

Blaby District Council

Cabinet Executive

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|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date of Meeting | 4 November 2024 |
| Title of Report | Declaration and Revocations of Air Quality Management Areas This is a Key Decision and is on the Forward Plan. |
| Lead Member | Cllr. Les Phillimore - Housing, Community Safety and Environmental Services |
| Report Author | Environmental Services Manager |
| Strategic Themes | All Themes: Enabling communities and supporting vulnerable residents; Enhancing and maintaining our natural and built environment; Growing and supporting our economy; Keeping you safe and healthy; Ambitious and well managed Council, valuing our people |

1. What is this report about?

- 1.1 To seek approval for the Revocations and Declaration of Air Quality management areas (AQMA) in the Blaby District as recommended by the Department for the Environment, Food and Rural Affairs (Defra).

2. Recommendations to Cabinet Executive

- 2.1 To approve the revocations of the following AQMA as recommended by Defra, due to the ongoing compliance of the Air Quality Objectives for a number of years:
- AQMA 1: A5460 Narborough Road South as recommended by Defra.
AQMA 2: M1 corridor in Enderby and Narborough
AQMA 3: M1 corridor between Thorpe Astley and Kirby Muxloe
AQMA 4B: Enderby Road, Whetstone.
- 2.2 To approve the declaration of AQMA 7: Lubbethorpe Road, Braunstone Town as advised by Defra under section 83 (1) of the 1995 Environment Act.

3. Reason for Decisions Recommended

- 3.1 For the proposed revocations: Monitoring has shown that the Air Quality Objective for Nitrogen Dioxide has been met in all areas for a number of years.
- 3.2 For the proposed declaration: Local Authorities have a duty under section 83 (1) of the 1995 Environment Act to designate those areas where the Air Quality Objectives have not been met, where people are likely to be regularly present, as an AQMA. Monitoring has shown that the Air Quality Objective for Nitrogen Dioxide was not met in this area in 2022.

4. Matters to consider

4.1 Background

The declaration of AQMAs 1, 2 and 3 were approved by Council on 19th January 2001, and the declaration of AQMA 4b was approved by Council on 20th October 2005. All were declared due to exceedances of the National Air Quality Objectives for Nitrogen Dioxide (over 40µg/m³). Annual monitoring has taken place using Diffusion Tubes (DT) and Continuous Monitoring Stations (CM). The results have shown the air quality in these areas has improved greatly, and there have been no exceedances of Nitrogen Dioxide Objectives in the past 5 years. The results are shown both in the table below and in the maps detailed in Appendix A:

| AQMA | MONITOR | 2019* | 2020* | 2021* | 2022* | 2023* |
|---------|---------|-------|-------|-------|-------|-------|
| AQMA 1 | DT 25 | 23 | 17 | 18 | 22 | 29 |
| | DT 23 | 25 | 21 | 20 | 25 | 19 |
| | DT 35 | 22 | 17 | 17 | 23 | 18 |
| AQMA 2 | CM 1 | 31 | 16 | 24 | 22 | 16 |
| | DT 80 | N/A | 16 | 16 | 17 | 15 |
| | DT 48 | 25 | 18 | 18 | 24 | 21 |
| AQMA 3 | DT16 | 28 | 22 | 22 | 28 | 25 |
| | DT 57 | 30 | 22 | 24 | 28 | 26 |
| | DT 56 | 21 | 16 | 16 | 17 | 16 |
| | DT 54 | 27 | 22 | 21 | 23 | 24 |
| | DT 93 | N/A | N/A | 20 | 24 | 20 |
| | DT 51 | 18 | 13 | 13 | 17 | 14 |
| | CM4 | 38 | 23 | 27 | 23 | 19 |
| AQMA 4b | DT20 | 21 | 16 | 17 | 22 | 20 |

*All measurements are annual averages recorded in microgrammes per cubic metre (µg/m³).

The proposed declaration of AQMA 7 is due to an exceedance of the Air Quality Objectives limit of Nitrogen Dioxide of 40µg/m³ around the junction of Lubbesthorpe Road and Narborough Road South in Braunstone Town. The exceedance was recorded in 2022 with a measurement of 43 µg/m³, which reduced to 36µg/m³* in 2023. In last year's Annual Status Report, the Council proposed to declare a new AQMA. This proposal is to be taken forward, as there is still a risk of the Air Quality Objectives being exceeded. The new AQMA will be known as AQMA 7 and a map showing the outline of the proposed area can be seen in Appendix A (maps). The declaration of the new AQMA has taken longer than anticipated due to delays in acceptance of the ASR for 2023 by Defra and a formal consultation needing to take place prior to submitting to Cabinet for approval.

4.2 Proposal(s)

To approve the revocations of AQMAs 1, 2, 3 and 4b due to ongoing compliance with the Air Quality Objective for Nitrogen Dioxide.

To approve the declaration of AQMA 7 at the junction of Lubbesthorpe Road and Narborough Road South in Braunstone Town, due to an exceedance of the Air Quality Objective for Nitrogen Dioxide in 2022.

4.3 Relevant Consultations

The proposals to revoke and declare all the AQMAs, have been subject to 6-week consultation periods. A summary of responses received can be viewed in Appendix B.

Concerns were raised at the revocation of AQMA 4b by Whetstone Parish Council and residents. The Parish Council and residents have been assured that the area will continue to be monitored following revocation to ensure ongoing compliance with the Air Quality Objective.

Concerns were also raised by Ward Councillors for the revocation of AQMA 3 due to the levels of ongoing planning developments in the area. The Council will continue to monitor air quality in all areas to ensure ongoing compliance. The Council will also ensure all current and future planning consultations will consider any risks posed to air quality and if appropriate, apply conditions to ensure ongoing compliance.

The Public Health Team at Leicestershire County Council commented on the revocation of AQMA 3 due to inequalities within the area, this can be viewed in Appendix B. This was discussed in person with Public Health on 4th October 2024 and was agreed to proceed with guidance from Defra, but to continue to monitor Air Quality in the area to ensure ongoing compliance with the Air Quality Objective.

The UK Health Security Agency, The Environment Agency, National Highways Authority and Braunstone Town Council support the revocations and declaration of the AQMAs.

4.4 Significant Issues

The Council understand the concerns raised and are committed to the ongoing monitoring of these AQMAs that are being revoked to ensure ongoing compliance of the Air Quality Objectives. Should the Air Quality Objectives not be met in future, a new AQMA would be declared following Defra guidance.

- 4.5 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, and there are no areas of concern

5. Environmental impact

- 5.1 The continued improvements in air quality within the District are encouraging.
- 5.2 The Environmental Services Team continue to work with key partners including Development Control Colleagues to ensure that air quality is a key consideration in the planning process and the Transportation and Highways and Public Health Teams at Leicestershire County Council and the NHS. Work with these partners includes undertaking monitoring and educational campaigns, raising awareness of air quality across the District and acting on concerns and demonstrating improvements.
- 5.3 A Net Zero and Climate Impact Assessment (NZCIA) has been carried out and no adverse impacts identified.

6. What will it cost and are there opportunities for savings?

- 6.1 There are no direct financial implications arising from this report.

7. What are the risks and how can they be reduced?

7.1

| Current Risk | Actions to reduce the risks |
|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| The levels of Nitrogen Dioxide increase in the future. | Monitoring will be maintained as appropriate to detect any change. |
| Developments cause significant increases in traffic flows and therefore Nitrogen Dioxide. | The planning system seeks to minimise the impact of new developments. |

8. Other options considered

- 8.1 It would be possible to retain current AQMAs. However, this does not follow the advice and guidance set out by Defra in relation to AQMAs. The guidance states "For revocation this should demonstrate that air quality

objectives are being met and will continue to do so". In the AQMAs where revocation is proposed the Council have confidence that the improvements will be sustained due to a number of years of monitoring demonstrating compliance with the objective.

9. Appendix

9.1 Appendix A – Maps: AQMA 1 – A5460 Narborough Road South, AQMA 2 – M1 corridor in Enderby and Narborough, AQMA 3 – M1 corridor between Thorpe Astley and Leicester Forest East, AQMA 4B – Enderby Road, AQMA 7 (Proposed) – Lubbesthorpe Road, Braunstone Town Whetstone

9.2 Appendix B – Consultation Responses

10. Background paper(s)

10.1 Cabinet Executive- Monday 10th July 2023- Air Quality Annual Status Report 2023

10.2 Cabinet Executive- Monday 24th June 2024- Air Quality Annual Status Report 2024

11. Report author's contact details

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