

## CABINET MEETING

DATE 20 January 2026

### PART 1 – PUBLIC DOCUMENT

#### TITLE OF REPORT: REVOCATION OF AIR QUALITY MANAGEMENT AREAS IN HITCHIN

REPORT OF: DIRECTOR – REGULATORY

EXECUTIVE MEMBER: Cllr Mick Debenham – Executive Member for Regulatory

COUNCIL PRIORITY: THRIVING COMMUNITIES / ACCESSIBLE SERVICES / RESPONSIBLE GROWTH / SUSTAINABILITY

#### 1. EXECUTIVE SUMMARY

The purpose of the report is to review the status of the Air Quality Management Areas (AQMAs) as declared in the following AQMA Orders.

**No1. 2012** [NHDC Air Quality Management Order \(north-herts.gov.uk\)](http://north-herts.gov.uk).

**No.2 2016** [Air Quality Management Area Report \(north-herts.gov.uk\)](http://north-herts.gov.uk)

These AQMAs were declared following local air quality assessments, which resulted in identifying areas within North Hertfordshire where the statutory air quality objectives were exceeded.

The declaration of the AQMAs required the development of an Air Quality Action Plan to put measures in place to reduce air pollution below objective levels.

The impact of a combination of measures introduced at a local level plus measures implemented on a nationwide basis have resulted in the pollution levels in these AQMAs falling below objective levels for five years or more.

UK Government policy is that where pollution levels in AQMAs remain below objective levels for five years or more, that AQMAs must be revoked.

#### 2. RECOMMENDATIONS

**It is recommended that Cabinet**

2.1. Approve the Revocation Orders (as appended to this report) for the following areas:

- The No1. AQMA Stevenage Road Hitchin,
- The No2. AQMA Payne's Park Hitchin

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1. The reason for recommending the Revocation of the AQMAs is that there is no reasonable justification for retaining AQMAs where the air pollution levels can be shown to have significantly reduced below statutory air quality objectives as defined by HM Government within UK Air Quality Regulations.

### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The only alternative option would be to maintain the AQMAs when there is no apparent justification for doing so. In keeping the AQMAs, there would be a requirement to produce a further Action Plan, for which there is no justification, as Action Plans are required to address air pollution in areas where there are exceedances of the air quality objectives. As there are no exceedances, there is no requirement for a revised Action Plan, hence this option would have no additional resource implications.

### **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 There is no duty to consult publicly. Internal consultation prior to Cabinet is recommended. This report along with the revocation notices are to be circulated to the consultees below.

Internal consultation commences: 17 November 2026 for a period of 2 weeks.

Consultees:

North Herts DC Leadership Team  
Cllr Daniel Allen – Leader of the Council and Labour Lead  
Cllr Ruth Brown – Conservative Lead  
Cllr Mick Debehham – Executive Member for Regulatory  
Cllr Matt Barnes – Shadow Executive for Regulatory  
Cllr Ralph Muncer – Conservative Group Leader  
Cllr John Clayden – Hitchin Highbury Ward  
Cllr Sam Collins – Hitchin Highbury Ward  
Cllr Keith Hoskins – Hitchin Priory Ward  
Cllr Chris Lucas – Hitchin Priory Ward

### **6. FORWARD PLAN**

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on the 19 September 2025.

### **7. BACKGROUND**

- 7.1. The report has been written, because following the submission of the Annual Air Quality Status Report to DEFRA in June 2023, North Herts Council have been advised that it is now appropriate to consider revoking both the AQMAs because by the end of 2023, both AQMAs will have met air quality objective levels for the last 6 years (AQMA1 for 7 years).
- 7.2 It is UK Government policy that AQMAs are revoked once pollution levels have remained significantly below objective levels for 5 years or more.

7.3. Both of these AQMAs were declared on the basis of exceedance of the annual mean air quality objective for nitrogen dioxide. This objective is defined as an annual average of 40 microgrammes per cubic metre ( $\mu\text{g}/\text{m}^3$ ).

7.4. In 2005, prior to declaration of the AQMAs annual mean nitrogen dioxide pollution levels were recorded at each AQMA as follows:

AQMA No.1 45.9  $\mu\text{g}/\text{m}^3$

AQMA No.2 46.4  $\mu\text{g}/\text{m}^3$

7.5. When these AQMAs were declared, in 2012 (AQMA No.1) and 2016 (for AQMA No.2), the level of exceedance for each AQMA was recorded as:

AQMA No.1 Stevenage Road, Hitchin 41.8  $\mu\text{g}/\text{m}^3$

(Compared to the Annual Mean of 40  $\mu\text{g}/\text{m}^3$ )

AQMA No.2 Payne's Park, Hitchin 44.5  $\mu\text{g}/\text{m}^3$

(Compared to the Annual Mean of 40  $\mu\text{g}/\text{m}^3$ )

7.6. By the end of 2025 both AQMAs will have annual mean nitrogen dioxide monitoring results, significantly below the objective level of 40  $\mu\text{g}/\text{m}^3$ . This marks the point that each AQMA will have met the objective levels for 7 years continuously.

AQMA	2024	2023	2022	2021	2020	2019	2018
No. 1	32	35	31	31	37	33	35
No. 2	26	27	29	27	24	38	42

7.7. The Guidance for Local Authorities in reviewing the status of AQMAs is contained within LAQM Technical Guidance [LAQM TG22](#).

7.8. The revocation of an AQMA should be considered following three consecutive years of compliance with the relevant objective as evidenced through monitoring. Where there have been no exceedances for the past five years, local authorities must proceed with plans to revoke the AQMA.

7.9. The LAQM Technical Guidance (LAQM TG22) is clear in this respect:

"There should not be any declared AQMAs for which compliance with the relevant objective has been achieved for a consecutive five-year period." (Point 3.57, page 50).

7.10. The Local Air Quality Management (LAQM) helpdesk which acts as a consultation portal for Local Authorities have emphasised the guidance above and made the following comment:

*"AQMAs should identify areas where air quality objectives are not being met or are likely to be at risk of not meeting them. Keeping AQMAs in place longer than required risks diluting their meaning and impacting public trust in LAQM."*

*As the AQMAs have been compliant for over 3 years, the Council should consider reviewing the status of the AQMAs and proceeding with the revocation process".*

## 8. RELEVANT CONSIDERATIONS

- 8.1 The strategy for addressing air quality issues is contained within the latest UK Air Quality Strategy and accompanying Policy Guidance (LAQM PG22) and Technical Guidance (LAQM TG22) as issued by DEFRA.
- 8.2 There are a wide range of terms and concepts in national and international initiatives, for example, standards, objectives, target values and limit values. The two which feature within the UK's air quality strategy are standards and objectives. The Air Quality Standards Regulations 2010 contain Limit Values and Target Values.
- 8.3 The national Air Quality Objectives and Air Quality Standards Regulations limit and target values with which the UK must comply are summarised in the [National air quality objectives](#) (PDF 262 KB) of the Air Quality Strategy.
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- 8.5 Following the introduction of UK Air Quality Strategy in 1997 each local authority in the UK has been carrying out a review and assessment of air quality in their area. The review process involves measuring air pollution and trying to predict how it will change. The aim of the review is to make sure that the national air quality objectives will be achieved throughout the UK by the relevant deadlines. These objectives have been put in place to protect people's health and the environment.
- 8.6 Within North Hertfordshire, Review and Assessment Reports have been carried out annually to monitor the status of air quality since 1999. Following a series of assessments, North Herts Council declared Air Quality Management Areas at Stevenage Road, and Payne's Park in Hitchin in 2012 and 2016. This was because nitrogen dioxide concentrations were detected that were above the air quality standard set to be protective of human health.
- 8.7 A local [Air Quality Action Plan](#) was established by North Herts Council in 2018 to address the exceedances of annual mean air quality objective for Nitrogen Dioxide, which were sites close to busy main roads representative of areas where there may be congested traffic.
- 8.8 The UK Government Department (DEFRA) implemented a programme of measures in conjunction with Local Authorities to tackle air pollution across the UK that has led to significant reductions in air pollution. This has been particularly successful for reducing roadside air pollution, such that for [over 700 AQMAs declared in England](#) for Annual Mean Nitrogen Dioxide, 233 (one third) have already been revoked as pollution levels have fallen significantly below objective levels.
- 8.9 It is UK Government policy that AQMAs are revoked once pollution levels have remained significantly below objective levels for 5 years or more.

- 8.10 The following text is copied from the Annual Air Quality Status Report for 2023, which all Local Authorities are required to submit to DEFRA annually to review the current status of air quality in each Local Authority district.
- 8.11 The two historic sites declared as Air Quality Management Areas (AQMA's), Stevenage Road (AQMA 2012) and Payne's Park Roundabout (AQMA 2017) along the A602, both continue to show improved levels of air quality.
- 8.12 Defra upon revocation of AQMA require the Local Authority to produce a Local Air Quality Strategy. The draft strategy will be brought to Cabinet in due course, an informative report is included in the background papers.
- 8.13 North Herts Council continue to monitor air quality in the district via the Diffusion Tube monitoring program, which measures concentrations of nitrogen dioxide (NO<sub>2</sub>) the results are reported in the Annual Air Quality Status Report, which Local Authorities are required to submit to Defra each year.

In summary: results of monitoring data corrected for relevant exposure shows the following:

**Stevenage Road, Hitchin AQMA**

No results above objectives for 8 years in succession (2017-2024 inclusive).

No results within 10% of objective levels in the last 7 years (2018-2024 inclusive)

**Payne's Park, Hitchin AQMA** (Incomplete data for 2020)

No results above objective levels for the last 7 years

No results within 10% of objective levels in the last 5 years

Two years with results above objectives in last 8 years (2018, 2017)

3 of last 8 years with results within 10% of objective levels (2019,2018,2017)

**Both of these AQMA's can be considered for revocation, based upon these results.**

## **9. LEGAL IMPLICATIONS**

- 9.1 Local Air Quality Management (LAQM) is a regulatory function of the Council and is governed by provisions within the Environment Act (EA)1995 (as amended).
- 9.2. Councils have a legal responsibility to carry out various duties, such as making, amending, and revoking AQMAs as directed by DEFRA where our own monitoring and reporting recommends it.
- 9.3. The Council has a statutory duty under section 82 EA 1995 to regularly review and assess local air quality in their area against national air quality targets. The Council can designate by order, an AQMA where there is evidence that national air quality standards are not met.
- 9.4. Under section 83 (1) (b) of the EA 1995 following a review of any designated area, it appears that air quality standards are being met, and compliance is likely to be maintained, the Council is able to revoke the designation order.
- 9.5. Procedural steps are set out in the latest Local Air Quality Management Policy Guidance PG22 August 2022 (Revised May 2025). The council must have the confidence that air quality improvements will be sustained (typically after 3 years of compliance).
- 9.6. Failure to comply with the directions from DEFRA may result in 'enforcement' action by DEFRA which ultimately result in a Ministerial Directive under the Environment Act 1995 if we do not comply.
- 9.7. The decision within this report to revoke the AQMAs listed is in full compliance with our current obligations under LAQM and our current reporting requirements. The revocation and/or amendment of legal orders relating to the designation of AQMAs is pursuant to Part 14.5.2 of the constitution, air quality is a "Local Choice Function."
- 9.8. It is the responsibility of Cabinet and subject to approval of this decision by Cabinet, the Director of Regulatory shall be delegated to carry out the necessary steps to revoke or amend the AQMAs.
- 9.9. A separate Order to Revoke an Air Quality Management Area is required for each AQMA and draft AQMA Orders for AQMA No. 1 and AQMA No.2 are appended to this report.
- 9.10. The legal orders shall be formally executed under the Council Seal and uploaded to the LAQM portal and the Council website on behalf of Defra.

## **10. FINANCIAL IMPLICATIONS**

- 10.1. There are no direct financial implications from revoking the AQMAs.
- 10.2. There will remain a requirement to continue to monitor and assess Local Air Quality, as required by the Environment Act 1995, and complete Annual Status Reports.
- 10.3. However, the revocation of the AQMAs calls into question the need for continuous air quality monitors that are located in the vicinity of the Stevenage Road AQMA.
- 10.4. The monitoring facilities at this site are nearing end of life status, and their continuation will require significant further investment in order to continue.
- 10.5. The review of current air quality monitoring and future options will be the subject of a subsequent report to be presented to the Cabinet Panel on the Environment.

## **11. RISK IMPLICATIONS**

- 11.1. It is not considered that there are any significant risks in taking a decision to revoke the AQMAs.
- 11.2. It is therefore not considered that there is any requirement for a risk assessment.

## **12. EQUALITIES IMPLICATIONS**

- 12.1. There are no equalities implications.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1. The Social Value Act and “go local” requirements do not apply to this report.

## **14. ENVIRONMENTAL IMPLICATIONS**

- 14.1. There are no known Environmental impacts or requirements that apply to the recommended actions of this report. The recommendations are based on monthly results of monitoring that has been carried out and continue to be carried out to verify the pollution levels in these and other areas within the district.

## **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1. ‘There are no direct human resource implications resulting from this report’

## **16. APPENDICES**

- 16.1. Appendix A: AQMA Revocation Order for AQMA No.1
- 16.2. Appendix B: AQMA Revocation Order for AQMA No.2

16.3. Appendix C Informative Report on Local Air Quality Strategy

16.4. Appendix C1

16.5. Appendix C2

## **17. CONTACT OFFICERS**

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## **18. BACKGROUND PAPERS**

18.1. Where possible all background papers have been referenced in the text with links to relevant reports. They are repeated here and listed below.

[UK National Air Quality Strategy](#)

[LAQM Policy Guidance LAQM PG22](#)

[LAQM Technical Guidance LAQM TG22](#)

[UK Air Quality Standards Regulations 2010](#)

[UK National Air Quality Objectives](#)