

**REPORT TO THE MEETING OF THE EXECUTIVE 21 APRIL 2010**

**PORTFOLIO: ENVIRONMENT**

**REPORT FROM HEAD OF ENVIRONMENTAL SERVICES**

**SUBJECT: AIR QUALITY MANAGEMENT AREA - RAWRETH INDUSTRIAL ESTATE**

**1 DECISION BEING RECOMMENDED**

- 1.1 To declare an Air Quality Management Area (AQMA) at Rawreth Industrial Estate as shown outlined in red on the attached plan (see Appendix 2) for particulate matter and for this purpose to authorise the Head of Environmental Services to make the AQMA Order.
- 1.2 That an action plan is developed by officers to identify and address the sources of particulate matter within the AQMA by 31 March 2011.

**2 FORWARD PLAN REFERENCE No: 01/10**

**3 REASON/S FOR RECOMMENDATION**

- 3.1 A public consultation exercise was undertaken between 17 February 2010 and 6 April 2010 in order to seek views about the creation of an AQMA. This related to the target level for particulate matter, also known as PM<sub>10</sub> being exceeded in the area shaded red on the map attached at Appendix 1. The consultation included a presentation to West Area Committee on 4 March 2010.
- 3.2 Although some general enquiries were answered, no specific consultation responses were received. The Environment Agency has offered support and undertaken to address related issues through its enforcement role on those sites it regulates, such as the Waste Transfer Station.
- 3.3 For clarity, officers have taken the opportunity to extend the boundary of the AQMA to ensure that they are aligned with property boundaries. The finalised AQMA is outlined in red on the attached plan shown at Appendix 2.

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 To include those properties in the area shaded orange on the plan attached at Appendix 1. This area is predicted to just achieve the national target level for particulate matter.

**5 OTHER SALIENT INFORMATION**

- 5.1 The background to this matter was considered by The Executive on 27 January 2010, where the principle of an AQMA at this location was agreed. (Min 28/10)

- 5.2 An AQMA is required at this location as it is predicted that the daily target for particulate matter will be exceeded for one day above the threshold of 35 days per year.
- 5.3 Guidance advises that when an AQMA is created, as a minimum, all relevant premises potentially exposed to air quality above the target level should be included. Relevant premises include homes.
- 5.4 Should The Executive agree the recommended actions, an Air Quality Management Area Order will be made by 30 April 2010 in respect of the predicted exceedance of the daily target.

## **6 RISK IMPLICATIONS**

- 6.1 The Council is required to declare an Air Quality Management Area (AQMA) where any national air quality target is exceeded. A breach of a national air quality target, where there is 'relevant exposure', is defined by national guidance.
- 6.2 The aim of creating an AQMA is to improve the health and quality of life of the public and to help protect our environment.
- 6.3 Where an AQMA is required, this could potentially have adverse implications for businesses, residents and their properties within the designated area.

## **7 ENVIRONMENTAL IMPLICATIONS**

- 7.1 Tackling local causal sources will improve the air quality for public subject to long-term exposure within any future AQMA.

## **8 RESOURCE IMPLICATIONS**

- 8.1 The current budget (plus reserve) allows for 12 months of continuous monitoring at this site starting this current year (2009/10). Irrespective of this, Officers intend submitting a grant application to Defra by the end of April 2010 to cover some of the monitoring costs associated with this process.
- 8.2 The declaration of an AQMA will result in significantly more officer time being committed to air quality action planning issues. It will be necessary to re-prioritise other work to ensure this can be addressed within existing staff resources.

## **9 LEGAL IMPLICATIONS**

- 9.1 The Secretary of State for Defra has overall responsibility for the attainment of national air quality targets. The Council has a duty in law to monitor the air quality in its district and take all reasonable steps to achieve objectives within its boundary on the Secretary of State's behalf.

- 9.2 The Council is required to declare an AQMA where a national air quality target is exceeded. It must consult with the public and other relevant parties in order to create and implement an Action Plan to improve the air quality within that AQMA.
- 9.3 Should a Council fail to declare an AQMA where a target is exceeded, Defra can direct a local authority to do so.
- 9.4 Following the declaration of an AQMA, it can be revoked at any time once Defra are satisfied that the relevant target is being met.

I confirm that the above recommendation does not depart from Council policy and that appropriate consideration has been given to any budgetary and legal implications.

SMT Lead Officer Signature: \_\_\_\_\_

**Head of Environmental Services**

---

**Background Papers:**

LAQM PM10 Detailed Assessment – Rawreth Industrial Estate December 2008

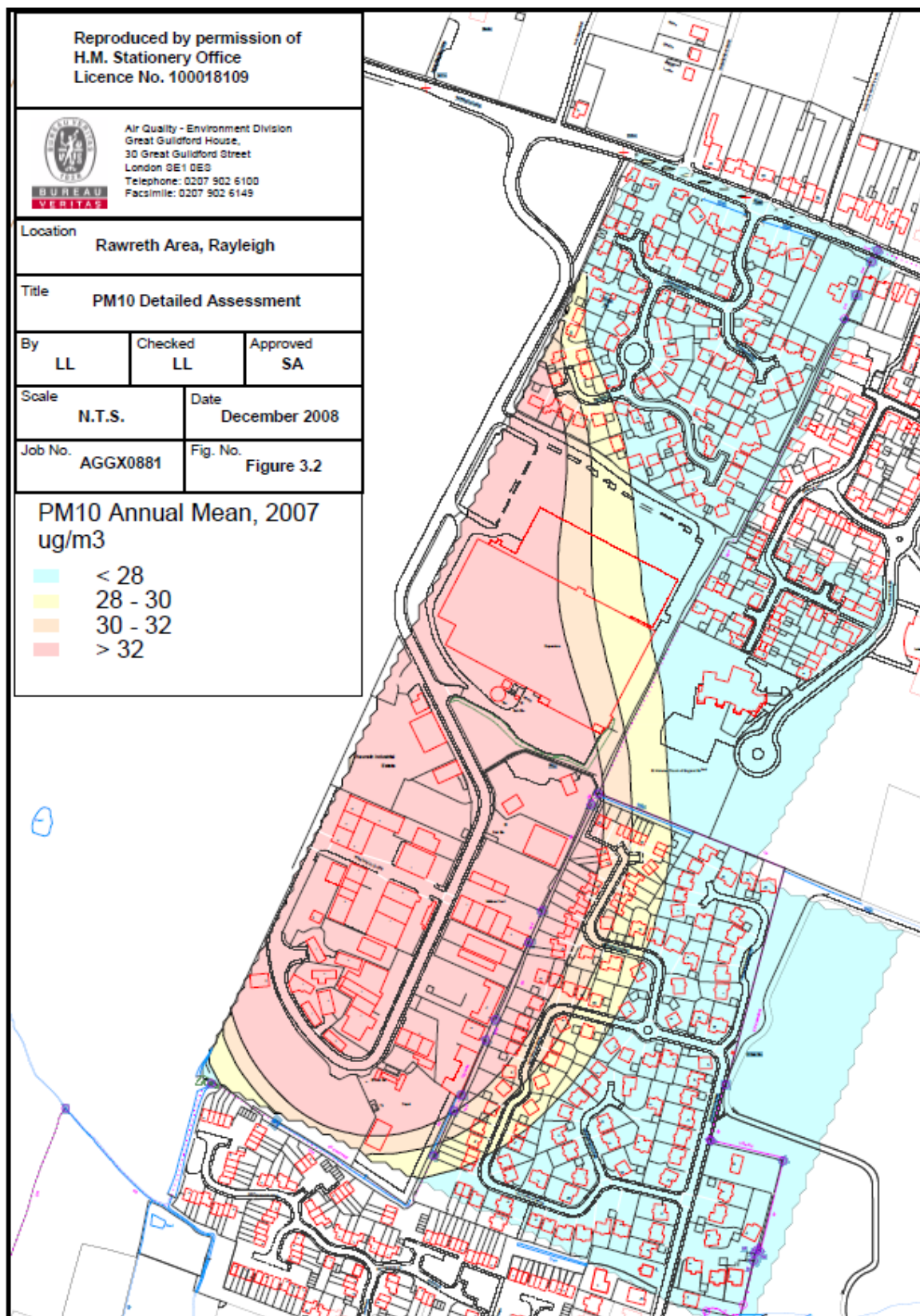
LAQM Updating and Screening Assessment 2009 May 2009

For further information please contact Martin Howlett on:-

Tel:- (01702) 318049

Email:- martin.howlett@rochford.gov.uk

If you would like this report in large print, Braille or another language please contact 01702 546366.

Map of average annual PM<sub>10</sub> levels



Proposed AQMA boundary for Rawreth Industrial Estate

