

**Public
Key Decision - No**

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Air Quality Review and Assessment

Meeting/Date: Licensing and Protection Committee – 25
January 2024

Executive Portfolio: Executive Councillor for Customer Services – Cllr
S Ferguson

Report by: Claire Braybrook – Environmental Health Officer

WARD(S) AFFECTED: PARTS OF FENSTANTON WARD,
GODMANCHESTER & HEMINGFORD ABBOTS WARD, HEMINGFORD GREY &
HOUGHTON WARD, BRAMPTON WARD, ST NEOTS EYNESBURY WARD AND
ST. NEOTS PRIORY PARK & LITTLE PAXTON WARD.

Executive Summary:

The purpose of this report is to advise members of progress with the statutory regime known as 'Local Air Quality Management' and to seek authority for the Environmental Health Manager to revoke three of the four Air Quality Management Areas (AQMAs).

Huntingdonshire District Council (HDC) has a statutory duty to review and assess local air quality and determine whether specified legal objectives are likely to be achieved. Where this is not occurring an AQMA must be designated. The main benefits of an AQMA are that applicants who propose developments within or near to these designated areas have to assess the potential impact to ensure they do not cause an increase in air pollution levels to exceed the objectives. The designation should also provide the council with more influence for transport layout and infrastructure considerations.

HDC currently has four AQMA's, all declared due to Nitrogen Dioxide (NO₂):

- Huntingdon (declared in 2005 – not currently proposed for revocation)
- St Neots (declared in 2005)
- Brampton (declared in 2006), and
- Hemingford to Fenstanton (declared in 2006)

There has been a steady decline in the levels of NO₂ measured around the district, with three of the four AQMA's meeting the air quality objectives for several years. Defra advise that where there have been no exceedances for the past five years, local authorities must proceed with plans to revoke the AQMA.

The impact of revocation is considered minimal, air quality monitoring will continue and if air quality deteriorates following the removal of the AQMA status, leading to breaches of the objectives, HDC would have a statutory duty to again declare an AQMA covering the relevant area. The requirements for air quality impact assessments will still be feasible under local and national policies within the planning regime.

The risk of not revoking the three compliant AQMA's is that developers may query the council's requirements, and applicants for smaller developments are currently required to provide details that could be viewed as excessive. Defra is also likely to view any retention as both an unnecessary control and inaccurate information for their reporting on air quality, as the objectives are not being breached.

The following recommendations are therefore advised.

Recommendation(s):

The Committee is **RECOMMENDED** to authorise the Environmental Health Manager to take appropriate steps to:

- a) Revoke the St Neots AQMA
- b) Revoke the Brampton AQMA, and
- c) Revoke the Hemingford to Fenstanton AQMA

1. PURPOSE OF THE REPORT

- 1.1 This report has been completed in order to review the Air Quality Management Areas (AQMA's) within the district of Huntingdonshire; provide information where ongoing compliance is being achieved; and to request authority for the Environmental Health Manager to revoke three of the four AQMAs.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The air quality objectives set out in the Air Quality (England) Regulations 2000, as amended by the Air Quality (England) (Amendment) Regulations 2002, provide the statutory basis for the air quality objectives under the Local Air Quality Monitoring (LAQM) regime in England. Under Part IV of the Environment Act 1995, Section 82 requires local authorities to review and assess local air quality and determine if the objectives are likely to be achieved, and where this is not occurring, or not likely to occur, Sections 83 & 83A of the Environment Act 1995 require local authorities to designate an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the pollution reduction measures to improve local air quality in order to achieve the objectives.

- 2.2 HDC currently has four AQMA's, all declared due to Nitrogen Dioxide (NO₂), primarily due to vehicle emissions:

- Huntingdon (declared in 2005 – not currently proposed for revocation)
- St Neots (declared in 2005)
- Brampton (declared in 2006), and
- Hemingford to Fenstanton (declared in 2006)

- 2.3 Since declaration, extensive monitoring has demonstrated a reduction in NO₂. The relevant NO₂ air quality objectives are:

- o Annual mean air quality objective of 40 µg/m³
- o 1 hour mean air quality objective of 200 µg/m³, not to be exceeded more than 18 times per year.

When comparing the current monitoring results within the AQMA's to the above objectives there have been no exceedances for more than 10 years at any monitoring location within three of the four AQMA's.

- 2.4 Defra guidance states that the revocation of an AQMA should be considered following three consecutive years of compliance with the relevant objective as evidenced through monitoring, and that there should not be any declared AQMAs for which compliance with the relevant objective has been achieved for a consecutive five-year period. In their response to our air quality Annual Status Report (ASR), Defra are in full support of revoking compliant AQMA's.

- 2.5 Improvements in the air quality in these areas is likely due to the following measures:

- o Improvements to the transport sector including the introduction of stricter European emission standards and turnover of vehicles, resulting in the gradual removal of older more polluting vehicles from the roads.

- Low NOx boilers and stricter industrial emission limits.
- In St Neots, strategic highway improvements have been completed, including the introduction of a smart traffic lighting system, which have led to improved traffic movement and subsequent reduction in air pollution.
- The relocation of the A14 has improved the air quality in the Huntingdon, Brampton and Fenstanton AQMA's.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 A full assessment of the monitoring data over the last 12 years has been completed. This information is included within the appendices, entitled '*Review of Air Quality Management Areas*' dated 2023. An additional report was completed for St Neots in 2017, both are appended and provide detailed information.
- 3.2 The overwhelming evidence demonstrates a good level of compliance for a significant amount of time within three of the four AQMA's.
- 3.3 There are currently no concerns that the objectives will be or are likely to be breached in the future.

4. KEY IMPACTS / RISKS

- 4.1 The main benefits of having an AQMA in place are that applicants who propose developments within or near to these designated areas have to assess the potential impact to ensure they do not cause an increase in air pollution levels to exceed the objectives. The designation should also provide the council with more influence regarding transport layout and infrastructure considerations, for example, changes to the traffic light system in St Neots and the A14 realignment, highway improvements which have reduced the air quality issues at those locations.
- 4.2 However, with the continued and ongoing substantial compliance at three of the four AQMA's there is a risk developers may query the council's requirements, and applicants for smaller developments are required to provide details that could be viewed as excessive.
- 4.3 The proposed Local Plan for Huntingdonshire to the year 2036 contains the Council's requirements regarding air quality which is dealt with through policy LP38. This is discussed in more detail in the appended review document. In addition to local policy, it should also be noted that both national government and other guidance (such as Land-Use Planning & Development Control: Planning for Air Quality by IAQM & EPUK) also provide advice on when the impact of development requires a more detailed assessment in respect of air quality impacts.
- 4.4 Therefore, whilst keeping the Orders in force could offer a greater check on developments that have the potential to significantly impact on air quality, this can be addressed through the planning regime as these

developments should have to demonstrate that they would not lead to unacceptable levels of air pollution or a breach in air quality objectives.

- 4.5 If air quality worsens after removal of the AQMA status, and breaches of the objectives occur, HDC would have a statutory duty to declare an AQMA covering the appropriate area. Consequently, the risk of non-revocation is deemed higher than that associated with revocation.

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 5.1 If authority is given to the Environmental Health Manager to revoke the three AQMAs, the revocations will be completed officially by means of an AQMA Revocation Order. Defra will be informed once this has been completed and our website updated accordingly to inform residents.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 The local air quality management regime is a statutory obligation and therefore this largely sits under Priority 3 - Delivering good quality, high value-for-money services with good control and compliance with statutory obligations. It is within our statutory obligations to revoke the AQMAs in the same way that we declared them.

7. CONSULTATION

- 7.1 No consultation has been undertaken, the guidance on the AQMA revocation process provided by Defra does not state there is a requirement for consultation.

8. RESOURCE IMPLICATIONS

- 8.1 No changes are proposed to the air quality monitoring regime if the AQMAs are revoked. Therefore no resource implications have been identified.

9. HEALTH IMPLICATIONS

- 9.1 Due to the substantial compliance with the national objectives and ongoing monitoring, no health implications have been identified. The request to revoke the AQMA's is because the air quality is compliant with national air quality objectives showing the air quality is good. This is discussed in more detail in the appended review document.

10. ENVIRONMENT AND CLIMATE CHANGE IMPLICATIONS

- 10.1 It is considered there will not be any adverse impact on the environment or any climate change implications from revoking the AQMAs. For the reasons discussed earlier, and in more depth within the appended review, the air quality is good and pollutants well below national objective levels.

There are measures in place to continue to monitor air quality within the district and as highlighted previously, if pollution levels were to increase dramatically and either breach or be likely to breach the air quality objectives, HDC would have a duty to declare an AQMA covering the appropriate area and would produce an Air Quality Action Plan to detail how we would look to reduce pollutant levels.

11. REASONS FOR THE RECOMMENDED DECISIONS

- 11.1 Following continued compliance with air quality objectives, a review of HDC's AQMA's has been completed. This document is appended to this report and concluded three of the four AQMA's should be revoked due to evidence demonstrating national air quality objectives have been met for in excess of 10 years. In order to comply with government requirements, revocation is proposed for the St Neots, Brampton and Hemingford to Fenstanton AQMA's.
- 11.2 Data for the Huntingdon AQMA will continue to be assessed over the next couple of years and if the AQMA is to remain in place an updated more focussed Air Quality Action Plan will be prepared. If the pollution levels are such that this is put forward in future for revocation, an Air Quality Strategy will be developed in line with government guidance.
- 11.3 All of the AQMA's have been in place for over 15 years. There is significant supporting evidence to revoke the three AQMA's mentioned above and still have an alternative method of control in place. If an AQMA is revoked, our air quality duties do not end, there is a need to ensure the downward trend in air pollution continues, and air quality impacts are minimised as far as possible with the use of clever and innovative design and mitigation measures for new development when going through the planning regime. An Air Quality Strategy could be introduced to ensure air quality impacts remain a high-profile issue, and an Action Plan may be required for the Huntingdon AQMA.

12. LIST OF APPENDICES INCLUDED

Appendix 1 - Review of Air Quality Management Areas Huntingdonshire District Council, 2023

Appendix 2 - Air Quality Modelling for St Neots, Final report Prepared for Huntingdonshire District Council 11th August 2017.

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