

# TEWKESBURY BOROUGH COUNCIL

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| <b>Report to:</b>            | Executive Committee  |
| <b>Date of Meeting:</b>      | 6 July 2022  |
| <b>Subject:</b>              | Proposed Revocation of the Tewkesbury Town Centre Air Quality Management Area (AQMA) |
| <b>Report of:</b>            | Principal Environmental Health Officer   |
| <b>Corporate Lead:</b>       | Head of Community Services   |
| <b>Lead Member:</b>          | Lead Member for Clean and Green Environment  |
| <b>Number of Appendices:</b> | Two  |

## **Executive Summary:**

In 2008, an Air Quality Management Area (AQMA) was declared by this Council in respect of Tewkesbury Town Centre due to failing Nitrogen Dioxide NO<sub>2</sub> levels centred around the High Street.

An Air Quality Action Plan was subsequently developed and in 2012 works commenced on a new road safety scheme in the High Street with a focus on improving the flow of traffic. Following its completion, NO<sub>2</sub> levels within the Tewkesbury AQMA have decreased significantly.

The national air quality limits for NO<sub>2</sub> have not been exceeded for over six years in and around the Tewkesbury AQMA. This sustained improvement in air quality therefore enables the Council to consider revoking the AQMA. The revocation has been supported by the Department of Environment, Food and Rural Affairs (DEFRA) as part of its review of the Council's latest Annual Air Quality Status Report submitted in 2021.

## **Recommendation:**

**That the Executive Committee APPROVE the Revocation of the Tewkesbury Town Centre Air Quality Management Area (AQMA) which, subject to agreement by the Department for Environment, Food and Rural Affairs, would take effect as of 1 August 2022.**

## **Reasons for Recommendation:**

Ongoing air quality monitoring within the Tewkesbury Town Centre AQMA has confirmed a sustained reduction in NO<sub>2</sub> levels since 2012. There have been no exceedances of the annual limit for NO<sub>2</sub> for six years. It is evident that the implementation of the Tewkesbury Town Centre Air Quality Action Plan (including the road safety scheme in Tewkesbury High Street) coupled with the decrease nationally in background levels of NO<sub>2</sub> has led to a reduction in overall NO<sub>2</sub> concentrations and thus compliance with the Air Quality limits.

## **Resource Implications:**

No significant implications.

**Legal Implications:**

No significant implications.

**Risk Management Implications:**

The Council will continue to monitor air quality and have a general obligation to monitor and report results to DEFRA. The revocation of the AQMA will not lead to a worsening of air quality, and the Council will ensure all the measures currently in place to are continued.

**Performance Management Follow-up:**

Continue to monitor Nitrogen Dioxide (NO<sub>2</sub>) and comply with Regulations by completing the Annual Status Report (ASR) for submission to DEFRA.

**Environmental Implications:**

Positive impacts on the Environment following improvements in Air Quality.

**1.0 INTRODUCTION/BACKGROUND**

- 1.1** Section 82 of the Environment Act 1995 places a statutory duty on Local Authorities to periodically review and assess the Air Quality within their area in light of National Air Quality Standards (NAQS). This has been undertaken by the Borough since the introduction of the Act and in accordance with the Regulations.
- 1.2** Should a Local Authority find any areas where the limits are not likely to be achieved, it must declare an Air Quality Management Area (AQMA).
- 1.3** The main pollutant of concern in Tewkesbury has historically been Nitrogen dioxide (NO<sub>2</sub>) linked to road traffic. In December 2008, an Air Quality Management Area (AQMA) was designated in Tewkesbury Town Centre for exceedance of the annual mean NO<sub>2</sub> Air Quality limit of 40 µg/m<sup>3</sup> due to traffic emissions.
- 1.4** Following in-depth and extended consultation with interested parties, an Air Quality Action Plan (AQAP), designed to address emission levels, was submitted to the Department for Environment, Food and Rural Affairs (DEFRA) for consultation in December 2010. The AQAP was approved for submission by Council in June 2011 and re-submitted to DEFRA in September 2011 with comments incorporated into the plan.
- 1.5** The AQAP made two final recommendations:
- 5% reduction in overall traffic; and
  - Remove all heavy goods vehicles (HGV's) exceeding 7.5 tonne.
- 1.6** These have been incorporated into traffic plans, introduced by Gloucestershire County Council (GCC) and forms part of the Tewkesbury Master Plan.
- 1.7** Highway improvement and safety works to High Street in Tewkesbury started in April 2012 and have been completed. These works focussed on improving the flow of traffic along the High Street corridor. Ongoing review of the AQMA has continued to monitor the effectiveness of the scheme. The data from the most recent monitoring periods, following completion of the improvement works, indicate a significant downward trend in NO<sub>2</sub>.

## **2.0 Revocation of Tewkesbury Town Centre Air Quality Management Area (AQMA)**

**2.1** Tewkesbury Town Centre AQMA was declared in 2008 in order to address traffic related NO<sub>2</sub> concentrations in excess of the annual mean AQS objective. The AQMA encompasses Tewkesbury town centre, along with area enclosed by A438 in the north, Gloucester Road on the west and A38 in the south and east. A map of the AQMA can be seen in Appendix 1 (Figure 1)

**2.2** Section 83 (2b) of the Environment Act (1995) states that an AQMA:

*“.....may, as a result of a subsequent air quality review, be revoked by such an order, if it appears on that subsequent air quality review that the air quality standards and objectives are being achieved, and are likely throughout the relevant period to be achieved, within the designated area”.*

**2.3** Guidance on the requirements for revoking an AQMA are set out in statutory guidance. The guidance states that - *“An AQMA can be revoked where a review demonstrates that air quality objectives are being met and will continue to do so. The guidance suggests that monitoring results should have been below national objective levels for 3 years or more prior to revocation.”*

**2.4** The Air Quality Action Plan (AQAP) was implemented which included a reduction in traffic on the High Street, banning of HGV's and a road safety scheme which helped the flow of traffic on the High Street.

**2.5** In addition, national strategies, policies and plans continue to influence local polluting emissions. Total UK emissions of NO<sub>x</sub> fell by almost 70% between 1970 and 2015 and by over 19% between 2010 and 2015.

**2.6** Results from the nine monitoring locations within the AQMA have been consistently below the annual mean AQS limit of 40 µg/m<sup>3</sup> for six straight years. Furthermore, given that the concentrations have consistently been below 60 µg/m<sup>3</sup> it is safe to assume that the hourly mean AQS objective has also not been exceeded during this period.

**2.7** A comparison of the annual mean AQS objective for NO<sub>2</sub> against the ratified monitoring results for the past six years from the diffusion tubes located within Tewkesbury Town Centre AQMA can be seen in Appendix 1 (Figure 2).

**2.8** To provide confidence that compliance with the objective will continue into the future, and to account for the potentially anomalous concentrations monitored within 2020, DEFRA's Roadside NO<sub>2</sub> Projection factors have been used, based on the 2019 monitoring data, to predict concentrations for future years (2021-2025). The forecasted concentrations of NO<sub>2</sub> decrease over the five-year period (Results in Appendix 1, Figure 3), the Government's commitment to net zero emissions by 2050 and the adoption of the Road to Zero transport strategy are expected to deliver significant further reductions in emissions from road transport. In its publication “Road Traffic Forecasts 2018”<sup>1</sup> the Department of Transport has predicted that vehicular emissions of NO<sub>2</sub> will fall between 60% and 90%. In turn, this provides confidence that the Tewkesbury Town Centre AQMA can be revoked without concern that the objective concentration will be exceeded, unless significant new sources arise, at which point the NO<sub>2</sub> concentrations will be assessed again. The Council will continue its existing monitoring regime in order to observe this.

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<sup>1</sup> Department of Transport. Road Traffic Forecasts 2018. Available at:

<https://www.gov.uk/government/publications/road-traffic-forecasts-2018>

**2.9** The Council currently monitors Nitrogen Dioxide NO<sub>2</sub> in 18 locations across the Borough, there are no other areas of concern. Monitoring within the current AQMA will be unchanged following the proposed revocation. Air Quality will continue to be of high importance due to the health implications of poor air quality, and all future developments will be assessed in term of their impact on air quality through the planning consultation process.

**2.10** Should Executive Committee agree to the revocation of the Tewkesbury Town Centre AQMA, a Revocation Order will be submitted to DEFRA for approval. A Draft Revocation Order can be found at Appendix 2.

### **3.0 OTHER OPTIONS CONSIDERED**

**3.1** Continue to have an AQMA has been discounted because of the sustained reduction in pollution levels at this location and the impact that implementation of the AQAP has achieved.

**3.2** As part of the general obligation placed upon Councils in respect of air quality it is considered appropriate and responsible to continue to monitor NO<sub>2</sub> levels within Tewkesbury Town Centre.

### **4.0 CONSULTATION**

**4.1** The decision to revoke the AQMA following continued compliance is supported by DEFRA as part of ASR reporting process and their review of annual report.

### **5.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**5.1** One of the Council's priorities in the Council Plan is to promote a healthy and flourishing environment in the borough. There have been significant improvements in the Air Quality in Tewkesbury Town Centre since the AQMA was declared. Tewkesbury Borough Council also declared a climate emergency in October 2019.

### **6.0 RELEVANT GOVERNMENT POLICIES**

**6.1** DEFRA - National Air Quality Standard Regulations. [The Air Quality Standards Regulations 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

**6.2** DEFRA Guidance- [How to Revoke an Air Quality Management Area | LAQM \(defra.gov.uk\)](https://www.defra.gov.uk)

### **7.0 RESOURCE IMPLICATIONS (Human/Property)**

**7.1** None.

### **8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**8.1** A significant improvement in Air Quality for residents and visitors to Tewkesbury Town Centre, providing a healthier place to live/visit.

**8.2** Air pollution has a significant effect on public health, and poor air quality is the largest environmental risk to public health in the UK. In 2010, the Environment Audit Committee considered that the cost of health impacts of air pollution was likely to exceed estimates of £8 to 20 billion.

**8.3** Epidemiological studies have shown that long-term exposure to air pollution (over years or lifetimes) reduces life expectancy, mainly due to cardiovascular and respiratory diseases and lung cancer. Short-term exposure (over hours or days) to elevated levels of air pollution can also cause a range of health impacts, including effects on lung function, exacerbation of asthma, increases in respiratory and cardiovascular hospital admissions and mortality.

**9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**

**9.1** None.

**10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**10.1** None.

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**Background Papers:** Tewkesbury Borough Annual Status report 2018-2020.

**Contact Officer:** Principal Environmental Health Officer

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**Appendices:** Appendix 1- Figures.

Appendix 2 - Draft Order.

## Appendix 1- Figures

Figure 1 - Map of AQMA boundaries

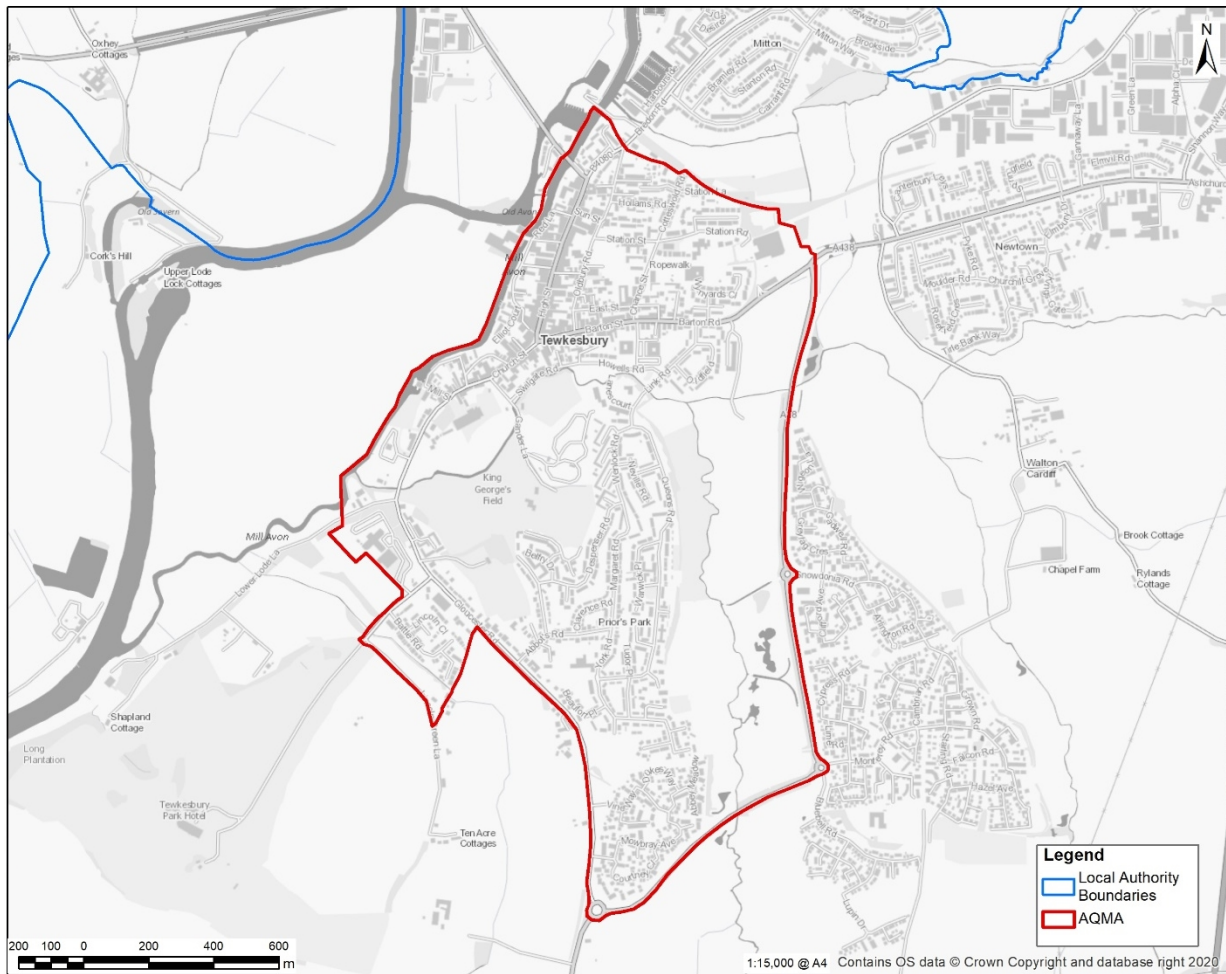


Figure 2 - Tewkesbury Town Centre AQMA NO<sub>2</sub> Diffusion Tube Monitoring Trend

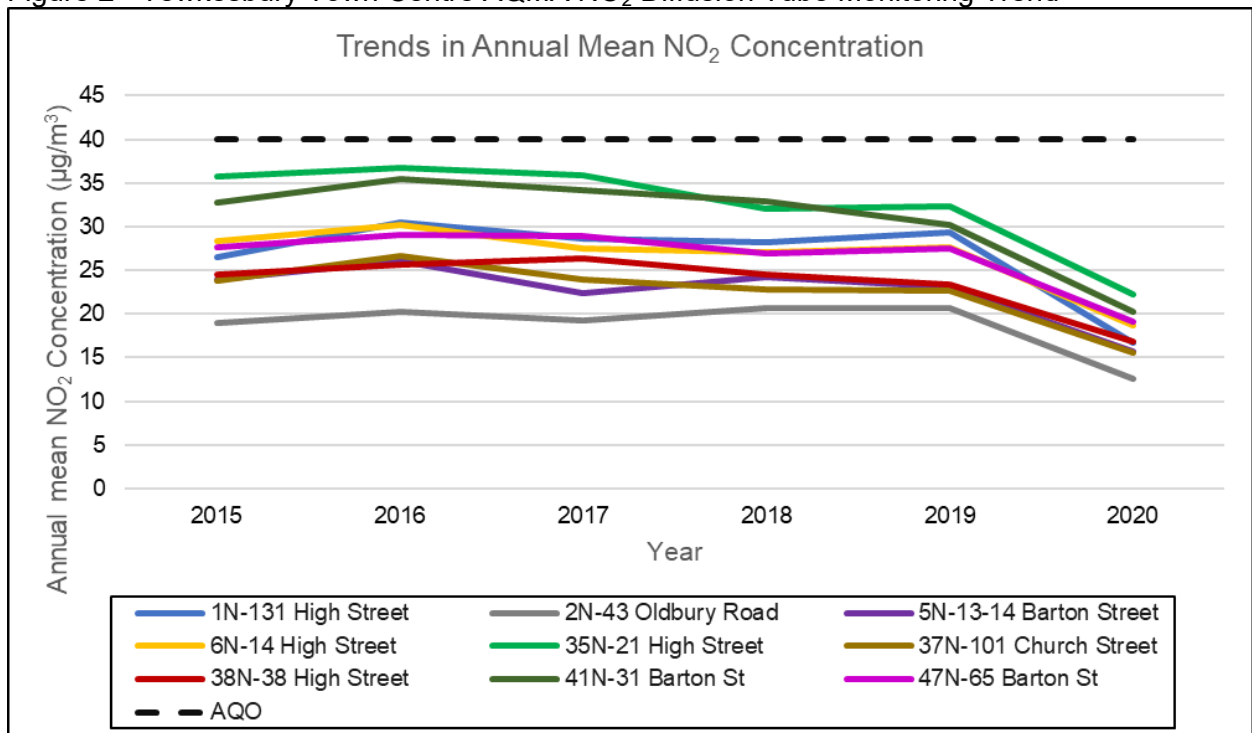


Figure 3 - Projected Annual NO<sub>2</sub> mean concentration

| Site                   | Monitored Annual NO <sub>2</sub> mean concentration (µg/m <sup>3</sup> ) | Projected Annual NO <sub>2</sub> mean concentration (µg/m <sup>3</sup> ) |      |      |      |      |
|------------------------|--|--|------|------|------|------|
|                        | 2019   | 2021   | 2022 | 2023 | 2024 | 2025 |
| 1N-131 High Street     | 29.4   | 26.3   | 24.9 | 23.6 | 22.3 | 21.1 |
| 2N-43 Oldbury Road     | 20.6   | 18.5   | 17.5 | 16.6 | 15.7 | 14.8 |
| 5N-13-14 Barton Street | 23.0   | 20.7   | 19.5 | 18.5 | 17.5 | 16.6 |
| 6N-14 High Street      | 27.7   | 24.8   | 23.5 | 22.2 | 21.0 | 19.9 |
| 35N-21 High Street     | 32.3   | 29.0   | 27.4 | 25.9 | 24.5 | 23.3 |
| 37N-101 Church Street  | 22.7   | 20.3   | 19.2 | 18.2 | 17.2 | 16.3 |
| 38N-38 High Street     | 23.4   | 21.0   | 19.8 | 18.8 | 17.8 | 16.9 |
| 41N-31 Barton St       | 30.2   | 27.1   | 25.6 | 24.3 | 23.0 | 21.8 |
| 47N-65 Barton St       | 27.4   | 24.6   | 23.2 | 22.0 | 20.9 | 19.8 |

**Appendix 2: Draft AQMA Revocation Order**

**Tewkesbury Borough Council Order 2021  
Environment Act 1995 Part IV Section 83(2)(b)  
Order Revoking an Air Quality Management Area**

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

- 1. This Order shall revoke the area known as the Tewkesbury Town Centre AQMA (as shown in the attached map) declared for the Nitrogen dioxide (NO<sub>2</sub>) - Annual Mean on 05/12/2008.
  
- 2. This Order shall come into force on 1st August 2022.  
The Common Seal of Tewkesbury Borough Council  
Was hereunto affixed

In the presence of:

Dated: .....  
.....