

Bolsover District Council

Council

2 February, 2022

REVOCATION OF AIR QUALITY MANAGEMENT AREAS

Report of the Portfolio Holder for Environmental Health and Licensing

Classification: This report is public

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PURPOSE / SUMMARY

To make Orders under the Environment Act 1995 to revoke the South Normanton and Barlborough Air Quality Management Areas.

REPORT DETAILS

1 Background

- 1.1 Bolsover District Council has a duty under the Environment Act 1995 to assess air quality under the Local Air Quality Management regime, and to implement Air Quality Management Areas (AQMA's) where there are exceedances of the Government's Air Quality Objectives. Status Reports are prepared annually and published through the Council's website to ensure the public are kept informed of the air quality in the district.
- 1.2 Between 2001 and 2007 three AQMA's were declared due to high levels of Nitrogen Dioxide in the air outside a small number of residential properties, and levels which were well above the national Air Quality Objectives of 40 µg/m³ (micrograms per cubic metre). These AQMA's are known as Barlborough No1, Barlborough No2, and South Normanton. Maps of these AQMA's can be found with the draft revocation orders in Appendix 1.
- 1.3 These formal declarations were accompanied by action plans to tackle poor air quality, in partnership with internal partners and Derbyshire County Council.

- 1.4 Since the AQMA's were declared the Council and partners have used a mixture of local planning policy and road network management to compliment changes to vehicle technology, to assist in reducing pollution levels in the areas.
- 1.5 As can be seen in Figure 1 below, there have been significant reductions over the previous 7 years in pollution levels, with the annual mean being well below the 40 $\mu\text{g}/\text{m}^3$ limit.
- 1.6 In Barlborough the most recent data shows levels of 28.2 $\mu\text{g}/\text{m}^3$ and 25.3 $\mu\text{g}/\text{m}^3$. In South Normanton the levels have fallen to between 30.8 $\mu\text{g}/\text{m}^3$ and 32.8 $\mu\text{g}/\text{m}^3$. These reductions are also showing a continual annual reduction, as can be seen in Figure 1 below.

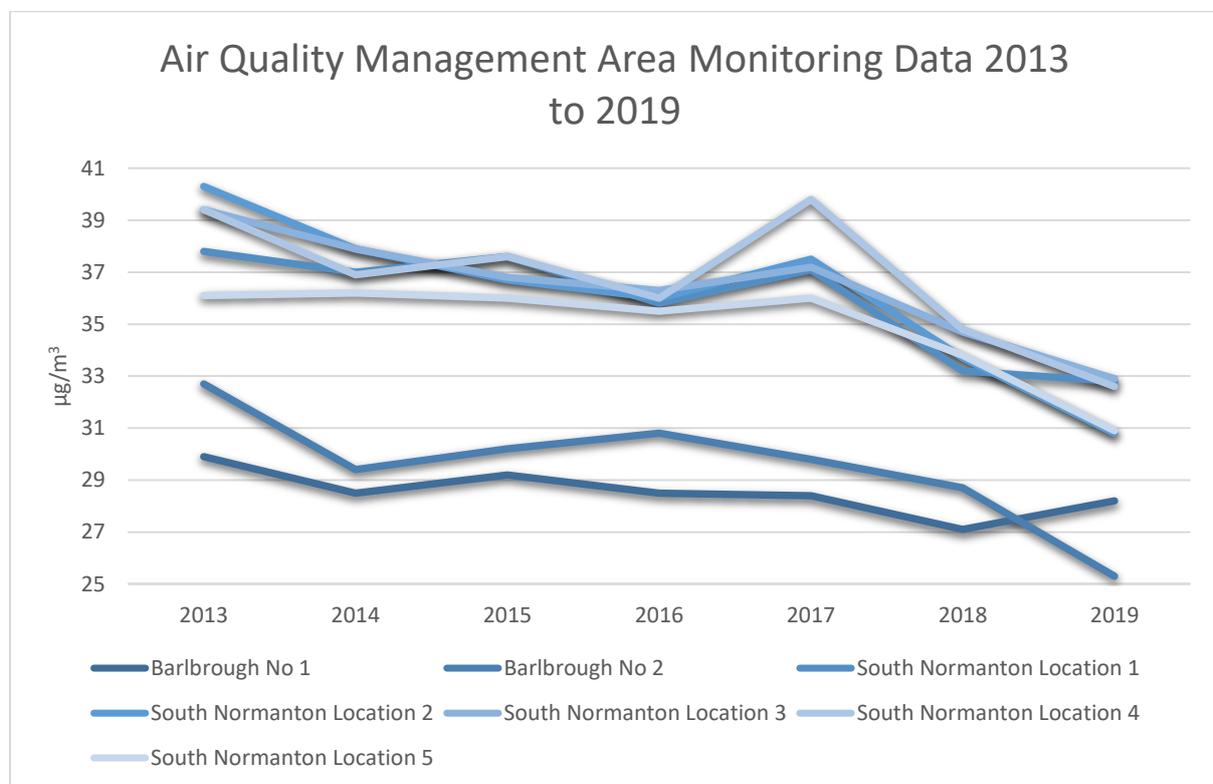


Figure 1 Annual Mean Nitrogen Dioxide Concentration in the Air Quality Management Areas 2013 – 2019

- 1.7 The Council's monitoring data for all the AQMA's has been independently verified and subject to critical review by an independent consultancy (Appendix 2 and 3), which confirms the recommendations in this report.
- 1.8 Due to the prolonged period that the concentrations have been significantly below the Air Quality Objective in the AQMA's, confidence is high that that the reductions are permanent. It should also be noted that the data on which these reductions have been based, originate from before the Coronavirus pandemic reduced traffic volumes.

- 1.8 The specific reasons for the reductions are likely to be a combination of factors, but the key reason will be the reduction in the number of older, more polluting vehicles and improvements in the emission standards for newer vehicles.
- 1.9 A statutory public consultation took place for 12 weeks for each AQMA on whether they should be revoked. The Barlborough AQMA's were subject to a consultation in 2019 and the South Normanton consultation took place in March 2021. The following stakeholders were approached for their views and the consultation was published on the Ask Derbyshire website:
- Highways Agency
 - Derbyshire County Council
 - Director of Public Health
 - Environment Agency
 - Elected Members of Bolsover District Council (Barlborough, South Normanton East and Pinxton Wards, as appropriate)
 - Leader of the Council
 - Secretary of State for the Environment
 - Member of Parliament
 - Barlborough Parish Council (regarding the Barlborough AQMA's)
 - South Normanton Parish Council (regarding the South Normanton AQMA)
 - Pinxton Parish Council (regarding the South Normanton AQMA)
 - Amber Valley Borough Council
 - Ashfield District Council
 - Bassetlaw District Council
 - Chesterfield Borough Council
 - Mansfield District Council
 - Rotherham Metropolitan Borough Council
 - Public (via Ask Derbyshire)
- 1.10 The responses to the consultations can be found in Appendix 4. While concerns were raised about the cessation of monitoring and risks future development may bring in Barlborough, there were no responses indicating a need to continue with any of the AQMA's.
- 1.11 Monitoring at these locations will continue (although at a reduced capacity to allow for other locations of concern to be monitored) so that the Council can continue to measure the air quality in the areas and consider future actions based on those results. Data on air quality in these areas is also published on the Council's website, in the Annual Status Report.

2. Details of Proposal or Information

- 2.1 Further to the positive responses to the consultation and the outcome of the independent reviews, it is proposed that three Revocation Orders are made, as per the drafts in Appendix 1. These will be:

- The South Normanton Air Quality Management Area (Revocation Order) 2022;
- The Barlborough No1 Air Quality Management Area (Revocation Order) 2022;
- The Barlborough No2 Air Quality Management Area (Revocation Order) 2022;

3 Reasons for Recommendation

- 3.1 Air quality monitoring data from all the current Air Quality Management Areas has shown levels of Nitrogen Dioxide to be well within the national Air Quality Objectives for at least the last seven years and to be continually reducing over this period. This pattern is expected to continue with improving vehicle technologies.

4 Alternative Options and Reasons for Rejection

- 4.1 The only alternative would be to keep the AQMA's in place. There is no justification for this as the purpose of an AQMA is to enable actions to be prioritised by the local authority to tackle high levels of Nitrogen Dioxide exceeding the annual mean Air Quality Objective.

RECOMMENDATIONS

1. That the Council note the significant improvements in air quality within the district, the outcome of the independent reviews and public consultations.
2. That the Council makes orders to revoke the three Air Quality Management Areas under section 83 of the Environment Act 1995.

Approved by the Portfolio Holder – Environmental Health and Licensing

IMPLICATIONS

Finance and Risk: Yes No

Details:

There are no grant monies and no financial risks associated with this decisions

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

There are no legal risks associated with this report or decision.

Staffing: Yes No

Details:

There are no staffing implications of this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/></p> <p>NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Significantly Affected</p>	None
<p>Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input checked="" type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input type="checkbox"/></p>	Yes Details: Councillor Watson Public consultation included elected members

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

Environment: Reducing our carbon footprint whilst supporting and encouraging residents and businesses to do the same.

DOCUMENT INFORMATION

Appendix No	Title
1	Draft Air Quality Management Area Revocation Orders.
2	Barlborough Air Quality Management Area review report.
3	South Normanton Air Quality Management Area review report.
4	Consultation responses summary.
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
<p>DEFRA website and public documents for Air Quality Management Area Orders. https://uk-air.defra.gov.uk/aqma/</p>	