



Committee and Date

Cabinet

12th April 2017

REVOCATION OF AIR QUALITY MANAGEMENT AREA

Responsible Officer Karen Collier, Regulatory Services Operations Manager
e-mail: karen.collier@shropshire.gov.uk Tel: 01743 251711

1. Summary

Cabinet to consider the revocation of an Air Quality Management Area in Oswestry which is no longer required because the measured levels of nitrogen dioxide are well below the levels set by the national Air Quality Objective.

2. Recommendations

Cabinet authorises the Director of Public Health to revoke the Air Quality Management Order for Oswestry under section 83(2)(b) of the Environment Act 1995. The Order is attached at Appendix 1.

REPORT

3. Risk Assessment and Opportunities Appraisal

In preparing this report, consideration has been given to the impact on children and vulnerable adults, risk management, human rights, equalities, community and other consultation.

A general premise behind Air Quality Management Areas (AQMA) is that they do not blight an area. It is important that where there is no likely exceedance of air quality national objective levels that AQMAs are not left in place. This will ensure that there is no blight on an area or a property.

4. Financial Implications

Revocation of the Oswestry AQMA will remove the need for additional monitoring and reporting which is resource intensive. Such work is not necessary because there is no likely exceedance of air quality national objective levels.

5. Background

Part IV of the Environment Act 1995 introduced a requirement on all local authorities to carry out duties in relation to local air quality management. All local authorities are obliged to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives for different pollutants are likely to be achieved. Where it is likely that air quality levels are such that certain pollutants are above specified levels the Local Authority must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives.

Air quality objectives have been set for 7 pollutants, but only particulates (PM10 – particles less than 10 microns in diameter) and nitrogen dioxide are seen as a potential problem in most locations in the U.K.

In 2004 an AQMA was declared covering a single property known as Gate House located at the junction on the A483, Sweeny, Oswestry, SY10 8AA in line with duties prescribed in the Environment Act 1995. The AQMA was declared due to a likely breach of the annual mean nitrogen dioxide national air quality objective of 40 µg/m³. This was due to there being a residential receptor presenting relevant exposure within 1m of the kerbside of a busy trunk road, the A483. This road generally takes a large amount of traffic with a significant proportion of HGVs.

A review of monitoring data from the Updating and Screening Assessment in 2015 highlighted the fact that the concentration of nitrogen dioxide had dropped in recent years. As a result, a detailed assessment was undertaken to establish if there was any likelihood of any national objective level being breached. A review of all monitoring data at the location representative of the Oswestry AQMA was undertaken. The review demonstrated no breach of the annual nitrogen dioxide objective for 10 consecutive years; pollutant levels such as nitrogen dioxide emitted from vehicle exhausts have slowly reduced over this time.

No major development is proposed in the area and therefore it is not expected that transport numbers will change significantly in future years. National data suggests that vehicle numbers will increase incrementally over future years however due to improvements in emission standards for vehicles entering the market these improvements are expected to compensate for increased traffic numbers. It is not expected that any significant increases in air pollutant are likely in future.

Regulatory Services have concluded that it is appropriate to revoke the Oswestry AQMA using the appropriate legislation being an Order under section 83(2)(b) of the Environment Act 1995.

A consultation exercise with the owners of the single property within the AQMA took place in October 2015 and with statutory consultees from October to December 2016. No objections have been raised. DEFRA have accepted Regulatory Services' Detailed Assessment of the area and accept the proposal to revoke the AQMA.

6. Conclusions

Monitoring has shown that the Air Quality Objective for nitrogen dioxide in the Oswestry AQMA has not been exceeded for the past ten years, the assessment indicates it is not likely to be exceeded in the future and as such it should be removed.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information) None
Cabinet Member (Portfolio Holder) Councillor Malcolm Price, Portfolio Holder for Planning, Housing, Regulatory Services and Environment
Local Member Councillor Arthur Walpole (Llanymynech)
Appendices Appendix 1: Order Revoking Air Quality Management Area

APPENDIX 1



SHROPSHIRE COUNCIL
ORDER 2016

ENVIRONMENT ACT 1995 PART IV SECTION 83(2)(b)

ORDER REVOKING AN AIR QUALITY MANAGEMENT AREA

Shropshire Council, in exercise of the powers conferred on it by the Section 83(2)(b) of the Environment Act 1995 HEREBY makes the following order:-

1. This Order shall revoke the area known as **Oswestry Air Quality Management Area (Nitrogen Dioxide)** designated by Order in 2004 for likely breach of the annual mean nitrogen dioxide national objective level of $40\mu\text{g}/\text{m}^3$ at the property known as Gate House, A483, Sweeny, Oswestry, SY10 8AA. A map of the air quality management area to be revoked is found attached below.
2. The Order shall come into force on

Dated:.....

Signed:.....

Map showing the location of Oswestry Air Quality Management Area (Nitrogen Dioxide) marked by the hatched area corresponding to the property known as the Gate House.

