

SUBJECT:	Designation of an Air Quality Management Area in Iver
REPORT OF:	<i>Healthy Communities Portfolio Holder, Cllr Patrick Hogan</i>
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WARD/ PARISH AFFECTED	Iver Parish

1. Purpose of Report

In June 2017, the Healthy Communities Policy Advisory Group received an update on air quality where it was noted that further additional monitoring in the Iver area was required to confirm the requirement for an Air Quality Management Area (AQMA). This additional monitoring has concluded and the assessment has been updated.

The findings were debated at the PAG of the 22nd February where 3 options for an AQMA were considered, with a recommendation for a parish wide AQMA being taken forward to formal consultation.

The consultation ran from the 1st March to the 31st March 2018. A summary of responses for the consultation are included with this report. The report also includes supplementary written responses to the consultation and reflection of the feedback.

Whilst over 90% of respondents agree that the boundary should be aligned with the Parish Boundary, in light of two supplementary responses, the matter has been brought back to this advisory group and the PAG are now asked to consider how they wish to proceed in making recommendation for a decision by Cabinet on the designation of an Air Quality Management Area under section 83 (1) of the Environment Act 1995.

The PAG is asked to advise the Portfolio Holder on the following recommendations to Cabinet:

RECOMMENDATION to Cabinet

1. To consider responses from the consultation (both for and against) with regard to the AQMA designation (including its location and size) and then either:
 - a) recommend to Cabinet a suggested variation, amendment or delay in the creation of the AQMA Order (appendix 1)

or

b) recommend to Cabinet the approval of the AQMA Order based on the Iver Parish boundary as consulted upon under section 83 (1) of the Environment Act 1995

2. Reasons for Recommendations

Under Section 83 (1) of the Environment Act 1995, where it is identified that an objective will not be met, and members of the public are exposed to the elevated levels of pollutants, the local authority is required to declare an AQMA for the specific pollutants that are exceeding. The main source of the exceedences is motor vehicles, and associated congestion.

The monitoring data confirmed the requirement for an AQMA to be declared along the High Street in Iver. It also suggested that the boundary of the AQMA should be extended beyond the modelled area above 36µg/m³ to include properties located along the northern section of Thorney Lane North, to the junction with Delaford Close. This represented the smallest area that could be declared. If it is considered that a wider area would provide greater scope for making improvements to air quality then statutory guidance allows for a wider area to be declared.

With this in mind, PAG Members previously explained that a smaller boundary would not adequately address air quality issues caused by the wider road network and main routes to and from Iver High Street. The Group felt that the whole area of Iver and Richings Park should be included in the AQMA consultation as exceedences had been identified at various points within the Parish. A larger boundary would ensure that HGV issues were not shifted from one part of the Parish to another. In light of the cumulative impacts facing the area it would provide a sensible and manageable geographical area.

Recommendations allow for the PAG to consider the full range of responses both positive and negative and the two written responses and the points they raise in order to make a decision on how to proceed.

3. Content of Report

At a District level, the Environment Act 1995 requires Local Authorities to undertake air quality reviews. In areas where an air quality objective is not anticipated to be met, Local Authorities are required to establish Air Quality Management Areas (AQMA) and implement targeted action plans to improve air quality

To enable SBDC to support the delivery of improving air quality along Iver High Street and Iver more generally, it is now necessary to formally declare an AQMA.

When determining the boundary of an AQMA the authority should make an appropriate judgement based on the extent of predicted areas of exceedance, the locations of relevant receptors, the nature and location of relevant sources, and other local factors.

It must be accepted that predicting air pollutant concentrations in future years is not an exact science, and it is anticipated that authorities will need to apply a degree of professional judgment in drawing the boundary line for the designated area. In many cases, the precise description of the geographical exceedance of an objective is unlikely to be critically important from the air quality management perspective - in this respect it is more important to determine the approximate extent of the exceedance, together with which sources are predominant, so that an effective and well-targeted action plan can be formulated.

In areas where trans-boundary pollution is an issue, the authority may decide to designate the entire ward/parish/district as an AQMA; this kind of declaration provides greater flexibility for air quality officers to respond to pollution issues as and when they arise. This does not prevent officers from then focussing on key areas within an AQMA for taking action.

Accordingly, The PAG considered 3 potential AQMA areas and following consideration, agreed to consult on a parish wide AQMA boundary.

4. Consultation

The 1995 Act provides the statutory basis for consultation and liaison in respect of LAQM. Defra (for England authorities, outside of London) is the key statutory consultee under LAQM. Schedule 11 of the 1995 Act also requires local authorities to consult with the Environment Agency, Highways England, other local authorities, national parks, public bodies and bodies representing local business interests and other organisations as appropriate

This consultation took place between the 1st March and 31st March with dedicated website information and survey.

Consultation Responses:

The Council received 59 responses in total from the public and consultees.

Responses were received from Wycombe District Council, Bucks County Council, Chiltern DC, The Ivers Community Group, Iver Health Drama Club, Iver Heath Residents Association, WSP on behalf of Woodlands Park Property Limited and WSP on behalf of Pinewood Studios Group.

Statutory consultees responded via the survey with Bucks CC (appendix 2) and the Environment Agency (appendix 3) also providing written responses. It should be noted that BCC suggest excluding the existing AQMA motorway area, in any new

designation. It is therefore suggested that this is reflected in any official Order by way of annotation.

Out of the 59 respondents, 54 agreed that the AQMA boundary should be aligned with the Iver Parish Boundary. That represents a percentage of 91.5% agreeing that the AQMA should be aligned to the Iver Parish Boundary from those responding and 8.5% not agreeing.

There was also opportunity to provide any comments about the declaration and these are provided in full in appendix 4. Generally these comments overwhelmingly support the designation of an AQMA and also provide reasons why a wider parish area would be most effective. Many mention that they are aware and experience poor air quality and there are also a high proportion of those mentioning Richings Park. There is also acknowledgment of cumulative impacts such as Heathrow expansion and motorways.

WSP on behalf of Woodlands Park Property Limited and Pinewood Studios Group in addition to the online consultation also emailed additional comments. Permission was sought from WSP to publish these responses and this was duly provided on the 03/04/2018.

Both responses (appendix 5 and 6) include - views on the geographical extent of the AQMA and the rationale behind the proposed declaration; a review of the evidence base prepared for the Council and used to inform the potential AQMA designation against national and local planning policy, and statutory guidance, for declaring an AQMA; and details of concerns regarding the monitoring and modelling undertaken by both the Council and their appointed third parties to inform the AQMA designation process.

In terms of the content of their feedback, WSP on page 2 usefully provide extract from Defra's publication 'LAQM Policy Guidance 2016 (LAQM.PG.16)':

*In many urban and built-up areas, especially where trans-boundary pollution is an issue, the authority **may decide to designate the entire borough as an AQMA; this kind of declaration provides greater flexibility for air quality officers to respond to pollution issues as and when they arise.***

WSP provides a summary and critique of the production of the 2016 AQC report, highlighting uncertainties and highlighting recommendations made. It then goes on to detailed concerns such as selection of monitoring locations and relevant exposure.

The Council is fully aware of the need to follow DEFRA guidance on the positioning of passive monitors and takes account of the type of monitoring location when selecting sites. It is of course not always possible to meet all of the optimised criteria, in which case the best fit site is chosen. Any roadside sites are corrected using the standard methodology.

WSP raised concerns that the 2017 report uses data from January to September 2017 only with no data capture rate.

Response: Since receiving this feedback from WSP, the Council felt it would be useful to see if the October to December figures could be incorporated into the data and see if this made any significant differences. This has been done and the opportunity to use the latest bias adjustment figure was also taken (even though these reduce exceedences), along with distance correction can be seen in figures 1 and 2 below:

Fig 1: Bias Correction Factors

Site Name	Jan - Sept only Bias Adjusted Predicted by AQC (0.92)	New Full year Bias Adjusted (0.89)
Swan Pub	40.5	39.5
Colne Cottage	45.5	45
Tower Arms	43.5	42.5

Fig 2: Distance Correction

Site Name/ID	Distance (m)		NO2 Annual Mean Concentration ($\mu\text{g}/\text{m}^3$)		
	Monitoring Site to Kerb	Receptor to Kerb	Background	Monitored at Site	Predicted at Receptor
Swan Pub	2.2	2.4	22.07	39.5	39
6 Thorney Mill North Iver	1.5	2.1	22.07	45	43
Tower Arms	2.1	4.2	29.85	42.5	40

Monitors are in place for a period of 12 months, changed on a monthly basis. Data capture rates (these account for loss, theft, lab error etc.), was between 83% and 100%, across all sites.

WSP raised a further concern that the exact location of a passive monitor was not on a façade of a building that the data should be disregarded.

Response

Officers remain of the view that this location provides useful data and is in line with the neighbouring property boundary to its right. If the tube had been located behind the sign then this may have influenced results, however it is located beneath the sign itself and therefore whilst not optimal is still considered valid. There is no requirement that monitors must be placed on a building façade and therefore the Council does not agree that data should be disregarded.

WSP conclude that they do not believe that there is sufficient information provided in the work completed by AQC and the Council to support the Parish-wide AQMA declaration, this includes not completing a full years monitoring and therefore declaring too soon.

Response

In terms of this, the Council has recalculated data based on a full year that was released after the report finalised and this continues to show exceedences above 36µg/m³.

WSP also consider that there is no evidence of trans boundary pollution, explain that much of the area is agricultural with no receptors and consider that a smaller AQMA is preferable.

Response

Many of the points Members raised as part of its earlier deliberations on the wider cumulative impacts of the area consider the wider traffic issues and these are also reflected by the overwhelming majority of respondents comments as seen in appendix 4

WSP conclude by requesting that further monitoring should be undertaken and that they do not support a Parish wide AQMA.

Officers have tried to present and consider all of these additional points as part of this report and provide the responses by WSP in full as part of this document pack so as to allow Members to balance all responses and come to a final decision as per the recommendations.

5. Corporate Implications

7.1 Financial

No specific financial implications. Action plan measures will be the subject of a further report.

7.2 Legal

SBDC has a statutory duty to declare an AQMA as and when nitrogen dioxide pollution exceeds the Government target of 40 micrograms per cubic metre annual mean. DEFRA will be notified if an AQMA order is agreed and may also provide feedback / a response to the Council.

6 Links to Council Policy Objectives

Two of the shared three headline objectives are:

- *Working towards safe and healthier local communities*
- *Striving to conserve the environment and promote sustainability.*

7 Next Steps

Cabinet will be asked to approve the designation of an Air Quality Management Area by official Order (appendix 1). If this is approved, an Air Quality Action Plan will then be produced with relevant stakeholders.

Although Local Authorities have 12 months to develop an action plan from the time of designation, Officers have already started to consider what opportunities there are for action. These are likely to include opportunities to engage with local schools and residents, work with partners to try and improve the flow of traffic, options for limiting polluting vehicles, the routing of freight, associated signage improvements, the influence of parking enforcement, the promotion of green travel plans and working with local schools.

Monitoring will be used to measure any changes in air quality as a result of improvement actions.

The action plan development, like the designation process, has a statutory process that requires stakeholder engagement and approval from the Secretary of State.

Appendix 1: Draft AQMA Order and boundary map.

Appendix 2: Bucks CC response to consultation

Appendix 3: Environment Agency response to consultation

Appendix 4: Comments from the public and agencies submitted online

Appendix 5: WSP response on behalf of Woodlands Park Property Limited

Appendix 6: WSP response on behalf of Pinewood Studios