

# ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 15<sup>th</sup> APRIL 2016

## The Environment Act 1995 – Public Consultation on Llanelli Air Quality

### To consider and comment on the following issues:

- (i) To issue an Order designating the boundary of an Air Quality Management Area, (AQMA), for Llanelli as illustrated in attached report and;
- (ii) To set up a Steering Group made up of all relevant stakeholders to assist in the development of an Action Plan and;
- (iii) To develop an Action Plan in accordance with legislative requirements that will pursue the improvement of air quality and the reduction of nitrogen dioxide levels within the AQMA.

### Reasons:

- To update members on the consultation process with a view to declaring an Air Quality Management Area within Llanelli.
- To ensure compliance with legislation and;
- To satisfy the outcomes of the Detailed Assessment Report, which has been agreed and approved by the Welsh Government, in reducing Nitrogen Dioxide levels in Llanelli and;
- To consider and incorporate, where appropriate, the responses received during the formal consultation process.
- To formulate views for submission to the Executive Board / Council for consideration.

**To be referred to the Executive Board / Council for decision: YES**

**Executive Board – 25th April 2016  
County Council – 11th May 2016**

**Executive Board Member Portfolio Holder:**  
Cllr. Jim Jones (Environmental & Public Protection)

<b>Directorate:</b> Communities	<b>Designations:</b>	<b>Tel Nos. / E-Mail Addresses:</b>
<b>Name of Head of Service:</b> Robin Staines	Head of Housing & Public Protection	01267 228960 <a href="mailto:rstaines@carmarthenshire.gov.uk">rstaines@carmarthenshire.gov.uk</a>
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## EXECUTIVE SUMMARY

# ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 15<sup>th</sup> APRIL 2016

## The Environment Act 1995 – Public Consultation on Llanelli Air Quality

The Environment Act 1995 places a duty on Local Authorities to assess and manage air quality in its area. This is achieved through the Local Air Quality Management work. There are various pollutants that can be assessed but Local Authorities are only required to monitor for those that have a potential to breach the Air Quality Objectives. For Carmarthenshire, the main pollutant of concern is nitrogen dioxide (NO<sub>2</sub>).

The Environment Act 1995 specifies how Local Authorities deal with areas that fail to comply with the national air quality objectives.

The town of Llanelli in Carmarthenshire has experienced increasing levels of NO<sub>2</sub> over the last few years, to the extent that the air quality objective for NO<sub>2</sub> has been breached. The Welsh Government has required the Authority to carry out a Detailed Assessment to ascertain the extent and level of exceedence of the Air Quality Objective.

Following Executive Board approval on the 11 May 2015, a public consultation was launched on the 5th October 2015 seeking views on the proposed boundary for the AQMA. Notification of the consultation was provided to relevant statutory consultees, local councillors for those areas affected, Chamber of Trade and members of the public.

The consultation was posted on the 'iLocal' section of the Authority's website and news feeds sent out via Twitter and Facebook. The consultation was for a period of eight weeks with the closing date for comments being the 30th November 2015.

### Response to Consultation

A summary of the responses received to the public consultation are shown in the following table.

**Table 1 – Summary of Responses**

<b>Consultee</b>	<b>Response</b>
Welsh Government (Air Division)	No response
Llanelli Town Council	Agreed with proposed boundary and welcomed the designation of an AQMA and development of an Action Plan in order to take appropriate action.
Llanelli Chamber of Trade	None
Natural Resources Wales	No response.
Public Health Wales	Expressed a wish to participate in assisting the Local Authority develop an Action Plan and quantify health impacts collaboratively with its partner organisations.
Individual Ward Councillors	As the Town Council
Residents and Businesses	1) Return Gelli Onn junction to a roundabout.  2) Significant response received requesting that Sandy Road should be given due consideration for inclusion in the AQMA boundary due to a number of factors.
Website visits	69 hits

No specific objections have been received in respect of setting the boundary and the need to designate an AQMA. However, a significant response was received requesting that serious consideration be given to including Sandy Road within the boundary of the AQMA.

As a result of the consultation, the proposed boundary map has been amended to include Sandy Road and Bassett Terrace.

The proposed Order and amended AQMA boundary map are at the end of the attached report. The Local Authority must now work towards developing an Action Plan that will pursue the improvement of air quality and the reduction of nitrogen dioxide within the AQMA.

**DETAILED REPORT ATTACHED?**

**YES**

# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: **Robin Staines** Head of Housing & Public Protection

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## 1. Policy, Crime & Disorder and Equalities

The declaration of an Air Quality Management Area, (AQMA), could impact directly on Health, Transport and Planning policies. These parties should form part of the Steering Group set up to assist in the development of an Action Plan.

## 2. Legal

The legal process detailed in the legislation and supporting guidance must be adhered to.

## 3. Finance

There should not be financial implications at the designation of AQMA and development of an Action Plan unless the Welsh Government instructs that further monitoring is required. There are possible cost implications at the implementation stages of potential intervention options however any actions falling out of the Action Plan will be subject to further reports, consideration and approval.

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: Robin Staines Head of Housing & Public Protection

**1. Local Member(s)** – Consulted as part of the consultation process. The Environmental & Public Protection Scrutiny Committee was also consulted as part of the consultation process.

**2. Community / Town Council** – Consulted as part of the consultation process.

**3. Relevant Partners** – Consulted as part of the consultation process.

**4. Staff Side Representatives and other Organisations** – Consulted as part of the consultation process.

**Section 100D Local Government Act, 1972 – Access to Information  
List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW:**

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Consultation Responses	Pollution Team, Environmental Health and Licensing Section, Town Hall, Ammanford
(i) The Environment Act 1995 (Part IV) (ii) Air Quality (Wales) Regulations 2000 (iii) Air Quality Strategy (Wales) 2007 (iv) LAQM Technical Guidance 2009 (v) LAQM Policy Guidance 2009 (Wales)	Pollution Team, Environmental Health and Licensing Section, Town Hall, Ammanford
(i) 2013 Air Quality Progress Report Updating & Screening Assessment for Carmarthenshire (ii) 2013 Llanelli Detailed Assessment Report for Carmarthenshire (iii) 2014 Air Quality Progress Report for Carmarthenshire (iv) 2014 Llanelli Extended Detailed Assessment Report for Carmarthenshire (v) 2015 Air Quality Updating & Screening Assessment Report for Carmarthenshire	Pollution Team, Environmental Health and Licensing Section, Town Hall, Ammanford

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Local Air Quality Management (LAQM) – Detailed Assessment of Air Quality in Llanelli (Executive Board, 11th May 2015)	<p><b>Agenda</b>  <a href="http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20150511/index.asp">http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20150511/index.asp</a></p> <p><b>Minutes</b>  <a href="http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20150511/MINUTES.HTM">http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20150511/MINUTES.HTM</a></p>
Local Air Quality Management (LAQM) – Detailed Assessment of Air Quality in Llanelli (E&PP Scrutiny Committee, 8th April 2015)	<p><b>Agenda</b>  <a href="http://online.carmarthenshire.gov.uk/agendas/eng/ENMT20150408/index.asp">http://online.carmarthenshire.gov.uk/agendas/eng/ENMT20150408/index.asp</a></p> <p><b>Minutes</b>  <a href="http://online.carmarthenshire.gov.uk/agendas/eng/ENMT20150408/MINUTES.HTM">http://online.carmarthenshire.gov.uk/agendas/eng/ENMT20150408/MINUTES.HTM</a></p>