

NORTH LINCOLNSHIRE COUNCIL

**NEIGHBOURHOOD, ENVIRONMENT AND COMMUNITIES
CABINET MEMBER**

**DECLARATION OF AIR QUALITY MANAGEMENT AREA (AQMA),
LOW SANTON**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To provide an update on progress regarding the declaration of an Air Quality Management Area (AQMA) covering Low Santon, and related issues required by the Environment Act 1995.
- 1.2 The key points in this report are as follows:
- North Lincolnshire Council has a duty under Section 83(1) of the Environment Act 1995 to declare an AQMA covering the Low Santon area in relation to breaches of the 2004 annual mean Air Quality Objective for particulate matter less than 10 micrometres in diameter (PM₁₀).
 - To define the area to be included in the AQMA, the decision of which is entirely for the local authority to decide.
 - Further assessment of existing and likely future air quality with specific reference to PM₁₀ within the AQMA is required in accordance with Section 84(1) of the Act.

2. BACKGROUND INFORMATION

- 2.1 In November 2005 the Council declared an Air Quality Management Area in relation to breaches of the 24-hour mean Air Quality Objective for PM₁₀. This existing AQMA is centred on the integrated steelworks site and covers Santon and the eastern part of Scunthorpe. Declaration of the AQMA in 2005 and the subsequent Action Plan work has enabled the Council to push forward practical measures to improve air quality in partnership with local industry, the Environment Agency and other key stakeholders.
- 2.2 Further assessment of air quality for this existing AQMA identified a breach of the annual mean Air Quality Objective at the Low Santon monitoring site. Data from the High Santon monitoring site and all other sites within the monitoring network shows no indication of a breach of the annual mean air quality objective beyond the Low Santon area. This has been taken into account in defining the boundary of the proposed new AQMA, which is shown on the attached map.

- 2.3 Once the AQMA has been declared the Council must:
- Identify the contributions of PM₁₀ from the many different sources including industry, traffic and natural sources.
 - Confirm that the boundaries of the AQMA are accurate and include all areas where the objective is likely to be breached.
 - Produce an action plan within 12-18 months working with other stakeholders in order to reduce levels of PM₁₀ within the area.
- 2.4 The proposed air quality management area is appended to this report and has been subject to a number of consultations with stakeholders. There is no statutory obligation to consult on the boundary of an AQMA, although local authorities are expected to consult on the declaration, amendment or revocation of any AQMA. Consultation is required on any Further Assessment and resulting Action Plan.
- 2.5 Whilst there is no definitive guidance on how to determine the boundaries of an AQMA, Defra suggests in its Policy Guidance LAQM PG (03) that it is simpler to designate an area concentrating on existing boundaries and natural features, as this avoids the need to draw artificially precise lines on maps. For this reason North Lincolnshire Council has sought to focus on natural boundaries that can be easily described and understood. It is also essential that the boundaries are clear to stakeholders and the general public.
- 2.6 The proposed new AQMA is centred on the three residential properties at Low Santon, with boundaries as follows:
- To the south: Dawes Lane
 - To the west and north: Railway line
 - To the east: Embankment
- A map is attached to indicate the boundary of this proposed new AQMA.
- 2.7 The AQMA which was declared in November 2005 in relation to breaches of the daily mean air quality objective for PM₁₀ continues to exist with its present boundaries. The work to be undertaken to seek improvements in air quality for the proposed new AQMA will complement the work being carried out for the continuing Action Plan for the existing AQMA.

3. OPTIONS FOR CONSIDERATION

- 3.1 Declare the new AQMA with the boundary as detailed in section 2.6 shown on the attached map.
- 3.2 A range of alternative options concerning the extent and position of the proposed AQMA boundary has been considered, including the amendment of the existing AQMA to incorporate the breach of annual mean.
- 3.3 Doing nothing is not a viable option since the Council is under a legal duty to declare an AQMA now that a breach of the annual mean Air Quality Objective has been identified.

4. ANALYSIS OF OPTIONS

- 4.1 Reference to the monitoring data and Defra LAQM Policy Guidance indicates that the option given in section 3.1 provides the most appropriate option.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 There are no resource implications to consider at this stage.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 – CRIME AND DISORDER AND OTHER)

- 6.1 Statutory: The Review and Assessment of air quality is a statutory duty placed upon the council by the Environment Act 1995. Local authorities have a duty under section 83(1) of the 1995 Act to designate those areas, where the Air Quality Objectives are unlikely to be met on time, as Air Quality Management Areas. Under section 84(2)(a) local authorities are also required to report on the further assessment within 12 months of designating the AQMA.
- 6.2 Environmental: This work will help to contribute to real improvements in air quality in the years ahead.

7. OUTCOMES OF CONSULTATION

- 7.1 The proposed air quality management area has been subject to a number of consultations with stakeholders. Whilst there is no statutory obligation to consult on the boundary of an AQMA the importance of this issue on regeneration, development control, health and regulation of industrial processes is paramount. The consultation has included local industry, residents of Low Santon, Environment Agency, Health Protection Agency, Primary Care Trust, Highways Agency, neighbouring local authorities and Yorkshire Forward. The consultation documents and proposals have also been available to the public via the Council's air quality website, www.nlincsair.info
- 7.2 Consultation has also taken place at operational level within the Council with colleagues from Development Control, Highways & Transportation and Public Relations.
- 7.3 Responses to the consultation from local industry, Environment Agency, PCT and the Council's Transport Planning Team have all indicated agreement with the proposal to declare a new AQMA in relation to breaches of the 2004 annual mean air quality objective for PM₁₀, with the boundary as shown on the attached map. All other consultees expressed no preference as to which option should be chosen.

8. RECOMMENDATIONS

- 8.1 That the Cabinet Member confirms the boundary of the AQMA which will enable the area to be designated officially by means of an “order” by the Service Director Neighbourhood & Environment.

SERVICE DIRECTOR NEIGHBOURHOOD & ENVIRONMENT

Church Square House
SCUNTHORPE
North Lincolnshire
Author: Sarah Nicholson
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Background Papers used in the preparation of this report Nil

Proposed Air Quality Management Area bounded by embankments and road (Dawes Lane)

