

<b>Committee:</b>	Cabinet	<b>Date:</b>	Tuesday, 19 March 2024
<b>Title:</b>	Revocation of the Saffron Walden Air Quality Management Area		
<b>Portfolio Holder:</b>	Cllr Neil Reeve, Portfolio Holder for the Environment and Climate Change		
<b>Report Author:</b>	Marcus Watts, Environmental Health Manager - Protection mwatts@uttlesford.gov.uk Tel: 01799 510595	<b>Key decision:</b>	No

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## Summary

1. This report updates Members on measured Nitrogen Dioxide levels within Saffron Walden and seeks to approve an order made under Environment Act 1995 Part IV Section 83(2) (b) to revoke the Saffron Walden Air Quality Management Area.

## Recommendations

2. To agree the Order to revoke the Air Quality Management Area for Nitrogen Dioxide at Saffron Waden as provided within Appendix A.

## Financial Implications

3. None

## Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
  - Supporting Statement – Revocation of the Saffron Walden Air Quality Management Area
  - The Revocation Order
  - Air Quality Annual Status Report 2022
  - LAQM Technical Guidance (TG22)
  - LAQM Policy Guidance (PG22)

## Impact

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Communication/Consultation	The Council has consulted with DEFRA as part of its Annual Status Report and they have made it clear that revocation of the
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	AQMA should occur. Revoking the AQMA follows statutory guidance Local Air Quality Management (LAQM) (Technical Guidance (TG22) and LAQM Policy Guidance (PG22) which the Council has a duty to comply with.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	UDC will be considered in breach of statutory guidance should the Council fail to revoke the AQMA.
Sustainability	None
Ward-specific impacts	Saffron Walden
Workforce/Workplace	None

## Situation

6. Under the Environment Act 1995 all lower tier local authorities are obliged to review and assess air quality in line with the Government's air quality strategy. The Department for Environment, Food and Rural Affairs (DEFRA) has the national lead, and closely supervises the work of local authorities in relation to their air quality duties.
7. The National Air Quality Strategy sets out objectives for certain pollutants and local authorities are required to ensure that these objectives are met. The objective level for nitrogen dioxide is 40µgm<sup>3</sup> (micrograms per cubic meter) measured as an annual mean and 200 µgm<sup>3</sup> measured as an hourly mean (the hourly measure should not be exceeded more than 18 times a year).
8. All councils exceeding the National Air Quality Objectives are required to declare an Air Quality Management Area (AQMA) for the affected area and develop an Air Quality Action Plan setting out how it intends to reduce pollution levels.
9. The Council currently monitors Nitrogen Dioxide levels by a network of 43 diffusion tubes located throughout the district, for the purpose of meeting its requirements under the Environment Act 1995. Within Saffron Walden alone, 24 diffusion tubes are distributed throughout the town. In addition, the Council has two real time monitoring stations. One at London Road and the other at Thaxted Road. Information on current pollution levels can be found at [www.uttlesford.gov.uk/air-quality](http://www.uttlesford.gov.uk/air-quality) and also on the recently updated website [essexair.org.uk](http://essexair.org.uk).

10. Uttlesford District Council has only one AQMA, declared in September 2012 covering a circle of 1400m diameter centred on Elm Grove, in Saffron Walden. In common with many market towns, access to Saffron Walden from surrounding areas and within the town is largely dependent on the private car. Elevated emissions are associated with high volumes of slow moving traffic, stopping and starting to negotiate junctions and pedestrian crossings, leading to higher levels of emissions than free flowing traffic.
11. The topography of Saffron Walden is such that the centre is low-lying in relation to the outer areas, which reduces the amount of dispersion of emissions by air flow. A major additional factor is the geographical constraints of the historic streets of the town centre, much of which is a conservation area, limiting how modern levels of traffic can be moved around and the type of mitigation measures which can be undertaken. Tall buildings on both sides of narrow streets lead to recirculation of air flow that can trap pollutants, resulting in reduced dispersion and elevated concentrations. Many residential properties are also located close to the roadside, raising the likelihood of occupiers being exposed to vehicle emissions.
12. Traffic queues build at the major junctions predominantly during the morning and late afternoon peak travel periods for school and commuter journeys. The declaration for the AQMA in Saffron Walden was made due to measured high levels of Nitrogen Dioxide at four of these major junctions, namely
  - a) Thaxted Road/East St /Radwinter Road/Chaters Hill
  - b) High Street/ George St/Abbey Lane
  - c) Debden Road/London Road
  - d) Bridge Street/Castle St
13. Measurement records show that in 2015, two monitoring locations exceeded the 40µgm<sup>3</sup> Air Quality Objective for Nitrogen Dioxide. In 2016 there were five locations that exceeded that level. Since 2017 there have been no reported exceedances.
14. Paragraph 4.10 of the Local Air Quality Management (LAQM) Policy Guidance (August 2022) states, *“For revocation this should demonstrate that air quality objectives are being met and will continue to do so. In other words, they should have confidence that the improvements will be sustained. Further information is provided in the Technical Guidance, but typically this is after three years or more compliance.”*
15. Para 3.57 of the Local Air Quality Management (LAQM) Technical Guidance (August 2022) provides further details and states *“The revocation of an AQMA should be considered following three consecutive years of compliance with the relevant objective as evidenced through monitoring. Where NO<sub>2</sub> monitoring is completed using diffusion tubes, to account for the inherent uncertainty associated with the monitoring method, it is recommended that revocation of an AQMA should be considered following three consecutive years of annual*

*mean NO2 concentrations being lower than 36µg/m3 (i.e. within 10% of the annual mean NO2 objective). There should not be any declared AQMAs for which compliance with the relevant objective has been achieved for a consecutive five-year period.”*

16. Information provided within Appendix B in support of this report provides further information on the background of the AQMA and demonstrates the overall decline in trend in nitrogen dioxide levels.
17. Following a revocation, the local authority is now required to draw up a Local Air Quality Strategy to ensure air quality remains a high-profile issue and to ensure it can respond quickly should there be any deterioration in condition. This work is planned for 2024.
18. In addition to the required strategy, the full results of continuing air quality monitoring within the district must continue to be reported to Defra within its Annual Status Report (ASR).
19. It should be noted that in 2021 DEFRA awarded UDC £517K to support measures to improve local AQ and raise awareness within Saffron Walden. The grant funding was not issued on the basis of the AQMA. Further grant funding applications for funding to support ongoing work have been made and we await the outcome of this in March 24.

## Risk Analysis

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Risk	Likelihood	Impact	Mitigating actions
Failure to revoke the AQMA is likely to result in some criticism from DEFRA	3	1	Act to revoke the AQMA
It could be perceived by the public that there are no issues with poor air quality within Saffron Walden	2	1	There is currently an extensive media campaign to raise awareness of AQ, supported by DEFRA grant funding. Whilst the revocation of the AQMA is a good news story, it is also an opportunity to remind the residents of the risk of poor AQ and the benefits of active

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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.