



Operational Officer Decision Record

Where the decision has a financial value of between £100k - £350k and does not have a **significant** impact on two or more wards

1. Subject and details of the matter (to include reasons for the decision and detail of any previous cabinet decision)

The Council has a number of statutory responsibilities for air quality. These are governed by Part IV of the Environment Act 1995 and supported with a range of statutory technical guidance provided by the Department of Environment, Food and Rural Affairs (DEFRA). The primary sources of air pollution, Nitrogen Dioxide (NO₂) and Particulates (PM) in North East Lincolnshire are from transport and industry.

In September 2010 the Council declared an Air Quality Management Area (AQMA) for a breach of the annual mean objective for Nitrogen Dioxide on Cleethorpe Road between Freeman Street and Nacton Street, Grimsby. The declaration was made because where a likely exceedence of an Air Quality Objective is identified in areas of significant public exposure, an Air Quality Management Area (AQMA) should be declared, and an Action Plan produced.

The relevant Air Quality Objective for this AQMA was the Annual Mean for Nitrogen Dioxide of 40ug/m³. The AQMA was declared following extensive monitoring of air pollution using both real-time air quality analysers and a network of passive diffusion tubes.

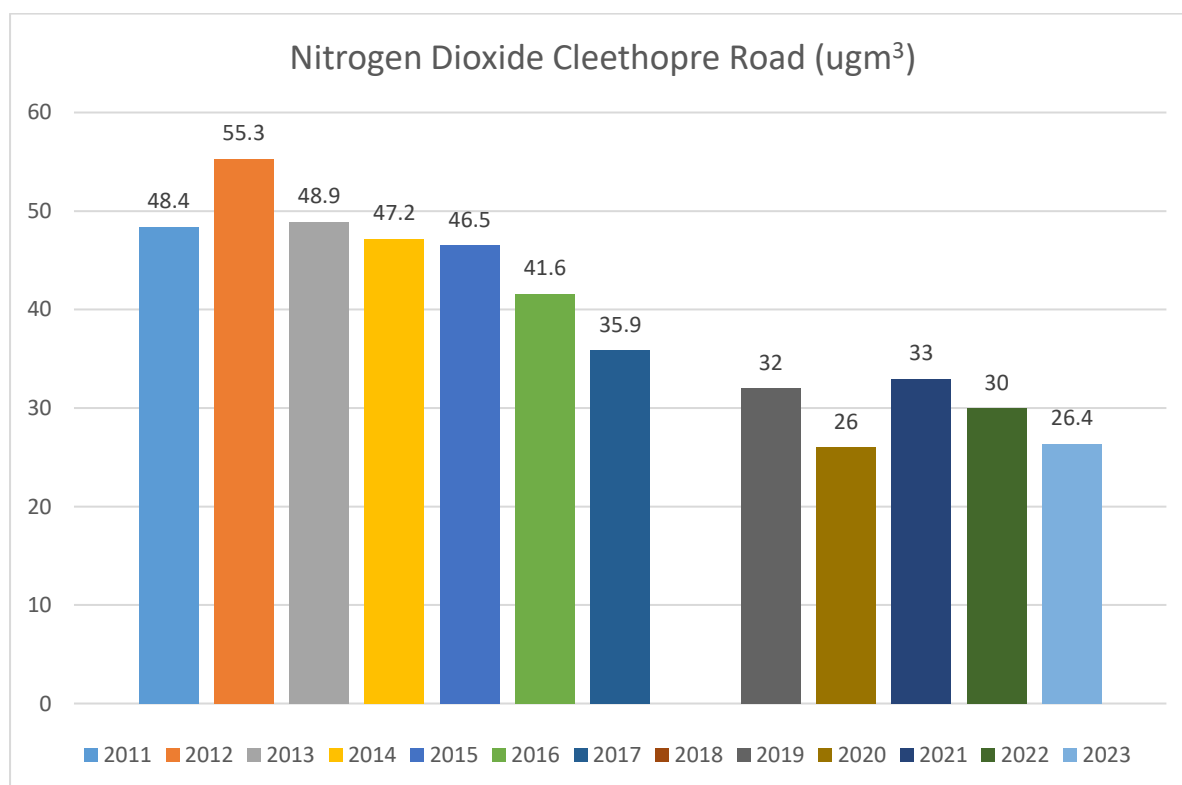
The initial Action Plan published in 2012 set out the measures the Council intended to introduce to reduce Nitrogen Dioxide levels within the AQMA. During 2015 junction alterations were made at Riby Square to help improve traffic flow and bring

pollution levels down. The Action Plan was revised in 2020 and a new Air Quality Action Plan was adopted which outlined additional measures to reduce Nitrogen Dioxide concentrations further at this location.

2. Decision being taken

That the Director for Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Safer and Stronger Communities takes all necessary actions to implement the revocation of the Cleethorpe Road Air Quality Management Area.

The Annual Status Report 2023 identified that the air quality objective in respect of the Annual Mean for Nitrogen Dioxide has now been met for five consecutive years within the AQMA. It is usual to revoke an AQMA following three consecutive years of compliance, however we have five consecutive years to ensure that an allowance is made for the reduced traffic flows observed during the COVID-19 period. Data from the Cleethorpe Road monitoring station is shown in the graph below and clearly demonstrates the improvement in pollution levels. Following consideration of the Council's latest Annual Report for Air Quality Defra have recommended that the Council proceed in taking measures to revoke the AQMA at Cleethorpe Road.



Nitrogen Dioxide levels within AQMA 2001-2023 – exceedance level is $40\mu\text{g}/\text{m}^3$

3. Anticipated outcome(s)/benefits

All people in North East Lincolnshire should enjoy good health and wellbeing. The proposed revocation of the AQMA is a positive step, it demonstrates that the Council has committed to the actions set out within the Action Plan and successfully improved Nitrogen Dioxide emissions within that area. This supports the council's priorities of a Stronger Economy and Stronger Community. This is built into NELC's outcome framework, to support a place-based approach to social value. Social value is defined as "outcomes and activities that will improve the quality of life and life chances of our residents and enhance the economic, social and environmental sustainability of the local area"

4. Details of any alternative options considered and rejected by the officer when making the decision

Do nothing and not proceed to revocation.

DEFRA have recommended that we proceed to revocation, therefore the Council will have to provide a robust justification as to why it does not agree with the proposed revocation. This option is not recommended.

5. Background documents considered (web link to be included or copies of documents for publishing)

NELC AP 2020 <https://www.nelincs.gov.uk/assets/uploads/2021/01/Air-Quality-Action-Plan-2020.pdf>

NELC ASR 2023 https://www.nelincs.gov.uk/assets/uploads/2023/09/North-East-Lincolnshire-ASR-2023_v3.0.pdf

NELC AQ Strategy <https://www.nelincs.gov.uk/assets/uploads/2022/02/NELC-Air-Quality-Strategy-Feb22.pdf>

6. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No

7. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

N/A

8. Monitoring Officer Comments (Monitoring Officer or nominee)

This is an operational decision and within the Constitutional remit of the named Director.

9. Section 151 Officer Comments (Deputy S151 Officer or nominee)

There are no significant financial implications of this decision.

10. Human Resource Comments (Head of People and Culture or nominee)

There are no direct HR implications.

11. Risk Assessment (in accordance with the Report Writing Guide)

There is a risk of criticism from DEFRA if their recommendation is not implemented.

The revocation of the AQMA enables the council to review the resources aligned to monitoring air quality and prioritise in new and emerging areas of environmental protection.

The revocation of the AQMA and the improvement in air quality at this location is a positive outcome which we should promote.

12. If the decision links to a previous one taken by Cabinet, has the Cabinet Tracker been updated?

N/A

13. Decision Maker(s):

Name: Carolina Borgstrom

Title: Director Economy, Environment
and Infrastructure.

Signed: REDACTED

Dated: 17/05/2024

**14. Consultation carried out with
Portfolio Holder(s):**

Name: Cllr Ronald Shepherd.

Title: Portfolio Holder Safer &
Stronger Communities

Signed: REDACTED

Dated: 20th May 2024