

## REPORT TO CABINET

<b>Open/Exempt</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b> St Magaret's with St Nicholas, Gaywood Chase, South & West Lynn	Mandatory/	Be entirely within Cabinet's powers to decide		YES/ <del>NO</del>	
	Discretionary /	Need to be recommendations to Council		<del>YES/NO</del>	
	Operational	Is it a Key Decision		YES/ <del>NO</del>	
Lead Member: Cllr Michael de Whalley E-mail: <a href="mailto:cllr.michael.dewhalley@west-norfolk.gov.uk">cllr.michael.dewhalley@west-norfolk.gov.uk</a>			Other Cabinet Members consulted: None		
			Other Members consulted: None		
Lead Officer: Dave Robson E-mail: <a href="mailto:dave.robson@west-norfolk.gov.uk">dave.robson@west-norfolk.gov.uk</a> Direct Dial: 015530616302			Other Officers consulted:		
Financial Implications <del>YES/NO</del>	Policy/ Personnel Implications <del>YES/NO</del>	Statutory Implications <del>YES/NO</del>	Equal Impact Assessment <del>YES/NO</del> If YES: Pre-screening/ Full Assessment	Risk Management Implications <del>YES/NO</del>	Environmental Considerations <del>YES/NO</del>
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 23<sup>rd</sup> April 2026

### **TITLE: RAILWAY ROAD EXTENDED AIR QUALITY MANAGEMENT AREA REVOCATION**

#### **Summary**

This report puts forward the revocation of the current Railway Road Air Quality Management Areas (AQMAs).

#### **Recommendations**

##### Cabinet Resolves:

Revoke Railway Road Air Quality Management Area and revoke Railway Road Extended Air Quality Management Area

#### **Reason for Decision**

Air quality levels of nitrogen dioxide (NO<sub>2</sub>) have steadily fallen over the last few years and have not exceeded the legal air quality annual mean limit for the last 5 years within the AQMA. If there have been no exceedances over the previous 5 years, then there is no longer a need to have AQMAs in place.

## **1 Background**

- 1.1 This report sets out the basis for the revocation of the Railway Road Air Quality Management Area (2003) and the extended Railway Road Air Quality Management Area (2007).
- 1.2 The Council has a legal duty to review and assessment air quality within its district on an annual basis. An air quality report is prepared and submitted to Department for Environment, Food & Rural Affairs (DEFRA) for approval each year.
- 1.3 The levels of Nitrogen Dioxide (NO<sub>2</sub>) have shown a downward trend over the last several years, whilst the covid pandemic saw a further reduction during 2020, 2021 & 2022 there has been no significant post pandemic bounce back. Current NO<sub>2</sub> levels remain below the pre-pandemic levels.

## **2 Options Considered**

- 2.1 As part of its duty to review and assess air quality, the Borough Council has a number of air quality monitoring stations and Diffusion Tubes sites which are used to measure NO<sub>2</sub>.
- 2.2 The monitoring results for the previous five years have shown there to be no exceedances of the 40ug/m<sup>3</sup> annual objective for Nitrogen Dioxide (NO<sub>2</sub>) within the extended Railway Road AQMA (or outside it in the wider King's Lynn urban area).
- 2.3 The Railway Road AQMA was declared in 2003 due to the exceedances of the annual mean objective for NO<sub>2</sub> whose main source of emissions was road transport. Additional monitoring was put in place after the first AQMA was declared.
- 2.4 This subsequent monitoring then showed further exceedances of the NO<sub>2</sub> annual mean objective around the one-way system (Railway Road, Austin Street, Blackfriars) and also the length of London Road from the junction with the Southgates roundabout to Millfleet. The AQMA was then extended in 2007 to include this new area.
- 2.5 No other options have been considered as it is a requirement to revoke an AQMA if there have been five years of complaint monitoring data. Therefore, there is no choice but to revoke the AQMA as there are 5 years of compliant monitoring data.

## **3 Policy Implications**

- 3.1 This report follows DEFRA Local Air Quality Guidance Policy Guidance LAQM PG 22 & Technical Guidance LAQM TG 22. The guidance

states that an AQMA should be revoked if the objective is being met and will continue to do so. Revocation should be considered when levels fall 10 % below the relevant level (which it has). The guidance states “Where there have been no exceedances for the past five years, local authorities must proceed with plans to revoke the AQMA”. This view has been confirmed with the DEFRA Air Quality Helpdesk. The guidance also states, “There should not be any declared AQMAs for which compliance with the relevant objective has been achieved for a consecutive five-year period.”

- 3.2 The draft report has been circulated to Norfolk County Council Director of Public Health.
- 3.3 The 2025 Annual Status Report has been submitted to DEFRA which includes the last five years data demonstrating levels are below the annual mean objective. We have indicated that a Cabinet Report was being drawn up and would be submitted for consideration.
- 3.4 The improving air quality within the district aligns with the Marmot Places work to reduce health inequalities. There are eight Marmot principles: -
  1. Give every child the best start in life.
  2. Enable all children, young people and adults to maximise their capabilities and have control over their lives.
  3. Create fair employment and good work for all.
  4. Ensure a healthy standard of living for all.
  5. Create and develop healthy and sustainable places and communities.
  6. Strengthen the role and impact of ill health prevention.
  7. Tackle racism, discrimination and their outcomes.
  8. Pursue environmental sustainability and health equity together

This report will complement the above principles and have an overall affect of improving the health and well-being of local residents.

#### **4 Financial Implications**

- 4.1 No impact on existing budgets is noted. Monitoring will be kept in place to monitor the ongoing background levels and to validate the revocation decision.

#### **5 Personnel Implications**

- 5.1 None identified. The Cabinet report can be implemented with existing staffing.

## **6 Environmental Considerations**

- 6.1 The report is proportional to the current and previous 5 years NO<sub>2</sub> monitoring data collected within the AQMA. There has been a steady reduction within the AQMA and at other monitoring locations within the King's Lynn urban area.
- 6.2 A Source Apportionment study identified the main source of the NO<sub>2</sub> within the AQMA to be road transport.
- 6.3 Overall there will be a significant benefit to all local residents that live within the AQMA or travel through it. Residents with respiratory illness and other circulatory disease will feel a particular health benefit from improving air quality.
- 6.4 Some additional benefits include a reduction in asthma and bronchitis symptoms, fewer hospital admissions for respiratory conditions, lower prescription rates for respiratory infections and prevention of premature deaths.
- 6.5 NO<sub>2</sub> is known to have severe effects on vulnerable groups, for example the elderly, children and people already suffering from pre-existing health conditions such as respiratory and cardiovascular conditions.
- 6.6 Significant housing developments in and adjacent to the AQMA have been previously reviewed and their impacts assessed. These include the Knights Hill and West Winch developments. The impacts to traffic flow as part of the Southgates Masterplan and Gyratory review have been considered. No significant impacts have been identified that would prevent the revocation of the AQMA.
- 6.7 Additional monitoring has been put in place for new housing development once they have received planning permission. This monitoring will continue as it verifies the modeling work completed as part of the planning process.
- 6.8 The main source of NO<sub>2</sub> identified within the AQMA was from road transport, specifically cars and buses. The emissions from the road transport sector continue to fall for many different reasons, both national and local. The move away from ICE vehicles to EV's will further improve air quality and reduce NO<sub>2</sub> emissions. There have also been changes in travel patterns post covid such as more home working & home shopping deliveries. There has also been a reduction in the background NO<sub>2</sub> concentrations as other sectors such as industry and power production as the move from fossil fuels to renewal sources such as solar and wind.

## **7 Statutory Considerations**

- 7.1 The Council has a statutory duty under Part IV of the Environment Act 1995 to review and assess air quality within its district. DEFRA issue Statutory Guidance for Local Authorities to follow namely, LAQM. TG22 for technical issues and LAQM. PG 22 for policy matters.
- 7.2 DEFRA guidance states that if there have been no exceedances of the relevant objective, then there is no longer a requirement to have an AQMA and it should be revoked.
- 7.3 The Air Quality Action Plan (AQAP) that was previously adopted was required because the Council had declared an AQMA. As the AQMA is to be revoked, the AQAP will be replaced in due course with an Air Quality Strategy.
- 7.4 For those Local Authority that do not have an AQMA and AQAP, there is now statutory guidance to have an Air Quality Strategy (AQS). The Council will therefore bring forward a draft AQS for consideration in due course.

## **8 Equality Impact Assessment (EIA)**

- 8.1 A pre-screening EIA has been completed and did not indicate a negative impact on any protected characteristic and a positive impact for those with respiratory illness or pre-existing health condition. Improving air quality will benefit many different groups in the local area as detailed in section 6 above.

## **9 Risk Management Implications**

- 9.1 If the Council were not to revoke the AQAP as per the DEFRA guidance, then we would be open to legal challenge as to why the AQMA remains when there have been no exceedances of the NO<sub>2</sub> annual mean object over the last five years.
- 9.2 The revocation of the AQAM should be seen a positive step tying in with several corporate objectives to improve the health and wellbeing of local residents.

## **10 Declarations of Interest / Dispensations Granted**

- 10.1 None identified.

## 11 Background Papers

Air Quality Reports [https://www.west-norfolk.gov.uk/info/20137/air\\_quality/169/air\\_quality\\_information](https://www.west-norfolk.gov.uk/info/20137/air_quality/169/air_quality_information)

Air Quality Management Areas [https://www.west-norfolk.gov.uk/info/20137/air\\_quality/170/air\\_quality\\_management\\_areas](https://www.west-norfolk.gov.uk/info/20137/air_quality/170/air_quality_management_areas)

DEFRA LAQM guidance <https://laqm.defra.gov.uk/guidance/>

[https://consult.defra.gov.uk/airquality/air-quality-plan-for-tackling-nitrogen-dioxide/supporting\\_documents/Draft%20Revised%20AQ%20Plan.pdf](https://consult.defra.gov.uk/airquality/air-quality-plan-for-tackling-nitrogen-dioxide/supporting_documents/Draft%20Revised%20AQ%20Plan.pdf)