

To: City Executive Board

Date: 1 September 2010 **Item No:** 12

Report of: Head of Environmental Development

Title of Report: Ratification of City-Wide Air Quality Management Area

Summary and Recommendations

Purpose of report: To advise the City Executive Board of the completion of the public consultation in relation to the City-Wide Air Quality Management Area (AQMA), and to ask the City Executive Board to ratify the decision made in 2009 concerning the declaration of a City-Wide AQMA.

Key decision? Yes

Executive lead member: Councillor John Tanner

Report approved by

Finance: Gillian Chandler

Legal: Jeremy Thomas

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 that public consultation on a Citywide Air Quality Management Area has been completed, as required by minute 189 at CEB on 18/02/2009.
- (ii) Note no substantial issues were raised by the public consultation, and therefore no changes are necessary
- (iii) Make the Air Quality Management Order that forms Appendix 2 of this report

Introduction

1. At its meeting on 18 February 2009, CEB resolved to:
 - Propose an Air Quality Management Area Order for public consultation, in relation to one Air Quality Management Area (AQMA) for the whole City;
 - Recommend that the Head of Environmental Development, jointly with Oxfordshire County Council, prepare a single Air Quality Action Plan for the whole of the City within 12 months of the designation of the new AQMA;
 - Note that the next Local Transport Plan; produced by the County Council will align with the Air Quality Action Plan
2. Following this resolution, it has been agreed with officers of Oxfordshire County Council, to draw up a timetable for integrating the consultation on the AQMA and development of the Air Quality Action Plan (AQAP), with the process for development of the next Local Transport Plan (LTP) for Oxfordshire.
3. The timetable for development of the AQAP and the next Local Transport Plan is detailed within Appendix 1.

Public Consultation

4. Public Consultation on the Citywide AQMA took place via the on-line consultation pages of the Oxford City Council Web Site, during the month of April 2010. The timing was scheduled to be completed in advance of:-
 - The LTP3 scenario consultation in May/June 2010
 - Develop and test options in line with agreed LTP3 preferred scenario
 - Produce draft strategy statement, draft programme and draft air quality action plan (AQAP)
 - The full public and stakeholder consultation on draft strategy, programme and AQAP as part of LTP3 consultation
5. Statutory consultees were contacted, including Oxfordshire County Council, Local District Councils, main bus operators and the Highways Agency, as well as organisations and individuals with registered interests for consultation under transport and environmental issues.
6. The consultation was open to any member of the public who registered for on-line consultations. The questionnaire was designed to highlight the previous assessment work as the basis for declaring the citywide AQMA, then to ask respondents about their concerns, and measures they would like to see introduced to improve air quality.

Responses to Public Consultation

7. There were no substantial issues raised during the consultation period that require significant changes.
8. Almost 400 invitations were sent out, with over 500 people registering as on-line participants. There were 51 on-line respondents.
9. There have been a wide range of detailed comments from many respondents, all broadly supportive of measures to reduce the impact of all traffic in Oxford, within a City-Wide air quality action plan.
10. The County Council supports the need to declare a City-Wide AQMA and is prepared to assist with the development of a City-Wide Air Quality Action Plan, alongside the next LTP.
11. The Highways Agency has commented that any Action plans arising from the AQMA are aligned with the objectives surrounding the A34 being re-classified from being of regional importance to being of national importance to support economic growth and tackle climate change.
12. The two main bus companies, Oxford Bus Company and Stagecoach have commented that the proposed Low Emission Zone (LEZ) should apply to all vehicle types in the city, not just buses and coaches. They are in favour of a citywide action plan, but one which sees buses as a major part of the solution and not the biggest problem.

AQMA Ratification

13. The Order to declare the new City-Wide AQMA was included within the February 2009 CEB Report.
14. The AQMA Order and boundary map are updated and presented within Appendices 2 and 3 respectively.
15. CEB have already agreed in principle to implement a City-Wide AQMA, subject to public consultation.

Climate change / environmental impact

16. The designation of a City-Wide AQMA will encourage an integrated approach to air quality and climate change implications of transport measures across the whole of Oxford.

Equalities impact

17. Declaring one AQMA with one AQAP for the whole of Oxford will 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.

Financial Implications

18. There are no baseline budget implications as the project is funded by the Department for the Environment, Food and Rural Affairs (DEFRA) grants. DEFRA funding for this 2010/11 is secure, less clear about next years funding. We will have to review this and associated work programmes when funding position is known.

Recommendations

19. The City Executive Board is recommended to: -
- (i) Note that public consultation on a City-Wide AQMA has been completed, as required by minute 189 at CEB on 18/02/2009.
 - (ii) Note no substantial issues were raised by the public consultation, and therefore no changes are necessary
 - (iii) Make the Air Quality Management Order that forms Appendix 2 of this report

Name and contact details of author:

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List of background papers:

Report of Head of Environmental Development to CEB on City-Wide AQMA, dated 18th February 2009

Glossary

AQAP: Air Quality Action Plan.

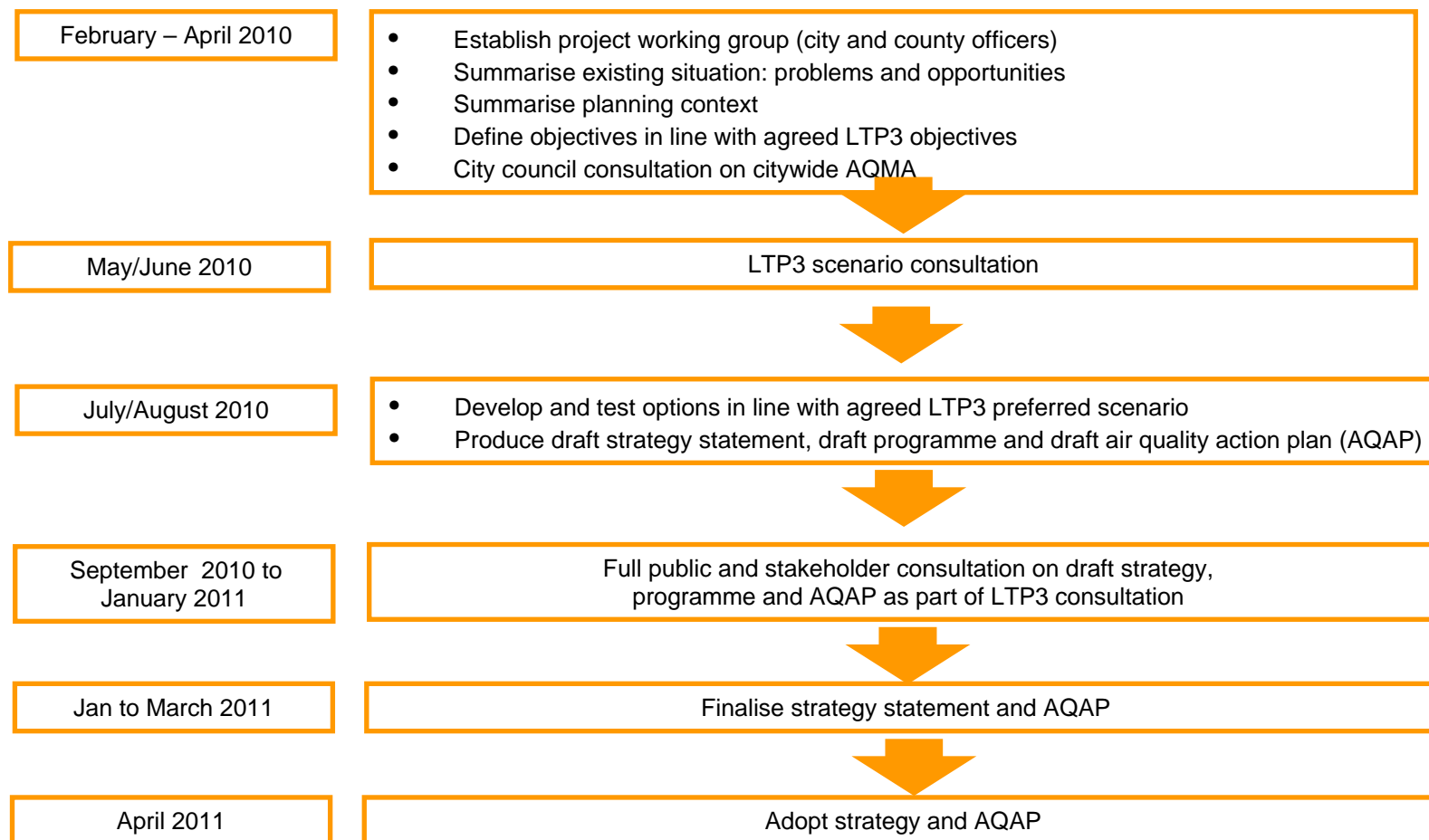
AQMA: Air Quality Management Area.

LEZ: Low Emission Zone

LTP: Local Transport Plan

Version number: 3

Oxford transport strategy and City-Wide air quality action plan (AQAP) 2011 – 2030 Strategy development process



Oxford City Council

Section 83(1) Environment Act 1995

The City of Oxford Air Quality Management Area Order 2010

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 (NO₂, annual average) was not achieved by 31st 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 2010”
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 2010”.
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”

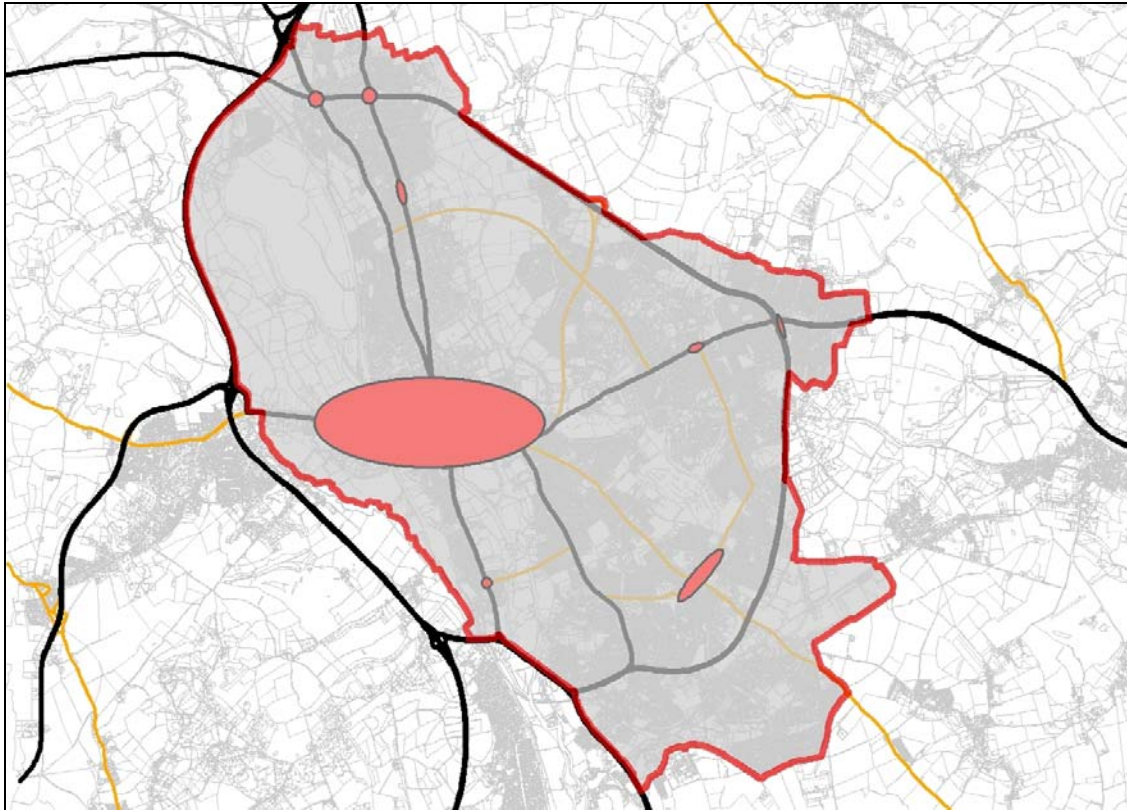
THE COMMON SEAL OF THE
OXFORD CITY COUNCIL was
hereunto affixed by Order of the
Council in the presence of:-

Nominated Officer

Dated this Day of2010

Proposed Air Quality Management Area

Map referred to in The City of Oxford Air Quality Management Area Order 2010



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Oxford City Council LA 078921