detailed Assessment are: -
- (i) Amend the two existing AQMA's for the City Centre and Green Road Roundabout, and declare six new AQMA's for the locations identified at the Cowley Shopping Centre, Headington Shopping Centre, Summertown Main Shopping Parade, Wolvercote Roundabout, Cutteslowe Roundabout, and the junction of Abingdon Road and Weirs Lane; or
  - (ii) Define the whole of the City boundary as one AQMA with reference to the eight air quality hot spots.

14. The advantages and disadvantages of each option are: -

Option 1 (see 12(i) above)

#### *Advantages*

- Designating a number of smaller AQMA's, rather than one single large area would enable progress to be demonstrated by 'ticking off' individual areas as air quality improves.
- Declaring smaller areas may provide a better focus on the hot spot locations particularly with regard to the assessment of new developments in the city.
- May provide a better indication of where resources need to be allocated in terms of monitoring and AQAP measures.

### *Disadvantages*

- Will require eight separate written AQAP's.
- Action plan measures focusing on small areas may move the problem to other parts of the city, which would then need to be assessed.
- Piecemeal approach of undertaking detailed assessments at numerous locations where an air quality objective may be exceeded is more costly in terms of monitoring and officer time.

### Option 2 (see 12(ii) above)

#### *Advantages*

- Administratively much simpler to designate one area based on the city boundary.
- One AQAP required for the whole of the city, to be developed jointly with the County Council for early integration within the next Local Transport Plan (LTP 2011-2016)
- The problems in all the areas are transport related so the action plan measures required to improve air quality will be similar, and the assessment of air quality, environmental and climate impacts of future transport measures can be considered City wide within the LTP
- All future developments with potential traffic and air quality impacts can be assessed as part of the planning process and not just those falling within individual AQMA's.
- Encourages an integrated approach to environmental development and assessment across the whole city, including cumulative impacts.
- Consistent with the requirement to consider air quality and climate change impacts within a framework of sustainable development as defined in the local development framework.
- Looking at measures to address air quality across the whole city, rather than through individual AQAP's is more cost effective approach, and is consistent with the development of a Low Emission Strategy for the city.

#### *Disadvantages*

- Less focus on new hot spot locations, however future LAQM reports to DEFRA will require updates on the extent of hotspots.
15. The guidance from DEFRA is that there are no hard and fast rules for determining the boundaries of an AQMA other than it must cover all areas where it is likely that an air quality objective will not be met. It also

recognises that wherever a boundary is drawn, the AQAP is likely to need to cover a wider area.

16. The County Council have commented that they would have no objection to the declaration of a single AQMA, provided that the hot spots where the air quality objective has been exceeded are identified, and addressed within the AQAP. For two-tier authorities the AQAP should be integrated into the Local Transport Plan (LTP) and so having one AQAP for the whole city would make this easier.

### **Recommendations**

17. The most cost effective option for the continued review and assessment of air quality in Oxford would be to declare one AQMA for the whole of the city, with one AQAP. A Draft AQMA Order highlighting the revoking of the existing AQMA Orders, and declaring a City-wide AQMA is appended to this report. We are required to consult with key stakeholders on this proposal, before the new AQMA Order is made.
18. The City Executive Board is recommended to: -
  - (i) Note the findings of the 2008 Progress Report and Detailed Assessment on air quality in Oxford.
  - (ii) Propose an Air Quality Management Area Order (as appended to this report), for public consultation, in relation to one Air Quality Management Area for the whole City.
  - (iii) Recommend Environmental Development jointly with Oxfordshire County Council, to prepare a single Air Quality Action Plan for the whole of the City within 18 months of the designation of the new AQMA.
  - (iv) To note that the County Council as part of its transport function will include the above action plan within the next LTP (Local Transport Plan) 2011-2016.
  - (v) Note that the continued assessment of air quality will be covered by existing budgets but measures that may be adopted as part of an Air Quality Action Plan could have financial implications requiring additional funding.

### **Climate change / environmental impact**

19. No implications for carbon emissions from OCC estates and operations.

### **Equalities impact**

20. Declaring one AQMA with one AQAP for the whole of Oxford would ensure a more uniform approach to the review and assessment of air quality, and avoid any potential blight to those properties that fall within smaller defined areas.

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**List of background papers:**

2008 Progress Report and Detailed Assessment

(<http://occweb/environment/air-previous-reports.cfm>)

**Glossary**

**AQAP:** Air Quality Action Plan.

**AQMA:** Air Quality Management Area.

**DEFRA:** Department for the Environment Food and Rural Affairs.

**LEZ:** Low Emission Zone

**LTP:** Local Transport Plan

**Version number: 2.1**

**Oxford City Council**

**Section 83(1) Environment Act 1995**

**The City of Oxford Air Quality Management Area Order 2009**

The Oxford City Council (“the Council”) is satisfied that as a result of its Detailed Assessment, dated May 2008, that the air quality objective for nitrogen dioxide (NO<sub>2</sub>, annual average) is not likely to be achieved by 31<sup>st</sup> December 2005 (being the relevant period prescribed by The Air Quality (England) Regulations 2000 No 928, (as amended by, The Air Quality (England) (Amendment) Regulations 2002 (“the Regulations”)) in the hotspots as defined in the 2008 DA report, within the area described below for reasons of the current and projected levels of nitrogen dioxide which exceed the objective levels set by the Regulations).

The Council in exercise of the powers conferred upon it by Section 83(1) of the Environment Act 1995, makes the following Order:-

1. This Order may be cited as “The City of Oxford Air Quality Management Area Order 2009”
2. The Air Quality Management Area will be an air quality management area in relation to nitrogen dioxide only.
3. The area is described as the “City of Oxford” and for the purpose of identification is shown edged in red on the attached map prepared and sealed with the Common Seal of the Council and marked “map referred to in The City of Oxford Air Quality Management Area Order 2009”.
4. The Order will come into operation with immediate effect and shall remain in force until varied or revoked by subsequent Order.
5. The following Orders are hereby revoked:

“The City of Oxford Central Air Quality Management Variation Order 2004”

“The City of Oxford (Green Road Roundabout) Air Quality Management Area Order 2005”

THE COMMON SEAL OF THE  
OXFORD CITY COUNCIL was  
hereunto affixed by Order of the  
Council in the presence of:-

Nominated Officer

Dated this ..... Day of .....2009



**Proposed Air Quality Management Area**

Map referred to in The City of Oxford Air Quality Management Area Order 2009

