

WRS Board:

Information Report – Environment Act 2021, Air Quality, Air Quality Grant Scheme 2022

Recommendation | **That the Board notes the Report and that members use the contents of the information provided in their own reporting back to fellow members of the partner authorities.**

Report | 2022 has proven to be a busy year in terms of air quality and the purpose of this report is to provide members with an update as to the legislative changes and the various work streams currently taking place.

Environment Act 2021

The Act arrived on the statute book in January which hailed 2 significant changes that impact on WRS work on behalf of its partners. Part 1 establishes the Office for Environmental Protection (OEP). The head office is based out of County Hall and will be the new watchdog that oversee the performance of all UK regulators including the Government (post Brexit). The focus for LA's will be around serious failure to comply with Environmental Law. The OEP is also outward facing in terms of complaints and members of the public can also raise grievances regarding a perceived or suspected breach of environmental legislation.

Part 2 amends the present Local Authority Air Quality Management Regime (LAQM) and broadens the statutory responsibility for delivering air quality improvement in the following areas:

- The County Council and National Highways (when appropriate) will be obliged by law to jointly deliver improvements in air quality through joint action plans.
- Air Quality Management Authorities (district councils in Worcestershire) will have power to impose improvement targets on air quality partners if they cannot be mutually agreed.
- The County Council will be obliged by law to jointly deliver improvements in air quality through joint action plans.
- Introduction of new 2040 emissions standards for PM10 and PM2.5, which are in-development to be implemented at a future date.

In terms of statutory reporting a further tightening has been introduced to ensure that

authorities adhere to the timeframes (annual status reports, detailed assessments, and declarations of air quality management areas) and their locally set deadlines for air quality action planning. This comes with the threat of ministerial directions should respective authorities fail to adhere to DEFRA's progressive deadlines. Also:

- Future action plans must have tangible outcomes in terms of improving air quality and not rely on aspirational statements in terms of delivering change and a strategy to maintain those standards for future years.
- A 'set date' deadline for delivery of each action must be identified in the plan. 'Work towards' change statements will not be acceptable. (S.85 Ministerial Directions on failure)
- Process of AQAP development must be a collaborative process with AQ partners. (County Council, National Highways)

Air Quality reporting

WRS submitted completed Annual Status Reporting for 2022 on schedule during June and have since received positive feedback following DEFRA review for all partners. However, the ministry made observations in relation to the age of the current Air Quality Action Plan (AQAP 2013,) and a recommendation was made that a review would be necessary in the next 12 months.

WRS have acted on this recommendation and brought together key individuals to form a new county-wide officers' group that will collaborate on developing a new AQAP. However, it is noted that the new AQAP requirements will add an additional challenge in terms of producing an action plan with tangible deadlines and many of the themes in the emerging Local Transport Plan (LTP 5,) may need to be brought forward to meet government requirements if aimed at reducing air pollution.

Defra Grant Scheme 2022

Pre-Covid 19 pandemic, officers at WRS and County Public Health were exploring the feasibility of enhancing the air monitoring capability of Worcestershire authorities through the deployment of an air monitoring network across the county using electro-chemical sensor equipment. This technique is an emerging technology and is a game changer as it allows authorities to monitor and report indicatively on various air pollutants in real time at significantly reduced cost in comparison with older methods and equipment.

2022's grant scheme is split in two halves this year and LOT 2 has provided us with the opportunity to bid for funding for this scheme. WRS will be submitting a £276,000 bid to purchase and run 24 monitoring stations for 4 years. WRS is seeking 90% Capital and revenue budget for the equipment £86,400 with an additional £162,220 of which the remaining 10% will require match funding to be provided by the partners £27,380. The grant window closes on the 23 September, and it is anticipated that the award will be announced in March 2023.

The enhanced monitoring programme will provide many advantages over the existing

diffusion tube network and will allow us to monitor the following pollutants in real time:

- Nitrogen Dioxide,
- Particulates PM10, PM2.5 and,
- Ozone.

The network will form a 'Mesh' and will be connected to the internet where the data will be harvested and processed using DEFRA's air quality pollution index. Many benefits are anticipated from having this resource. Immediate gains following deployment will be the warning system for poor air quality. Members of the public will be able to identify when episodes occur and in which part of the county to avoid these locations if they are particularly vulnerable. Longer term gains from the data and monitoring will be used for behaviour change activities, promoting active travel and EV vehicles in areas of poor air quality as well as sustainable transport planning.

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