

**Report title: Air Quality Management Areas for Revocation or Amendment 2025**
*(add key words to assist with searches on the website)*

<b>Meeting</b>	<b>Cabinet</b>
<b>Date</b>	<b>8<sup>th</sup> July 2025</b>
<b>Cabinet Member</b> (if applicable)	<b>Cllr. Beverley Addy</b>
<b>Key Decision Eligible for Call In</b>	<b>Yes Yes</b>

**Purpose of Report:** To inform Cabinet of progress with improvements in the Borough's outdoor air quality and seek approval to proceed with the removal (revocation) and/or amendment of several of Kirklees' Air Quality Management Areas (AQMAs) due to improved air quality in these areas, which now meet the national standards for air quality. This includes consultation with relevant stakeholders.

**Recommendations**

- Cabinet to consider this report and consultation (as detailed in section 4) that has been undertaken when considering whether to revoke or amend AQMAs, published in previous Annual Status Reports (ASRs) as detailed in the report at paragraph 9.
- Cabinet to approve the removal (revocation) of the following Air Quality Management Areas (AQMAs) under the provisions of the Environment Act 1995
  - AQMA1 – Cooper Bridge and Bradley (revoke)
  - AQMA2 – Scouthill (revoke)
  - AQMA4 – Birkenshaw (revoke)
- Cabinet to approve the amendment of the following Air Quality Management Areas (AQMAs) under the provisions of the Environment Act 1995
  - AQMA3 – Ainley Top (amend)
  - AQMA7 – Liversedge (amend)
  - AQMA10 – Thornton Lodge (amend)
- Cabinet to delegate authority to the Head of Public Protection to carry out all necessary steps to execute the removal (revocation) and amendment of the following Air Quality Management Areas (AQMAs) under the provisions of the Environment Act 1995:
  - AQMA1 – Cooper Bridge and Bradley (revoke)
  - AQMA2 – Scouthill (revoke)
  - AQMA3 – Ainley Top (amend)
  - AQMA4 – Birkenshaw (revoke)
  - AQMA7 – Liversedge (amend)
  - AQMA10 – Thornton Lodge (amend)
- Cabinet delegate authority to the Service Director, Legal, Governance and Commissioning to enter into and execute any documents necessary to revoke or amend the Air Quality Management Areas (AQMAs).

## Reasons for Recommendations

- Kirklees Council undertakes air quality monitoring across the Borough on a continuous programme. The results of monitoring over the preceding calendar year are required to be reported to the Department for Environment, Food and Rural Affairs (DEFRA) on an annual basis, as part of the 'Annual Status Report' (ASR). Data reported within our 2024 ASR (which reports on air quality monitoring undertaken in 2023) indicates a continued reduction in roadside air pollution concentrations since 2017, the only exception being 2021 when roadside pollution concentrations increased following relaxation of the pandemic lockdown restrictions, and subsequent increase in traffic. This has resulted in sustained improvement in air quality in some locations which had been previously designated as Air Quality Management Areas (AQMA).
- AQMAs are required to be designated where the air quality fails to meet the prescribed standards for certain pollutants. This is done through an order, made under the Environment Act 1995. Since the AQMAs were designated, the air quality has improved and the improvements have been sustained, in several locations, such that the air quality now complies with the required standards. For this reason, these locations no longer need to be designated as AQMAs and the revocation of the orders is being recommended, in line with Government guidance.
- In some other AQMA locations, the air quality has improved in part of the wider AQMA, such that it now meets the prescribed standards in portion of the AQMA. For this reason, the amendment of the AQMA is being recommended, to more accurately reflect the location(s) within the AQMA where air quality continues to exceed the prescribed standards.
- DEFRA guidance confirms that where air quality standards are being met following a sustained period of improvement (generally 3 years), an AQMA should be revoked.
- Following the submission of the 2024 ASR, DEFRA advised that Kirklees Council should consider to revoking or amending AQMAs where the air quality has improved. Therefore, this report is being brought forward to comply with this requirement in accordance with national Local Air Quality Management (LAQM) principles.
- Although AQMAs will be revoked and/or amended, air quality will continue to be monitored across the borough, not just within AQMAs. Should future monitoring indicate exceedances of air quality standards, AQMAs would be reinstated and/or amended (as appropriate).

**Resource Implication:** No additional resources beyond existing budget for Air Quality.

**Date signed off by Executive Director & name**

**Is it also signed off by the Service Director for Finance?**

**Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?**

**Give name and date for Cabinet / Scrutiny reports**

David Shepherd, Executive Director for Place  
27<sup>th</sup> June 2025

**Give name and date for Cabinet reports**

Kevin Mulvaney, Service Director Finance  
25<sup>th</sup> June 2025

**Give name and date for Cabinet reports**

Samantha Lawton, Director for Legal Governance and Commissioning (Monitoring Officer)  
27<sup>th</sup> June 2025

## **Electoral wards affected:**

Revocation: Ashbrow/Liversedge & Gomersal Wards; Dewsbury West; Birstall & Birkenshaw ward.

Amendment: Lindley Ward; Heckmondwike Ward; Crosland Moor & Netherton/Newsome Wards

Ward councillors will be advised of the proposals, prior to Cabinet.

**Ward councillors consulted:** The ward councillors for the above wards have been consulted.

**Public or private:** This report is public

**Has GDPR been considered?** Yes, no personal data is included in this report or required for the decision to be made.

## **1. Executive Summary**

- Under the Environment Act 1995 (as amended), the Council is required to monitor the air in its Borough for certain pollutants and periodically review and assess this air quality and compare against legally binding, health-based air quality standards (referred to as Air Quality [AQ] Objectives). Where air pollution concentrations exceed the AQ objectives, the Council is required to designate that locality as an Air Quality Management Area (AQMA). This process has been ongoing for over twenty years and resulted in the previous declaration of ten AQMAs within Kirklees, due to breaches (exceedances) of air quality objectives in those specific localities. This process is referred to as Local Air Quality Management (LAQM).
- Following declaration of AQMAs, the Council is required to produce an Air Quality Action Plan (AQAP) setting out measures to reduce polluting emissions and subsequently improve air quality within our AQMAs and the wider Kirklees district.
- The success of the measures within previous plans, combined with national actions to improve air quality (e.g., replacement of older more polluting vehicles nationally with newer less polluting ones) has now resulted in air pollution concentrations improving, such that they have fallen below the air quality objectives in several of the AQMAs.
- LAQM is overseen by the Government's Department for Environment, Food and Rural Affairs (DEFRA). The Council submits an Annual Status Report (ASR) detailing progress with the measures within the AQAP, along with the latest monitoring data. Where AQ monitoring data shows continued compliance, DEFRA require those AQMAs complying with the objectives, to be revoked. This was confirmed by DEFRA in response to Kirklees' Council's ASR 2024. The Council is therefore responding to DEFRA instruction in revoking or amending six of the ten AQMAs.
- Out of the Kirklees Council's ten AQMAs, it is proposed to fully revoke three. A further three AQMAs will have their areas reduced in size (amendment) to reflect compliance within parts of the AQMA where air pollution concentrations have declined and now meet the AQ objectives. Of the remainder, the Council will continue to monitor AQ and wait until compliance has been achieved for a minimum of 3 consecutive years, before considering revocation. Details (including location) of these AQMAs is discussed below.
- The improvements in AQ will result in a public health benefit from residents and visitors within the AQMAs breathing air with lower pollution concentrations than in the past.

- Prior to revocation /amendment of the Orders designating the AQMAs, a consultation exercise has been undertaken with local ward members, neighbouring local authorities, internal stakeholders, and DEFRA, in accordance with DEFRA guidance. No objections have been received in relation to the proposals. It is therefore recommended that a decision to adopt the proposals is made by Cabinet. The Council's Legal Services will then formally make the order to revoke / amend where appropriate.
- A revised AQAP will then be written containing additional measures and initiatives, designed to achieve compliance with AQ objectives in the remaining AQMAs.

## **2. Information required to take a decision**

### **2.1 Background**

- Under the Environment Act 1995 (as amended), the Council is required to monitor the air in its Borough for certain pollutants and periodically review and assess this air quality and compare against legally binding, health-based air quality standards (referred to as Air Quality [AQ] Objectives). Where AQ exceeds the pollutant levels, the Council is required to designate that locality as an Air Quality Management Area (AQMA). This process has been ongoing for over twenty years and resulted in the previous declaration of ten AQMAs within Kirklees, due to breaches (exceedances) of air quality objectives in those specific localities. This process is referred to as Local Air Quality Management (LAQM).
- Following declaration of AQMAs, the Council is required to produce an Air Quality Action Plan (AQAP) setting out measures to reduce polluting emissions and subsequently improve air quality within our AQMAs, and the wider Kirklees district.
- The success of the measures within previous plans, combined with national actions to improve air quality (e.g., replacement of older more polluting vehicles nationally with newer less polluting ones) has now resulted in air pollution concentrations improving such that they have fallen below the air quality objectives in several of the AQMAs.
- Nine AQMAs were originally declared due to the exceedance of the annual average objective for the polluting gas nitrogen dioxide (NO<sub>2</sub>). NO<sub>2</sub> is strongly associated with traffic emissions in urban areas, and the vast majority of the AQMAs within the UK's towns and cities were declared due to raised concentrations of this gas. The other AQMA was declared due to the exceedance of the 24-hour mean (average) objective for fine inhalable particles (referred to as PM<sub>10</sub> particles). There are many sources of PM<sub>10</sub>, including transport, industrial and domestic. The AQMA associated with PM<sub>10</sub>, was declared due to historic raised concentrations within a specific location of Kirklees.
- Some of our AQMAs consist of several small areas (e.g. AQMA 1 consists of two separate areas along the A62 Leeds Road at Cooper Bridge and Bradley, including the A6107 Bradley Road junction) where the annual mean objective was previously exceeded. Details of the six AQMAs to be revoked or amended can be found within Appendix A, including location maps, and recent annual mean NO<sub>2</sub> concentrations. However, summary details are found in the below table that also include DEFRA recommendations in response to the 2024 Air Quality Annual Status Report.

Table to show the location of all Air Quality Management Areas within Kirklees, the reason air quality objectives were exceeded at those locations, and the proposed actions.

AQMA no.	Location Description	Air Quality Objective Originally Exceeded	Proposal (and agreed by DEFRA)
1	Cooper Bridge and Bradley	NO <sub>2</sub> annual mean	Revoke entire AQMA
2	Scouthill, Ravensthorpe	PM <sub>10</sub> 24-hour mean	Revoke entire AQMA
3	Ainley Top	NO <sub>2</sub> annual mean	Amendment (revocation of Lindley Moor Road section). Retention of Halifax Road section – further monitoring required
4	Birkenshaw	NO <sub>2</sub> annual mean	Revoke entire AQMA
5	Eastborough	NO <sub>2</sub> annual mean	AQMA retained
6	Edgerton	NO <sub>2</sub> annual mean	AQMA retained
7	Liversedge	NO <sub>2</sub> annual mean	Amendment (revocation of Halifax Road / Leeds Road junction section, revocation of Frost Hill, Wakefield Road section). Retention of Wormald Street – Wakefield Road section.
8	Outlane	NO <sub>2</sub> annual mean	AQMA retained
9	Huddersfield town centre	NO <sub>2</sub> annual mean	AQMA retained
10	Thornton Lodge	NO <sub>2</sub> annual mean	Amendment (revocation of Longroyd Bridge section). Retention of Thornton Lodge section

- DEFRA guidance requires three consecutive years' data showing compliance with the objectives before revocation or amendment can be considered. The annual mean objective is expressed as 40 microgrammes per cubic metre (µg/m<sup>3</sup>), that is 40 microgrammes of polluting NO<sub>2</sub> gas within every cubic metre of outdoor air we breathe. For each AQMA we provide the highest (worst-case) annual mean concentration for comparison with the objective.

- For AQMA 2, the exceedances of the AQ objectives were for particulate matter (PM<sub>10</sub>). There has not been any monitoring of PM<sub>10</sub> undertaken in recent years, due to a focus being placed on NO<sub>2</sub> monitoring. However, based on historic PM<sub>10</sub> data and actions to reduce PM<sub>10</sub> concentrations within this AQMA, DEFRA originally recommended revocation of AQMA 2 in 2016. Since that time, there has been further review of the historical data and consultation with DEFRA during the submission of the ASR 2024. DEFRA has agreed with the approach of revoking the AQMA. To provide greater confidence in this approach and in relation to particulate air pollution, particulate monitoring has been established since 2024 across the Borough and further work is being undertaken to explore whether this can be further extended. Where this is viable, consideration shall be given to siting monitoring equipment in the location of AQMA 2.

## 2.2. Cost breakdown

There are no financial implications on the amendments and revocations of AQMAs.

All costs are met from the existing operational budget for Air Quality to undertake the consultation and revocation process. There will be no additional cost to the Council as the processes of consultation and subsequent revocation and amendment will be met within existing individual service budgets, particularly Environmental Health (Public Protection). This will not affect any savings in Public Protection or other area. Furthermore, this process will not impact financially on people living or working in Kirklees, as it is an administrative task.

The following financial detail is provided for informational purposes only.

### Breakdown of AQ Budget

Staffing costs (1.6 FTE)	£93,380
Supplies & Services: (Costs of AQ monitoring equipment and laboratory analysis costs)	£11,871
 Total AQ Budget:	 £105,251

## 2.3 Timescale

Following the amendments to the Environment Act 1995 (through the Environment Act 2021), and implementation of the Government's "Air Quality Strategy, Framework for Local Authority Delivery" in 2023, DEFRA now requires revocation / amendment of AQMAs (showing compliance with the AQ objectives) in the shortest possible time. Consequently, it is anticipated that subject to Cabinet approval, Environmental Health will complete the revocation/amendment process by the end of August 2025.

Once complete, Air Quality staffing resources can be allocated to development of the revised AQAP, including initiatives to improve air quality. This will assist in ensuring that compliance with AQ objectives can be achieved in the remaining AQMAs, in the shortest possible time.

## **2.4 Expected impact/ outcomes, benefits & risks (how they will be managed)**

The impacts of the revocation/amendment of the AQMAs will be positive and beneficial as the improved air quality within these AQMAs will have had the public health benefit of breathing cleaner air for residents and visitors to these AQMAs. There are no envisaged risks associated with the proposed course of action. However, there is reputational risk associated with not proceeding, as DEFRA will expect the revocation/amendment of our AQMAs to be completed promptly. Failure to do so without undue delay, could result in ministerial action/instruction being issued to Kirklees Council to complete these actions urgently.

## **2.5 Evaluation**

This Service undertakes extensive monitoring of NO<sub>2</sub> within AQMAs 1 and 3 to 10, and each year reports on the latest data from this monitoring to DEFRA within the statutory Air Quality Annual Status Report. This monitoring will be the most effective way of evaluating future NO<sub>2</sub> concentrations in all Kirklees AQMAs, including those subject to revocation and amendment. Furthermore, NO<sub>2</sub> monitoring is undertaken in other areas of the Borough that are not necessarily within a designated AQMA. It is anticipated that this monitoring will continue to highlight expected improvements to air quality because of measures that will be proposed in the forthcoming, revised AQAP. Improvements are also likely to be supported by implementation of national measures that will contribute to improved AQ in Kirklees. Ongoing monitoring, Borough-wide, will indicate any exceedances of the AQ objectives. This will ensure that air quality does not decline in those areas where AQMAs have been revoked/amended and will highlight any new locations of concern.

## **2.6 Sustainability**

This proposal aligns with the Council's Sustainability aspirations. Actions to reduce greenhouse gas emissions in Kirklees (as detailed within the Council's Climate Change Action Plan) are consistent with those to reduce air pollution emissions, particularly associated with vehicle emissions. The forthcoming revised AQAP will therefore be an important mechanism to enable delivery of the Council's Environment Strategy 2024.

## **2.7 Services & agencies involved**

Revocation and amendment of AQMAs will involve Environmental Health (within Public Protection) liaising with some key Council services, namely, Legal Services and Public Health. Consultation has been undertaken with DEFRA; the ward members of those wards affected by this change; and other local authorities that border any AQMAs within Kirklees. Following Cabinet approval, legal services will be engaged to draft the legal orders formally enabling the revocations and amendments. Environmental Health will manage the overall process.

### **3 Implications for the Council**

Improved air quality is of benefit to all. Poor air quality is associated with several health conditions, such as respiratory and cardiovascular disease. Any improvement in outdoor air quality will have positive impact on our health. Revocation of AQMAs reflects this improvement in local air quality and the meeting of the Government's health-based standards. Furthermore, the completion of the revocation or amendment of six out of ten of Kirklees' AQMAs will ensure Kirklees Council meets its statutory obligations relating to Air Quality, under the Environment Act 1995.

#### **3.1 Council Plan**

Improved air quality contributes to the Council meeting its key priority of "Thriving People and Communities" as detailed within the Council's Plan for 2025-26. Specifically, improved air quality links closely with "Clean, Safe and Healthy Places" under this key priority. Alignment with the Environment Strategy has been noted earlier in this report.

Of equal importance is the contribution of improved air quality to the aims of the Councils' Health and Wellbeing Strategy. Revocation of AQMAs demonstrates improved air quality and subsequent public health benefit. Revocation and/or amendment of AQMAs both reduces the number of AQMAs and the geographical area that AQMAs cover within Kirklees. This allows resources to be focused on actions/initiatives to improve air quality in the remaining AQMAs, through the development of an updated Air Quality Action Plan (as previously mentioned).

#### **3.2 Financial Implications**

There are no financial implications associated with revocation and amendment of AQMAs, other than existing budgets (as detailed in section 2.2 above). There is no additional cost to the Council as the processes of consultation and subsequent revocation and amendment will be met within existing individual service budgets, particularly Environmental Health (Public Protection). This will not affect any savings in Public Protection or other area. Furthermore, this process will not impact financially on people living or working in Kirklees, as it is an administrative task.

#### **3.3 Legal Implications**

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).

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. 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.

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. 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).

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.

The decision within this report to amend and 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 a “ Local choice “ function under the Constitution and is the responsibility of Cabinet.

Subject to approval of the decision by Cabinet, the Head of Public Protection shall be delegated to carry out the necessary steps to revoke or amend the AQMAs. The resultant legal orders shall be formally executed under the Council Seal and uploaded to the LAQM portal and the Council website on behalf of Defra and the Council website.

It is a stipulation of the Local Air Quality Management Policy Guidance that the Director of Public Health is involved in the monitoring of air quality.

### **3.4 Climate Change and Air Quality**

Revocation and amendment of AQMAs demonstrate that emissions of some air pollutants (namely NO<sub>2</sub>) have reduced sufficiently for this course of action to be proposed. This has been achieved due to measures to improve air quality contained within previous Council AQAPs, along with the success of national measures to improve air quality. Whilst actual revocation and amendment of AQMAs does not by itself reduce emissions, it highlights the success of previous and ongoing measures and strategies to reduce emissions.

Reductions in emissions of NO<sub>2</sub> are, in part, a result of the replacement of older more polluting vehicles nationally with newer less polluting ones. This will also have a positive impact on emissions of greenhouse gases associated with vehicles.

### **3.5 Other (e.g. Risk, Integrated Impact Assessment or Human Resources)**

There is no risk associated with the proposed action. LAQM requires local authorities to undertake detailed air pollution monitoring in the affected areas to provide the evidence base for subsequent decision to revoke or amend an AQMA. The evidence base (air pollution monitoring data) is appraised by DEFRA. Subsequently, DEFRA have agreed to revoke / amend those AQMAs identified as consistently complying with the air quality objectives.

There is potential, greater risk associated in not undertaking the above-described course of action. As discussed earlier in this report, DEFRA now require revocation / amendment of AQMAs showing compliance with the objectives in the shortest possible time. Failure to do this may put the Council in breach of the overall requirements of Local Air Quality Management. The consequences could be that DEFRA considers issuing a ministerial direction for the Council to revoke / amend where appropriate anyway. This could also have significant reputational damage.

There is no impact on the armed forces community in terms of healthcare, housing, and/or education (as required under the Armed Forces Covenant), except that improved air quality will benefit members of this community, within AQMAs, as well as the wider Kirklees population.

The overall proposal is a positive impact for the residents/visitors to the wards where AQMAs are being revoked or amended. An Integrated Impact Assessment (IIA) has been completed IIA-710886206: <https://www.kirklees.gov.uk/beta/delivering-services/integrated-impact-assessments/home/details/IIA-710886206/>

Improved air quality benefits all, particularly those sectors of the population more susceptible to the impact of air pollution. This includes the very young and old, along with those with pre-existing conditions (e.g., asthma) more vulnerable to poor air quality. The IIA concludes there are no adverse discriminatory or environmental impacts to the Kirklees public, including protected characteristic groups as defined under the Public Safety Equality Duty of the Equality Act 2010. There is likely to be a positive impact to some persons with a protected characteristic. Potential beneficial links with carbon reduction and local air quality management are discussed elsewhere in this report.

#### **4 Consultation**

DEFRA have provided guidance for local authorities to consult prior to revoking or amending AQMAs (Technical Guidance LAQM.TG22). Local authorities are therefore encouraged to consult on the decision to revoke or amend.

There is no statutory requirement for a public consultation, however, relevant ward members have been consulted on the proposals. Information on the proposals are being made public through the publishing of Cabinet papers and on the Council's website on the Air Quality pages. As per DEFRA guidance, consultation is directly required with:

- DEFRA
- Adjoining local authorities
- Other Council services that need to have awareness of any changes to AQMAs, e.g. Planning – including Local Plan work; Transport policy/Highways, Public Health etc.

As part of the required consultation, information has been provided to the above stakeholders with details of the proposals and the areas to which they relate. This was accompanied with a request for any relevant feedback on the proposals to be submitted within the four-week consultation process. This ended on Friday 13<sup>th</sup> June 2025. There has been a limited response to the consultation, with only one stakeholder responding, in support of the proposals. The limited response was anticipated, due to the nature of the required consultation being more informing consultees of the proposed actions. The proposals reflect a good outcome for local air quality and the proposed actions are in accordance with DEFRA instruction and are largely procedural. Local residents will continue to experience improved air quality in these AQMAs, regardless of revocation/amendment. DEFRA will be satisfied that due process has been correctly followed and national LAQM guidance has been followed.

#### **5 Engagement**

Engagement has not taken place as the proposals within this report are statutory requirements upon local authorities in relation to LAQM. Actions relating to ongoing AQ monitoring, review, and the proposed revocation/amendment of AQMAs follows national guidance and is being taken in response to instruction issued by DEFRA.

Ward members will be informed of revocation and amendments of AQMAs within their wards, as this is a statutory process required by law – the engagement will be on a for-information basis.

## **6 Options**

### **6.1 Options Considered**

There are two options, these being:

1. To revoke / amend AQMAs where appropriate and in accordance with DEFRA guidance/legislative provisions under the Environment Act 1995; or
2. Not revoke / amend AQMAs and be in breach of the above.

### **6.2 Reasons for recommended Option**

As explained earlier in this report, failure to do revoke / amend the relevant AQMAs shall result in Kirklees Council being in breach of the overall requirements of Local Air Quality Management, and subsequently DEFRA may then consider a future ministerial direction for the Council to revoke / amend where appropriate.

Revocation and amendment of AQMAs are an essential step in delivering LAQM, a statutory duty as designated under the Environment Act 1995 (as amended). The proposal should be welcomed as recognition of the Council showing progress in meeting its environmental targets and obligations. The reduced number of AQMAs and the reduction in geographical area of Kirklees within an AQMA will allow resources within Environmental Health (wider Public Protection) to focus on the remaining AQMAs, where air quality continues not to meet national standards and to seek to improve the AQ in those localities.

## **7 Next steps and timelines**

This Service has undertaken a four-week period of consultation, due to the limited scope for consultee comment on the proposal. Following completion of the consultation and consideration of received comments, this Service has proceeded to bring this report to Cabinet. Subject to Cabinet approval, the drafting and amendment of the relevant orders, in consultation with Legal Services shall be undertaken. It is anticipated that this process will be completed by the end of August 2025. Importantly, this will then enable Environmental Health to focus on the revision of the existing AQAP, taking account of changing roadside nitrogen dioxide gas concentrations for the remaining AQMAs, the most appropriate actions to further reduce these actions, and tackle particulates (in particular, fine inhalable particle - PM<sub>2.5</sub> particles).

## **8 Contact officer**

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## 9 Background Papers and History of Decisions

When producing your report, you must list all the previous decisions in connection to this matter under this section and list all background papers (for public reports only).

Declaration dates for Kirklees AQMAs

AQMA No.	Location description	Date declared
1	Cooper Bridge and Bradley	17/10/2008
2	Scouthill, Ravensthorpe	27/02/2009
3	Ainley Top	01/11/2017
4	Birkenshaw	01/11/2017
5	Eastborough	01/11/2017
6	Edgerton	01/11/2017
7	Liversedge	01/11/2017
8	Outlane	01/11/2017
9	Huddersfield town centre	01/11/2017
10	Thornton Lodge	06/06/2019

- Local Air Quality Management Policy and Technical Guidance LAQM.PG22 & TG22. August 2022. (Published by DEFRA).
- Air Quality Strategy – Framework for Local Authority Delivery. August 2023. Published by DEFRA.
- Kirklees Council, Air Quality Action Plan, 2019-24, [Kirklees Air Quality Action Plan](#)
- Kirklees Council, Air Quality Annual Status Report, 2024, [2024 Air Quality Annual Report](#)

## 10 Appendices

Appendix A: Summary of Kirklees Air Quality Management Areas (AQMAs) proposed for revocation or amendment

## 11 Service Director responsible

Katherine Armitage, Service Director Environmental Strategy and Climate Change

## **Appendix A: Summary of Kirklees Air Quality Management Areas (AQMAs) proposed for revocation or amendment**

### **Background**

Local Air Quality Management (LAQM) is overseen by the Department for Environment, Food and Rural Affairs (DEFRA), to ensure that local authorities (LAs) fulfil their statutory obligations. In relation to Air Quality Management Areas (AQMAs) and their revocation or amendment, paragraph 4.10 of LAQM Policy Guidance (PG22), states:

“Authorities wishing to revoke or reduce an AQMA can do so following review. For revocation this should demonstrate that air quality objectives are being met and will continue to do so. In other words, they should have confidence that the improvements will be sustained. Further information is provided in the Technical Guidance, but typically this is after three years or more compliance. It is not advisable for the revocation of an AQMA to be based solely upon compliance in a year not representative of long-term trends. For example, compliance being reached in 2020 may not be representative of long-term trends in pollutant concentrations due to the change in activity observed across the UK because of COVID-19. Where 2020 is one of many consecutive years of compliance, this may be considered for revocation. If authorities wish to make any changes to AQMAs, whether declaration, amendment, or revocation, based upon 2020 data, please contact the LAQM helpdesk to discuss your approach.”

Where an AQMA is revoked, the Air Quality Action Plan (AQAP) shall be updated to reflect its removal from the AQAP. In circumstances where revocation results in the LA no longer having any AQMAs, AQ shall be considered as part of a wider AQ Strategy (which will need to be developed in place of the AQAP).

When an AQMA has been amended, it is necessary to continue monitoring to evaluate compliance in future years, with data being reported in future Annual Status Reports (ASRs) to DEFRA, with a view to revocation.

The following information provides a summary of the six AQMAs within Kirklees that are proposed for revocation or amendment.

The below AQMA summary text has included detail from the Council's 2024 Annual Status Report (ASR). All air quality monitoring data undertaken in 2023 (for which the ASR 2024 reports on), is provided within the report: [2024 Air Quality Annual Report](#).

The locations of the AQMAs subject to revocation/amendment are provided at the end of this appendix.

### **AQMA 1 – Bradley**

This AQMA was declared in 2008 for exceedance of the annual mean objective for NO<sub>2</sub>, that being 40 µg/m<sup>3</sup> objective. Within the five-year reporting period of the 2024 ASR (2018-2023), there has been continued compliance with this objective.

Following the submission of the 2023 ASR, discussions were held with the LAQM Helpdesk, (and subsequently DEFRA), regarding AQMA 1 about potential revocation within an area where a major road scheme is proposed. The conclusions of these discussions were:

“**AQMA 1** - With 5 years' full compliance and no likely exceedance identified, we recommend that AQMA 1 is revoked. Kirklees should have a local air quality strategy in place to manage the risk of the future road scheme and ensure air quality remains a high-profile issue, thereby enabling a quick response should there be any deterioration in condition. See LAQM Policy Guidance for more information.”

**This supports the proposed revocation. Monitoring will continue to evaluate compliance in future years, with data being reported in future ASRs.**

### **AQMA 2 – Ravensthorpe / Scouthill**

This AQMA was declared in 2009 due to exceedance of the annual mean objective for particulate matter (PM<sub>10</sub>), rather than NO<sub>2</sub>. This was discussed in Section 2.1 above.

There has not been any monitoring of PM<sub>10</sub> undertaken in recent years, due to a focus being placed on NO<sub>2</sub> monitoring. However, based on historic PM<sub>10</sub> data and actions to reduce PM<sub>10</sub> concentrations within this AQMA, DEFRA originally recommended revocation of AQMA 2 in 2016. Although this was not undertaken at that time, further review of the historical data and consultation with DEFRA took place during the submission of the ASR 2024. DEFRA has agreed with the approach of revoking the AQMA.

To further support the revocation, in the absence of data on particulate matter, it is of note, that a further NO<sub>2</sub> diffusion tube was added within AQMA 2 in 2023. NO<sub>2</sub> diffusion tube data within AQMA 2 showed that the annual mean (after annualisation and bias adjustment) was 38.2 µg/m<sup>3</sup> and therefore compliant with the 40 µg/m<sup>3</sup> objective. The position of the diffusion tube on an uphill gradient where road traffic emissions are greater, provided a worse-case assessment of AQ in the locality.

With respect to particulates and to provide greater confidence in revocation of AQMA 2 (and in relation to concerns about particulate air pollution generally), particulate monitoring was established in 2024, at some locations in the Borough and further work is being undertaken to explore whether this can be further extended. Where this is viable, consideration shall be given to siting monitoring equipment in the location of AQMA 2 to determine longer term trends and respond to any exceedances.

### **AQMA 3 – Ainley Top**

AQMA 3 was declared in 2017 due to exceedance of the annual mean objective for NO<sub>2</sub>. This AQMA is split into two separate areas, as detailed in the Map D2 below, these being the areas either side of the Ainley Top roundabout encompassing a section of the A629 Halifax Road to the south-east of the roundabout and the A643 Lindley Moor Road to the west. Data for the five years 2019-2023, shows **roadside** annual mean concentrations all less than 36 µg/m<sup>3</sup>. At residential properties, concentrations will be even lower due to greater distance from the kerb. It is intended to formally revoke the Lindley Moor Road section of the AQMA following DEFRA's appraisal of the ASR 2024. **This is to amend the legal AQMA 3 order.**

The A629 Halifax Road section of the AQMA is more complex. Halifax Road leading to the Ainley Top roundabout has a downhill and uphill carriageway. Traffic on the uphill carriageway comes from the direction of Huddersfield town centre.

All residential receptors within this AQMA are located adjacent to the downhill carriageway. This is because receptors on the uphill carriageway were considered to be sufficiently distant from the roadside, for receptor façade concentrations, to exceed the annual mean at declaration of the AQMA in 2017. (This was based on the detailed assessment undertaken in 2016 prior to declaring this an AQMA).

Between 2019 and 2023 there have been no diffusion tubes on the downhill carriageway. Diffusion tube data at the boundary with the AQMA provides an indicator of roadside NO<sub>2</sub> on the uphill carriageway. The data confirmed roadside concentrations at this location were below the objective for the period 2019-2023.

It is therefore concluded that there is insufficient evidence to revoke the Halifax Road section of the AQMA until we have undertaken further monitoring using diffusion tubes along the downhill carriageway of Halifax Road. Monitoring to assess this commenced at two roadside locations in 2024, and the results from these locations will be reported in the 2025 ASR and guidance sought from DEFRA regarding the required monitoring period, prior to consideration of revocation of this AQMA.

**To summarise, it is intended to revoke the Lindley Moor section of the AQMA following appraisal of the ASR 2024, by amending the AQMA order but retaining the Halifax Road section until sufficient monitoring data have been obtained (as identified on Map D2). In accordance with DEFRA guidance, the Lindley Moor section of the AQMA will not be considered in the future, revised AQAP. However, monitoring to evaluate compliance with AQ objectives, will continue, with data being reported in future ASRs.**

#### **AQMA 4 – Birkenshaw**

This AQMA was declared in 2017 due to exceedance of the annual mean objective for NO<sub>2</sub>. As with AQMA 3, AQMA 4 is split into two separate areas, as detailed in the Map D3 below: these being the area adjacent to the A651 Bradford Road / A58 Whitehall Road East roundabout, with the second area being adjacent to the M62 motorway and either side of the A651 Bradford Road carriageways.

Roadside concentrations for the five-year period 2019-2023 all show compliance with the 40 µg/m<sup>3</sup> objective and all below 36 µg/m<sup>3</sup>. All monitoring locations are considered representative of the highest concentrations within both areas of the AQMA.

**On this basis therefore, this AQMA shall be revoked.**

## AQMA 7 – Liversedge

Map D6 below outlines the geographical extent of this AQMA in Liversedge. This AQMA was declared in 2017 due to exceedance of the annual mean objective for NO<sub>2</sub>. This AQMA is split into three separate areas, and each of the three areas has a diffusion tube located within it (see map for locations). These being the areas:

- A638 Wakefield Road at Flush, Liversedge, at the junction of Wormald Street and Wakefield Road (diffusion tube K48).
- A638 Wakefield Road at Frost Hill, Liversedge, approaching the junction with the A62 Leeds Road (diffusion tube K34)
- Junction of A649 Halifax Road and A62 Leeds Road, Mill Bridge, Liversedge (diffusion tube K33)

The above three diffusion tube locations are considered to be representative in worse case locations. Tube K48 is at receptor façade, whilst tubes K33 and K34 are at roadside.

K33 roadside concentrations have been below both the annual mean objective of 40 µg/m<sup>3</sup> and the 36 µg/m<sup>3</sup> annual mean value (within 10% of the objective) for the past five years.

**Considering DEFRA guidance, the AQMA order shall be amended to revoke this section of the AQMA.**

K34 roadside concentrations have been below both the annual mean objective of 40 µg/m<sup>3</sup> and the 36 µg/m<sup>3</sup> annual mean value (within 10% of the objective) for the past five years.

**The AQMA order shall be amended to revoke this section of the AQMA**

There has continued to be an exceedance at receptor façade within the area of the AQMA at the junction of Wormald Street and Wakefield Road (Flush) in 2021 and 2022 (diffusion tube K48). To understand this small area of exceedance, an additional five diffusion tubes were installed in 2024 to better determine the localised impact of traffic emissions within this section of the AQMA. These data, along with data from our existing diffusion tube locations will therefore be reported within our 2025 ASR.

**On this basis it is not proposed to revoke this section of the AQMA, and actions to reduce emissions and concentrations within this section of the AQMA will be proposed in our forthcoming revision of our Air Quality Action Plan (AQAP).**

**The proposed areas for revocation and/or retention within AQMA 7 are detailed in Map D6 below.**

## **AQMA 10 – Thornton Lodge**

This AQMA was declared in 2019 due to exceedance of the annual mean objective for NO<sub>2</sub>. This AQMA is split into two separate areas, as detailed in the Map D9 below. NO<sub>2</sub> monitoring tubes are located within these areas:

- Adjacent to the A62 Manchester Road, north-east of the signalised junction with Longroyd Lane (diffusion tube K49).
- Adjacent to the A62 Manchester Road, south-west of the signalised junction with the B6432 St Thomas Road (diffusion tubes K50, K76 and K77)

K49 roadside concentrations for the five-year period 2019 – 2024 are below annual mean objective (of 40 µg/m<sup>3</sup>), with highest annual mean concentration being 36.4 µg/m<sup>3</sup> in 2021. This tube is located 3.5 metres from receptor façade, so concentrations will be lower at nearby residential properties within this section of the AQMA.

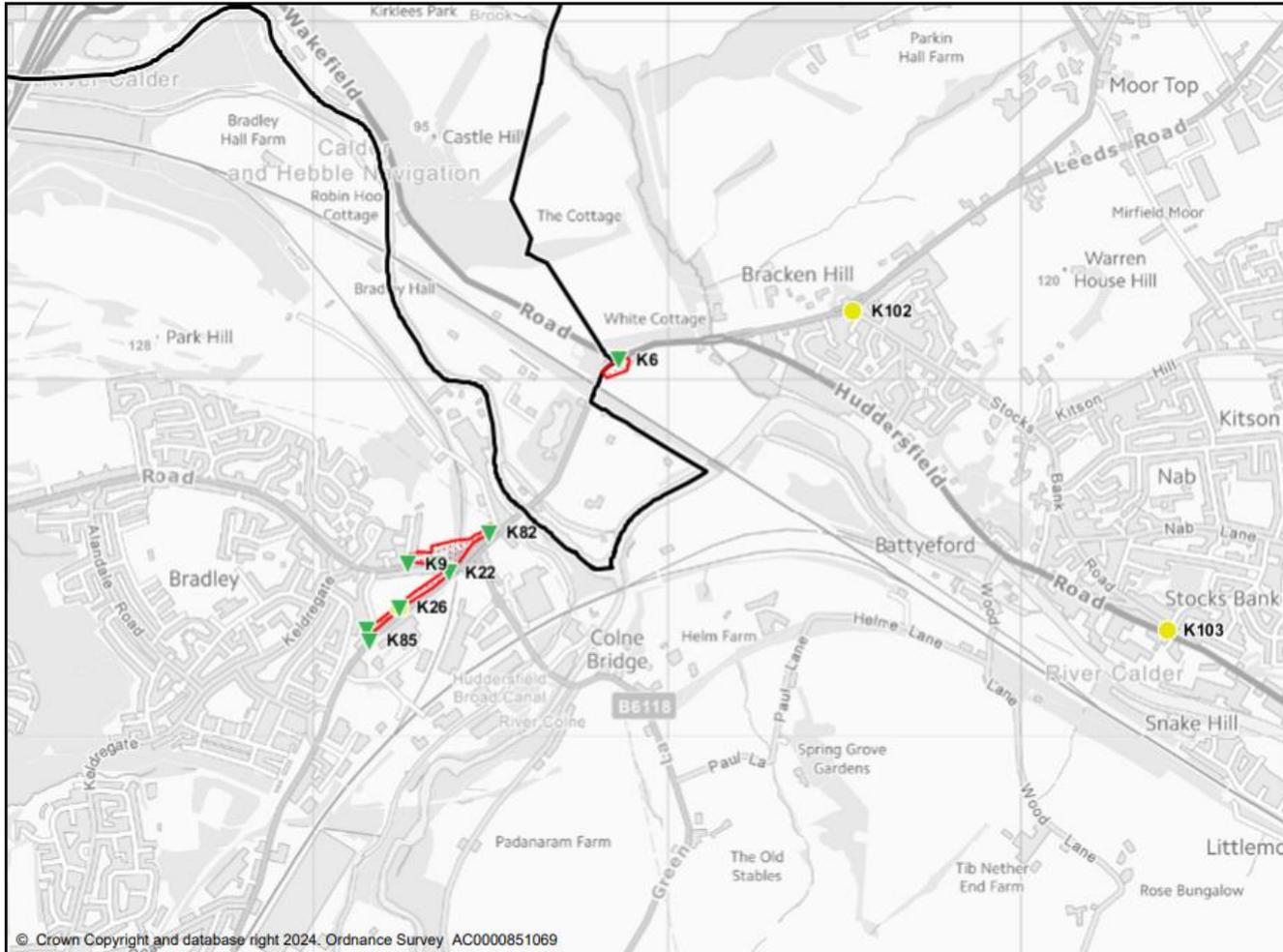
**It is concluded that there is sufficient evidence to the amend the AQMA order to revoke the section of the AQMA located adjacent to the A62 Manchester Road, north-east of the signalised junction with Longroyd Lane.**

Concentrations of NO<sub>2</sub> within the section of the AQMA adjacent to the A62 Manchester Road, south-west of the signalised junction with the B6432 St Thomas Road continue to be nearer the objective. Annual mean concentrations at receptor façade showed compliance with the annual mean objective for the five-year period 2019 – 2024. Concentrations in 2021 and 2022 however, were very close to the 40 µg/m<sup>3</sup> objective (39.8 µg/m<sup>3</sup> and 39.4 µg/m<sup>3</sup> in 2021 and 2022 respectively).

**Due to the marginal compliance in 2021 and 2022, and with reference to DEFRA guidance, consideration was given to whether this section of the AQMA should also be revoked or continue monitoring and include within our forthcoming revision the AQAP.**

**It has been determined that the AQMA order shall be amended to revoke the section of the AQMA located adjacent to the A62 Manchester Road, north-east of the signalised junction with Longroyd Lane, whilst retaining the section of the AQMA adjacent to the A62 Manchester Road, south-west of the signalised junction with the B6432 St Thomas Road. This allows for further monitoring, before revoking the AQMA completely. Map D9 identifies the areas to be revoked or retained.**

Map D.1 Air Quality Management Area 1 Bradley



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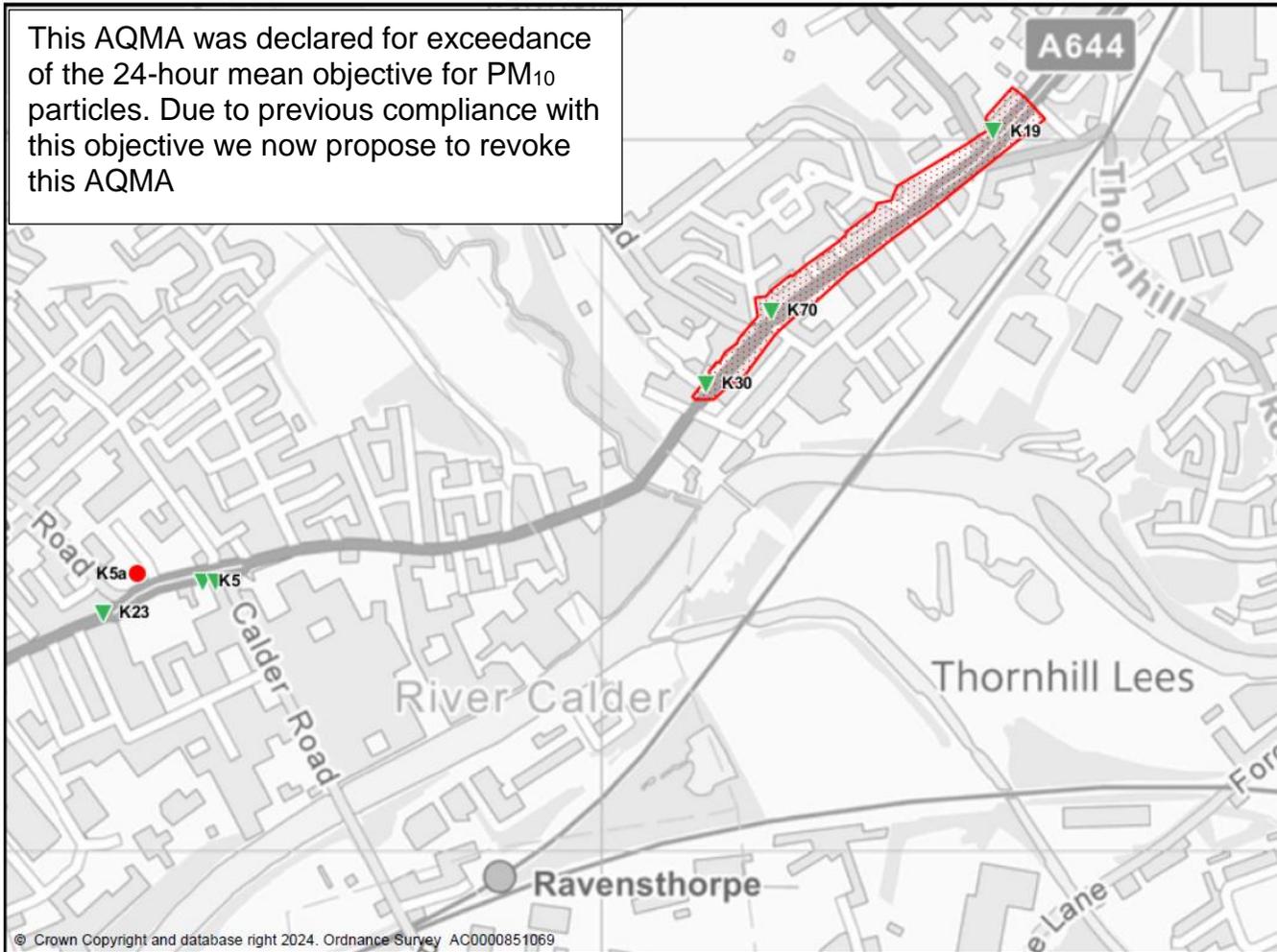
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[maps@kirklees.gov.uk](mailto:maps@kirklees.gov.uk)

AQMA 2 - to be revoked

Map D.11 Air Quality Monitoring in Ravensthorpe / Scouthill (AQMA 2)

This AQMA was declared for exceedance of the 24-hour mean objective for PM<sub>10</sub> particles. Due to previous compliance with this objective we now propose to revoke this AQMA

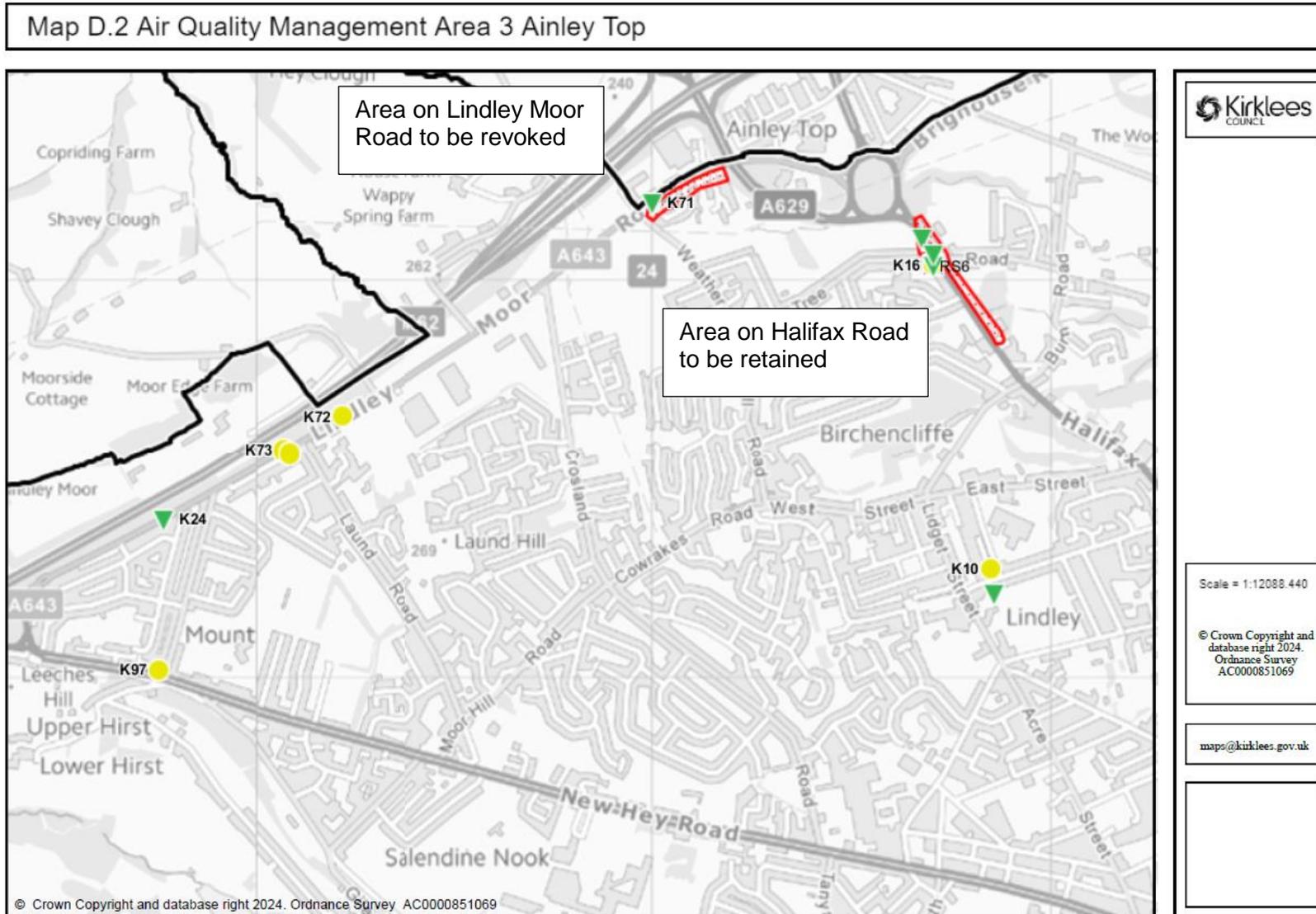


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AQMA 3 - to be amended



Map D.3 Air Quality Management Area 4 Birkenshaw

