

Report of the Portfolio holder for Environment and Climate Change

AIR QUALITY STATUS REPORT 20221. Purpose of Report

To advise Members of the latest Air Quality Status Report which has been submitted to the Department of Food Environment and Rural Affairs (DEFRA).

2. Recommendation

Cabinet is asked to RESOLVE that the Air Quality Status Report and the Updated Action Plan be approved.

3. Detail

Each year, DEFRA requires all local authorities in England to produce an Annual Status Report (ASR) in respect of air quality. The production of an ASR is intended to aid local transparency, increase accessibility of air quality to the wider public audience and encourage buy-in to delivering air quality improvement measures by those best placed to assist (e.g. directors of public health, transport managers etc.). The format of the report is specified by DEFRA. The annual bias corrections used in the report are not usually available until

The Air Quality Action Plan relevant to Broxtowe's direct actions is now included into the Air Quality Strand of the Climate Change and Green Futures Action Plan and updated there accordingly. Broxtowe's ASRs are approved by the portfolio holder for Energy and Climate Change and the Director of Public Health before submission. The committee is advised of the feedback received from DEFRA.

Some of the positive aspects contained in the report include the following:

- The 2021 nitrogen dioxide results show that the air quality levels are below the objective of $40\mu\text{g}/\text{m}^3$ for all of the monitoring locations throughout the Borough.
- There was an increased the number of diffusion tubes measuring nitrogen dioxide to 45.
- The Council recently purchased a real time monitor to monitor $\text{PM}_{2.5}$, PM_{10} and NO_2 in the Trowell AQMA. This data will be reported in the 2023 ASR.

4. Financial Implications

There are no additional financial implications at this stage, with the costs associated with air quality status work being contained within existing budget resources.

5. Legal Implications

Part IV of the Environment Act 1995 sets out statutory provisions on air quality. Section 82 provides that councils shall review the air quality within their area. Section 83 requires councils to designate Air Quality Management Areas

(AQMAs) where air quality objectives are not being achieved, or are not likely to be achieved (i.e. where pollution levels exceed the air quality objectives) as set out in the Air Quality (England) Regulations 2000. Where an area has been designated as an AQMA, Section 84 requires councils to develop an Air Quality Action Plan (AQAP) setting out the remedial measures required to achieve the air quality standards for the area covered within the AQMA. The Department for Environment, Food and Rural Affairs (DEFRA) has provided statutory guidance in the form of the Local Air Quality Management Policy Guidance. The guidance gives particular focus to so-called 'priority pollutants' such as Nitrogen Dioxide (NO₂) and so-called 'Particulate Matter' (PM₁₀ and PM_{2.5}) which are relevant to district councils.

Councils are required to submit an Annual Status Report (ASR) to DEFRA in order to report the progress being made in achieving reductions in concentrations of emissions relating to relevant pollutants below air quality objective levels. The completed report is submitted to the Secretary of State (DEFRA) for consideration. DEFRA provide comments back which the Council must 'have regard to'.

6. Human Resources Implications

No Comments.

7. Union Comments

No Comments.

8. Data Protection Compliance Implications

There are no Data Protection issues in relation to this report.

9. Equality Impact Assessment

As there is no change to policy an equality impact assessment is not required.

10. Background Papers

Nil.