

Agenda Item	10
Report No	TEC 58/13

Consultation on Review of Local Air Quality Management in Scotland

Report by Director of Transport Environmental & Community Services

Summary

This report provides information on local air quality management in the Highlands and invites Members to approve the Council's response to the Scottish Government's consultation on the Review of Local Air Quality Management in Scotland.

1. Background

- 1.1 Legislation over the last century has dramatically reduced air pollution across the UK from industrial and domestic sources. However, poor air quality can still occur due to other sources such as road traffic, and new technologies, such as biomass schemes, may also have an impact.
- 1.2 Research into the further impacts on health from poor air quality are on-going and recent reports have found that poor air quality in the UK shortens life expectancy by an average of seven to eight months and has an impact of individuals with weak hearts. In 2012 the Chief Medical Officer in England placed urban air pollution within the top ten causes of mortality in the UK.
- 1.3 The Environment Act 1995 brought in the current Local Air Quality Management (LAQM) regime. Local Authorities are required to undertake air quality reviews of their areas to ensure that the national air quality objectives will be achieved. The pollutants that require to be assessed by the local authority are:
 - Benzene
 - Carbon monoxide
 - 1,3-butadiene
 - lead
 - nitrogen dioxide
 - sulphur dioxide
 - fine particles
- 1.4 If the objective for a pollutant is exceeded the local authority must declare the affected area an Air Quality Management Area. The authority must then draw up and implement an Action Plan to reduce pollution levels in the specified area. Progress Reports are required in the intervening years between the three-yearly Updating and Screening Assessment reports.
- 1.5 Following the LAQM model, the first review of air quality in the Highlands by Environmental Health was published in 1998. From that initial review to the most

recent, the reports have concluded that air quality in the Highland Council area is good. Highland at present does not have any Air Quality Management Areas as the pollutant levels are below the national objective values. A summary of all reports published is provided in **Appendix 1**.

1.6 Over the years the reviews have identified possible localised issues and detailed assessments have been carried out:

- benzene levels at petrol terminals in Inverness Harbour and Nigg (2003);
- Sulphur dioxide levels due to solid fuel in housing in Castletown (2003);
- Sulphur dioxide levels due to Alcan Smelter in Fort William (2003)
- Nitrogen dioxide in Inverness City Centre (2003)

The detailed assessments carried out so far have concluded that there was no likelihood of air quality objectives not being met due to these processes.

1.7 Current automatic monitoring is carried out in Inverness, Fort William and a remote glen, Strath Viach. All three stations are part of the UK Automatic Urban and Rural Network and information (current, historical and forecasts) is available on the website <http://www.scottishairquality.co.uk/>

1.8 Environmental Health monitors Nitrogen dioxide by passive diffusion tube at ten sites in Inverness and Dingwall.

1.9 Recent monitoring data indicates that there may be exceedences of the objectives for Nitrogen dioxide in Inverness on Queensgate and Union Street. This is likely to be caused by traffic and the 'canyon' effect of the buildings. Environmental Health is undertaking a detailed assessment for Nitrogen dioxide in this area due to be completed at the end of 2013. The Detailed Assessment will determine whether the objectives are being achieved and the necessity to declare an Air Quality Management Area.

1.10 The Highland Council's next steps in the LAQM Process will be to submit our latest progress report and in early 2014 report the outcome of the Detailed Assessment for Nitrogen dioxide in Inverness. Later in 2014 another Progress Report will be submitted.

2. Scottish Government Consultation

2.1 The purpose of the consultation is to invite discussion on the best way to address shortcomings identified in Local Air Quality Management (LAQM) delivery. The consultation notes that in the last few years reductions in concentrations of some major pollutants, most notably nitrogen dioxide (NO₂) and particulate matter, have started to tail off in many urban areas.

2.2 The consultation also recognises the key role local authorities play in efforts to improve air quality but recent experience suggests that LAQM, the system devised to facilitate this work, is not delivering to the extent that it should be, particularly in relation to action planning.

- 2.3 This consultation considers a number of possible changes to improve and refocus LAQM, including:
- consolidation of legislation;
 - streamlining the review and assessment reporting system;
 - revising and strengthening the action planning process; and
 - considering the role of local authorities in meeting PM2.5 obligations.

Responses are invited by no later than 6 September 2013.

- 2.4 The proposed response from the Council is contained in **Appendix 2**. In summary, the response is supportive of the proposals to simplify LAQM reporting arrangements which will help Local Authorities free up time and resources which would be better focused on any required action planning.

3. Implications

- 3.1 There are no resource implications arising from this report.
- 3.2 The consultation response may impact on future air quality legislation and requirements for the Council but there are no significant implications.
- 3.3 There are no equality implications arising from this report.
- 3.4 There are no Climate Change implications arising from this report.
- 3.5 There are no risk implications arising from this report.

4. Recommendation

- 4.1 Members are invited to approve the Council's response to the Scottish Government's consultation on the Review of Local Air Quality Management in Scotland, as contained in **Appendix 2**.

Designation: Director of Transport, Environmental and Community Services

Date: 2 August 2013

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Background Papers:

Scottish Government 'Consultation on review of Local Air Quality Management in Scotland', <http://www.scotland.gov.uk/Publications/2013/06/5955>

Appendix 1

The Highland Council Review and Assessment Reports and Outcomes

Date	Report	Outcome
1998	Air Quality in the Highlands - First Stage Review and assessment	No requirement to proceed to second stage review and assessment
2001	Addendum to Air Quality in the Highlands	No requirement to proceed to second stage review and assessment
2003	Updating and Screening Assessment	Proceed to detailed assessment for: Benzene in the vicinity of fuel storage facilities at Nigg and Inverness; Sulphur dioxide in respect of areas with a high density of domestic solid fuel burning; Sulphur dioxide in the vicinity of the Alcan Site, Fort William; and Nitrogen dioxide in Inverness city centre.
2005	Detailed Assessment	Concluded: That there was no likelihood of the objective for benzene not to be met in the Highland Council Area; That the air quality objective for Sulphur dioxide is being met in the Highland Council Area; That the air quality objectives for Nitrogen dioxide are being met in the Highland Council Area; and that there is no requirement to declare an Air Quality Management Area in the Highland Council Area.
2006	Updating and Screening Assessment	Detailed Assessment not required
2007	Progress Report	Detailed Assessment not required
2008	Progress Report	Likely exceedence identified at Telford Street, Inverness for PM ₁₀ . Detailed Assessment required. (subsequently this requirement was removed following a correction to the monitoring data)
2009	Updating and Screening Assessment	Detailed Assessment required for NO ₂ and PM ₁₀ in Halkirk, Caithness. (subsequently this requirement was removed following a change to the emissions from a biomass process)
2010	Progress Report	Detailed Assessment not required
2011	Progress Report	Detailed assessment not required
2012	Updating and Screening Assessment	Detailed assessment required for Nitrogen dioxide at Queensgate, Inverness

Review of Local Air Quality Management in Scotland

CONSULTATION QUESTIONS

Q1 a) Do you agree that these are the key issues which any changes to LAQM should take account of?

b) Are there any other key issues which the Scottish Government should consider as part of the review?

Comments

- a) We agree that the key issues any changes should take account of are :
 - i. Public Health
 - ii. Streamlining requirements
 - iii. LAQM and EU reporting
 - iv. Review of EU air quality legislation
- b) No other key issues

Q2 Do you think the regulations covering LAQM and EU legislation should be merged? Please provide reasons for or against this approach.

Comments

We do not see any strong reasons to alter the current approach. There could be benefit in aligning achievement dates.

Q3 Do you think we should retain the LAQM objectives for 1,3-butadiene, SO₂ (15 minute), carbon monoxide and lead? Please state your reasons for or against, including potential implications.

Comments

We recognise the concentrations of these pollutants are low but we feel the reporting requirements are not burdensome. So overall, we believe these should be retained.

Q4 What do you think are the basic air quality information requirements for local authorities and central government to meet their obligations under LAQM and EU legislation?

Comments

We feel the current information gathered through the progress reports is suitable to meet LAQM obligations.

Q5 Do you agree there is a case for streamlining reporting, altering frequency of the report cycle etc.? If so, how should this be done?

Comments

We agree with the proposals to streamlining reports. We agree with the comments that the Updating and Screening Assessments add little to what we know and that submission of annual Progress Report is now more appropriate.

We note the comment on possibly removing the detailed assessment (DA) step to free up resources and time. We have found the DAs extremely beneficial in clarifying possible exceedences and feel that Local Authorities must retain the option to carry out DAs when appropriate.

Q6 Can Scottish and UK data help to reduce the level of assessment required by local authorities and would this be appropriate?

Comments

We don't believe that the Scottish and UK data would have great benefit in reducing level of assessment required as it will not pick up on local issues.

Q7 How can work undertaken by local authorities be used more effectively to support UK Government reporting to the European Commission?

Comments

Yes, as proposed arrangements could be more formalised so that the local authority contribution to meeting limit values is clearer, for example by ensuring that limit value exceedences are taken into account in the development of action plans.

Q8 Do you agree we should retain AQMAs?

Comments

Yes, we feel there is benefit in retaining AQMAs as they focus attention on local issues.

Q9 Do you agree there needs to be more focus on action planning and delivery? Do you have any suggestions on how to improve delivery? What have been the main barriers to effective delivery to date?

Comments

Although we have not had direct experience of action planning, we agree with the proposals on streamlining reporting to allow greater focus on action planning for those authorities with major issues.

Q10 Do you agree that local authorities should be provided with more detailed advice and guidance on what action they can take to make their action plans more effective?

Comments

Yes, we feel the comments from the 2011 review, particularly on establishing an online library of guidance and providing further real life examples would be of great assistance.

Q11 Do you agree that relevant information from local authority action plans should be included in central government reports to the EU?

Comments

Yes, as it would demonstrate the benefit of the LAQM approach.

Q12 Do you agree that a more emissions based focus on action planning would help to improve outcomes?

Comments

We note the comments in the consultation on this issue and agree that the action planning process may be made more effective by switching to a focus on emissions reduction outcomes. However, we would like further guidance on developing measures based action planning before fully committing to this approach.

Q13 What role do you see for local authorities in meeting PM_{2.5} obligations?

Comments

Given the nature of PM_{2.5} pollution and that sources may be outwith the Local Authority area we believe the most effective controls on PM_{2.5} are at national or international level.

Q14 Are there specific measures that authorities could take to reduce PM_{2.5} that differ from those already being undertaken for PM₁₀?

Comments

We are not aware of further specific measures that could be taken beyond those already being taken for PM₁₀.

Q15 What approaches and strategies are currently being used to communicate the health impacts of poor air quality? How can these be built upon and improved to strengthen the message?

Comments

The Council have done publicity in the past on vehicle idling and may consider further projects in this area. We would welcome examples from other authorities of work being done to promote the importance of this issue and would be happy to participate in any appropriate regional or national initiatives.

Q16 What role should the Scottish Government be playing in promoting the links between air pollution and public health?

Comments

At a national level the Scottish Air Quality website is of great benefit and should be retained.