

REPORT TO: Executive Board

DATE: 14 September 2023

REPORTING OFFICER: Director of Public Health

PORTFOLIO: Environment and Urban Renewal
Health and Wellbeing

SUBJECT: Revocation of Air Quality Management Areas in
Widnes Town Centre

WARD(S) Appleton
Central and West Bank

1.0 PURPOSE OF THE REPORT

1.1 To seek Executive Board approval for the revocation of Halton's Air Quality Management Areas in Widnes Town Centre.

2.0 RECOMMENDATION: That Executive Board approve the revocation of:

- 1) The Halton Borough Council Air Quality Management (Widnes No.1) Order 2011; and**
- 2) The Halton Borough Council Air Quality Management (Widnes No.2) Order 2011."**

3.0 SUPPORTING INFORMATION

3.1 In February 2023 the Environment and Urban Renewal PPB received a report setting out the rationale for revoking the air quality management areas in Widnes Town Centre and the proposal for a public consultation. The board noted the report and endorsed the proposal for a public consultation.

3.2 In June 2023 the Environment and Urban Renewal PPB received a further report setting out the outcome of the public consultation and further observations from officers confirming the rationale for revoking the air quality management areas. The Board endorsed the proposal to revoke the air quality management areas and recommended that a report be submitted to Executive Board seeking approval for the revocation.

3.3 By way of background; the areas were declared by order of the council in 2011 when traffic congestion in Widnes town centre caused high levels of Nitrogen Dioxide. Levels of Nitrogen dioxide were measured at 49 µg/m³ against a UK legal limit of 40 µg/m³

The principal source of Nitrogen Dioxide is the burning of fossil fuels with road traffic accounting for the majority of emissions. Short-term exposure to concentrations of NO₂ can cause inflammation of the airways and increase susceptibility to respiratory infections and to allergens. NO₂ can exacerbate the symptoms of those already suffering from lung or heart conditions.

The Air Quality Standards Regulations 2010 require that the annual mean concentration of NO₂ must not exceed 40 µg/m³. Where monitoring indicates that levels are in excess of the legal limit the local authority is under a legal duty to declare an Air Quality Management Area and implement an action plan to reduce emissions to within legal limits. Annual reports are submitted to DEFRA to monitor progress.

The action plan that was implemented, alongside a number of other developments, have resulted in a significant improvement in air quality in those areas. These developments include improvements in vehicle emission technology and the opening of the Mersey Gateway Bridge in 2017 which resulted in reduced traffic congestion in Widnes town centre.

Levels of Nitrogen dioxide in those areas are now consistently below the UK legal limit.

Table 1 below sets out the monitoring data for the last 6 years including the latest available data for 2022.

Table 1. Diffusion tube monitoring data last 6 years – updated to include 2022 data.

Diffusion Tube ID	X OS Grid Ref (Easting)	Site Type	2017	2018	2019	2020	2021	2022
4	Milton Road	Roadside	37.0	35.0	31.3	25.1	30.1	30.4
5	Milton Road	Roadside	38.0	35.0	32.5	26.2	32.5	32.2
6	Milton Road	Roadside	32.0	32.0	26.4	23.7	29.5	27.3
9	Peel House Lane	Roadside	33.0	33.0	30.0	23.8	26.2	25.2
10	Peel House Lane	Kerbside	39.0	38.0	37.5	30.9	34.8	34.3
12	Deacon Road	Roadside	32.0	30.0	27.2	21.2	23.8	23.4
13	Deacon Road	Roadside	33.0	28.0	28.1	22.0	24.8	22.5

Limit = 40 µg/m³

- 3.4 There are currently 2 Air Quality Management Areas which include the Deacon Road, Albert Road and Peelhouse Lane area and the area around Milton Road and Simms Cross. These are shown on the maps that form appendix 1 to this report.

4.0 **POLICY IMPLICATIONS**

- 4.1 Given the improvements in air quality it is proposed to revoke the Air Quality Management Areas as there are no further outstanding actions required to reduce emissions to within legal limits in those areas. Consequently, the orders no longer have any material affect.

- 4.2 Monitoring in those areas will however continue. Furthermore, from 2023 the Government will require local authorities to produce an air quality strategy to set out how they will proactively monitor and improve air quality in their area. These measures will mitigate the risks of revoking the air quality management areas.

- 4.3 There is no formal statutory consultation process required to revoke the Air Quality Management Areas. However, government guidance suggests public consultation is good practice. This consultation has now taken place and the responses considered by the Environment and Urban Renewal PPB alongside the observations and advice of officers. The Environment and Urban Renewal PPB have endorsed the proposal to revoke the Air Quality Management Areas.

- 4.3 The original decision to declare the Air Quality Management Areas was taken by Executive Board and therefore the decision to revoke the Air Quality Management Areas must be made by Executive Board. Each of the two separate Air Quality Management Areas were declared by way of separate council orders and therefore both these orders need to be revoked. If Executive Board agree to revoke the air quality management areas this decision will be given effect by way of an Order of the council under the Environment Act 1995 signed by an authorised signatory in accordance with the council's constitution. A copy of the draft revocation order is attached as appendix 2 for reference.

Once the areas are revoked DEFRA will be informed via the online local air quality portal and the areas will be removed from the list of active air quality management areas.

5.0 **FINANCIAL IMPLICATIONS**

- 5.1 There are no financial implications associated with this report

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children & Young People in Halton**

None

6.2 **Employment, Learning & Skills in Halton**

None

6.3 **A Healthy Halton**

Air quality within the Air Quality Management Areas has improved and is now within UK legal limits

6.4 **A Safer Halton**

None

6.5 **Halton's Urban Renewal**

None

7.0 **RISK ANALYSIS**

7.1 Although it is proposed to revoke the air quality management areas monitoring of air quality will continue in those areas to ensure air quality remains within legal limits. Furthermore, should the air quality management area be revoked there will be a requirement for the council to produce an air quality strategy setting out how the council will proactively monitor and improve air quality. There are therefore no significant risks from this proposal.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 None

9.0 **CLIMATE CHANGE IMPLICATIONS**

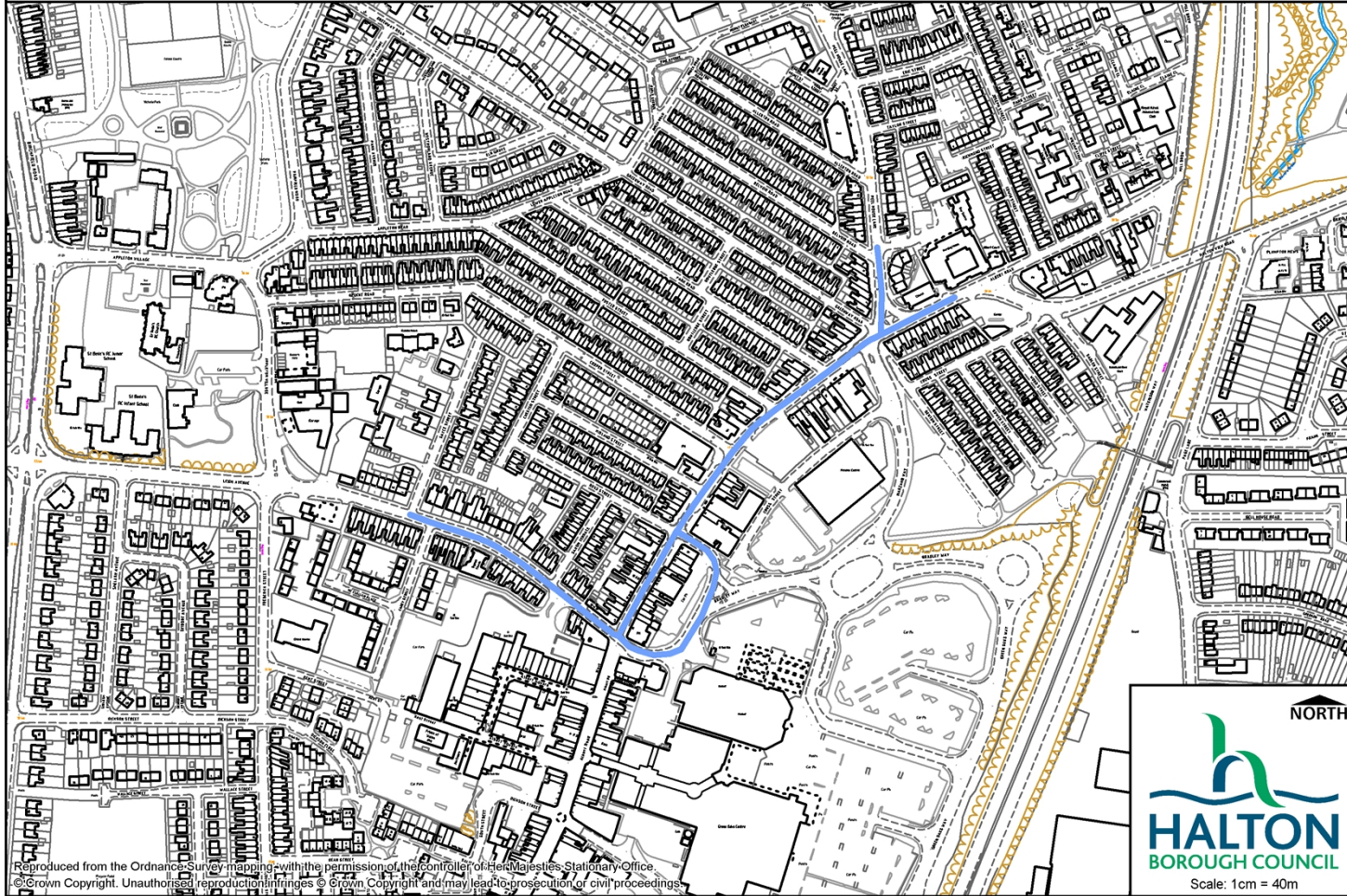
9.1 Although there are no direct climate change implications from this proposal there is an established link between fossil fuel emissions and climate change. The improvements in air quality within the Air Quality Management Areas can be attributed to reduced vehicle emissions in these areas.

10.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF
THE LOCAL GOVERNMENT ACT 1972**

None under the meaning of the Act.

Appendix 1
Maps of Air Quality Management Areas

Air Quality Management Area 1



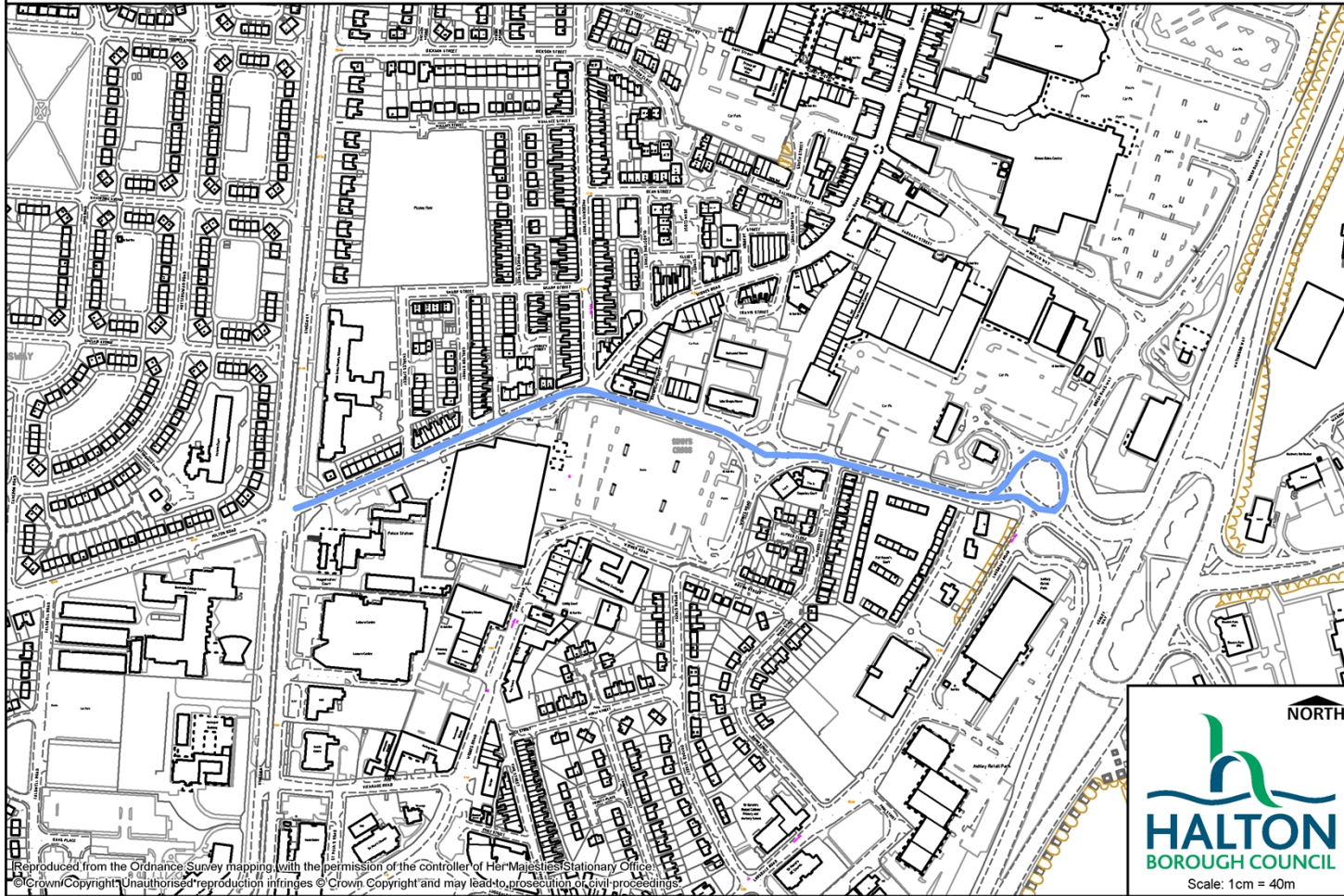
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NORTH

HALTON
BOROUGH COUNCIL

Scale: 1cm = 40m

Air Quality Management Area 2



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NORTH



HALTON
BOROUGH COUNCIL

Scale: 1cm = 40m

Appendix 2

Draft Revocation Order

**HALTON BOROUGH COUNCIL
AIR QUALITY MANAGEMENT AREA 1 AND AIR QUALITY MANAGEMENT
AREA 2 REVOCATION ORDER 2023
ENVIRONMENT ACT 1995 PART IV SECTION 83(2)(b)**

Halton Borough Council, in exercise of the powers conferred upon it by section 83(2)(b) of the Environment Act 1995, hereby makes the following Order:-

1. The Halton Borough Council Air Quality Management Area (Widnes No.1) Order 2011 and the Halton Borough Council Air Quality Management Area (Widnes No.2) Order 2011 shall be revoked.

2. The effect of this order is that those areas known as Air Quality Management Area 1 and Air Quality Management Area 2 and shown in blue on the maps appended to this order, including the roads listed in Schedule 1, are no longer designated as air quality management areas for nitrogen dioxide.

3. This Order shall come into force on [] September 2023

EXECUTED as a Deed by hereunto

affixing **THE COMMON Seal of**

HALTON BOROUGH COUNCIL

In the presence of:

Authorised Signatory