

Report of the Portfolio Holder for Environment and Climate Change

AIR QUALITY STATUS REPORT 20231. 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

The Policy Overview Working Group considered the report and RECOMMENDS to Cabinet 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 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 at least the end of April each year, and the required information from Nottinghamshire County Council is not available until June.

The Air Quality Action Plan relevant to Broxtowe's direct actions is now included into the Natural Environment Strand of the Climate Change and Green Futures Strategy and updated there accordingly. Broxtowe's ASRs are approved by the Portfolio Holder for Environment and Climate Change and the Director of Public Health before submission. The Committee is advised of the feedback we receive from DEFRA later in the year

Broxtowe Borough Council has taken forward a number of direct measures during the current reporting year of 2022 in pursuit of improving local air quality. Ninety-eight measures are included within this report and they are either completed, in progress or in the planning stage.

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

- The 2022 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 being monitored through the use of 51 diffusion tubes.
- The diffusion tube network within the borough was increased from 45 diffusion tubes to 51 in 2022, which enables a greater understanding of the air quality within the Borough.

- The real time monitor to monitor PM_{2.5}, PM₁₀ and NO₂ in the Trowell AQMA has been installed and this data will be reported in the 2024 ASR.
- The remaining AQMA in Trowell has shown to be below the air quality objective of 40µg/m³ for 7 consecutive years, and therefore it has been stated in this report that the AQMA will be revoked in 2023/2024 with Defra's approval.
- Electric Fleet Vans – A further four electric fleet vehicles were purchased in 2022 due to satisfactory trials of two electric fleet vans in 2020.
- Electric Vehicle Fleet Procurement for small vans below 2 tonnes - All 9 vehicles (small vans) have now been replaced with Electric Vehicles.
- To raise awareness of anti-idling legislation with taxis – All taxi drivers that operate within the borough were notified of anti-idling legislation and the associated health affects in 2022.
- Broxtowe Borough Council Cycle to Work Scheme – Three employees purchased bikes through this scheme in 2022. Since the scheme started, 180 employees have purchased bikes through the scheme.
- To replace Broxtowe Borough Council older combination boilers and system boilers to Seasonal Efficiency of a Domestic Boiler in the UK (SEDBUK) A rated condensing boilers – in 2022, we have replaced a total of 273 domestic boilers. Of these, all were of low efficiency, the others being lifecycle changes.
- To raise awareness of anti-idling legislation with taxis – All taxi drivers that operate within the borough were notified of anti-idling legislation and the associated health affects in 2022.
- Eleven more measures to improve air quality have been devised in this reporting year making a total of 98 measures that are either completed, in progress or in the planning stage.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no additional financial implications, with operational costs being contained within existing budgets, although there could be additional costs if action was taken to increase monitoring levels. Any significant budget implications going forward, over and above virement limits, would require approval by Cabinet.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

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

There were no comments from the Human Resources Manager.

7. Union Comments

There were no union comments.

8. Climate Change Implications

The comments from the Waste and Climate Change Manager were as follows:

The actions outlined in the air quality status report, support and reinforce the programme of activities identified in the Climate Change and Green Futures Strategy and delivery programme. These actions have already contributed to favourable environmental outcomes, such as the improvement of air quality, the reduction of carbon emissions and a contribution towards mitigating the worst impacts of climate change. Moreover, future actions resulting from Local Air Quality Management in Broxtowe Borough will continue to deliver beneficial results in the future.

9. Data Protection Compliance Implications

This report does not contain any (SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

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

11. Background Papers

Nil