

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 24 July 2026

Report Title

Revocation of the Fitzwilliam Road and Rawmarsh annual mean nitrogen dioxide Air Quality Management Areas

Is this a Key Decision and has it been included on the Forward Plan?

No

Service Director Approving Submission of the Report

Sam Barstow, Service Director, Community Safety & Street Scene

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Ward(s) Affected

Rawmarsh East, Rawmarsh West and Rotherham East

Report Summary

Air quality monitoring data demonstrates that for the past three years the levels of annual mean nitrogen dioxide in the Fitzwilliam Road and Rawmarsh area have been compliant with the relevant national air quality objective. Consequently, the declared Air Quality Management Areas for annual mean nitrogen dioxide are required to be revoked.

Recommendations

1. To note the decision to revoke the Air Quality Management Areas
2. To note the improvement in air quality in Rotherham

List of Appendices Included

Appendix 1 Equalities Screening Assessment

Appendix 2 Fitzwilliam Road annual mean nitrogen dioxide Air Quality Management Area – Revocation Notice 2026

Appendix 3 The Rotherham Borough Council Air Quality Management Area Rawmarsh (annual mean nitrogen dioxide) – Revocation Notice 2026

Appendix 4 Fitzwilliam Road annual mean nitrogen dioxide Air Quality Management Area – Revocation Order 2026
Appendix 5 The Rotherham Borough Council Air Quality Management Area Rawmarsh (annual mean nitrogen dioxide) – Revocation Order 2026
Appendix 6 Carbon and Climate Change Assessment

Background Papers

Environment Act 1995

DEFRA *The Air Quality Strategy for England* [The air quality strategy for England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/the-air-quality-strategy-for-england)

DEFRA Air Quality Management Areas (AQMA) (<https://uk-air.defra.gov.uk/aqma/>)
[The Air Quality Standards Regulations 2010](https://www.gov.uk/government/publications/the-air-quality-standards-regulations-2010)

DEFRA Local Air Quality Management Policy Guidance (PG22, [England \(exc. London\) Policy Guidance | LAQM \(defra.gov.uk\)](https://www.gov.uk/government/publications/england-exclondon-policy-guidance-laqm))

Consideration by any other Council Committee, Scrutiny or Advisory Panel
None

Council Approval Required
No

Exempt from the Press and Public
No

Revocation of the Fitzwilliam Road and Rawmarsh annual mean nitrogen dioxide Air Quality Management Areas

1. Background

- 1.1 Part IV of the Environment Act 1995, connects national strategy with local action and amongst other things, places an obligation on Councils to introduce Air Quality Management Areas (AQMA) where national air quality standards or objectives are not met at relevant locations. The Fitzwilliam Road and Rawmarsh AQMAs were declared in 2004 and 2016 respectively, since when air quality has improved significantly across the whole of the borough
- 1.2 Air Quality in Rotherham has been continually monitored since the late 1990s and since then has improved significantly. For the last three years it has been demonstrated that annual mean levels of nitrogen dioxide have fallen consistently below the threshold of 40 microgrammes per metre cubed at relevant locations within the two Air Quality Management Areas which are to be revoked. The table below shows the level of annual nitrogen dioxide measured within the Fitzwilliam Road and Rawmarsh Air Quality Management Areas.

Annual mean nitrogen dioxide-Fitzwilliam Road and Rawmarsh relevant locations for human exposure to annual mean nitrogen dioxide objective

2023	
Location	Maximum annual mean nitrogen dioxide measured at relevant location for human exposure The national objective is 40ug/m ³
Fitzwilliam Road	39.5
Rawmarsh Hill	32.9
2024	
Location	Maximum annual mean nitrogen dioxide measured at relevant location for human exposure The national objective is 40ug/m ³
Fitzwilliam Road	35.5
Rawmarsh Hill	32.7
2025	
Location	Maximum annual mean nitrogen dioxide measured at relevant location for human exposure The national objective is 40ug/m ³
Fitzwilliam Road	30.2
Rawmarsh Hill	28.5

- 1.3 Air quality modelling predicts that the levels of nitrogen dioxide annual mean up to the year 2028 will continue to reduce and is described within the following table:

Predicted values for nitrogen dioxide annual mean 2026-2028

Air Quality Management Area	Nitrogen dioxide at worst case location (modelled) 2026	Nitrogen dioxide at worst case location (modelled) 2027	Nitrogen dioxide at worst case location (modelled) 2028
Fitzwilliam Road	29.3	28.3	27.3
Rawmarsh	27.8	26.8	25.8

Note The national objective is 40ug/m³

- 1.4 The predicted values for nitrogen dioxide demonstrate that the improvement in air quality will continue and there is no likelihood that the current national objectives will be exceeded in future. Similarly, the modelling shows that the national objective for nitrogen dioxide annual mean will not be breached at any relevant locations near to Fitzwilliam Road and Rawmarsh Hill in future years.
- 1.5 Nitrogen dioxide pollution is linked to vehicle emissions from road traffic. As the national vehicle fleet has become cleaner over the last few years, air quality has improved significantly. Consequently, pollutant levels in the AQMAs have similarly reduced to levels that demonstrate the need for revocation.

2. Key Issues

- 2.1 Section 83(2)(b) of the Environment Act 1990 states that an Air Quality Management Area should be revoked where an air quality review shows compliance and that this is expected to be maintained. There is a clear expectation that where an area becomes compliant and is expected to remain that way, then the Council should revoke the Air Quality Management Area. It is therefore appropriate to recognise this improvement in air quality in the two areas and consequently revoke the two declared Air Quality Management Areas.
- 2.2 A copy of the Revocation Orders will be uploaded to the Local Air Quality Management Portal once they have come into effect.
- 2.3 In respect of the proposed revocations, this will be initiated through the mechanism of a Notice advising that the Council is intending to revoke the Air Quality Management Areas around Fitzwilliam Road and Rawmarsh Hill. Copies of the Notices are attached at Appendices 2 and 3.
- 2.4 Subject to the responses received to the Notice issued on 31st July 2026, a Revocation Order will be made and come into effect on 11th September 2026. Copies of the Orders are attached in Appendices 4 and 5.

3. Options considered and recommended proposal

- 3.1 The Council might consider keeping the declared Air Quality Management Areas in place. However, this would be counter to statutory guidance as the air quality monitoring data demonstrates that air quality continues to improve in Rotherham and the areas which are compliant are likely to continue to be so.

- 3.2 The preferred option is to begin the revocation process of the Air Quality Management Areas and undertake the necessary statutory consultation. Monitoring demonstrates the improvement of air quality in the areas and consequently, within the provisions of legislation, the declarations should be revoked.

4. Consultation on proposal

- 4.1 Schedule 11 of the Environment Act 1995 directs Councils to ensure other relevant public bodies are aware of the revocation. Additionally, Local Air Quality Management Policy Guidance (PG22) requires that a copy of the Revocation Order should be submitted to Defra via the portal and other statutory consultees and made publicly available to ensure the public and local businesses are aware.

- 4.2 Management Policy Guidance (PG22), April 2022, specifies the statutory consultees along with DEFRA as:

- Environment Agency;
- National Highways;
- The Mayor of London (for London Boroughs only)
- All local authorities neighbouring the local authority in question;
- The County Council (if a District Council);
- Any National Park authority as appropriate;
- Other public authorities as appropriate; and
- Bodies representing local business interests and other organisations as appropriate.

- 4.3 Revocation Notices will be issued to inform consultees that six-weeks from the date of the Notice, and Order will be issued which revokes the AQMA; within that period, consultees will be able to make comment.

- 4.4 Copies of the Orders will be provided to DEFRA and changes to Rotherham's AQMAs will be displayed on their UK Air web page.

5. Timetable and Accountability for Implementing this Decision

- 5.1 A six-week period for responses is provided between the issue of the Notice and the making of the Revocation Order.

- 5.2 The Notice of intention to implement a Revocation Order will be issued on 31st July 2026.

- 5.3 It is expected that the Order will come into effect on 11th September 2026 subject to responses.

- 5.4 The Service Manager Regulation and Enforcement is accountable for implementing the decision.

6. Financial and Procurement Advice and Implications

- 6.1 It is anticipated that there are no financial implications arising from this officer decision.
- 6.2 There are no direct procurement implications arising from the recommendations detailed in this report.

7. Legal Advice and Implications

- 7.1 The Council has a statutory duty under section 82(1) of the Environment Act 1995 to regularly review and assess local air quality against national targets to check whether or not the targets are likely to be met.
- 7.2 Under section 83(1) of the Environment Act 1995, the Council is able to designate, by order, an area as an air quality management area where there is evidence that any national air quality standards or objectives are not being met.
- 7.3 Section 83(2) provides that whereupon review of any designated area, it appears that the air quality standards or objectives are being met and it is anticipated that compliance will be maintained, the Council is able to revoke the order making the designation.
- 7.4 For revocation this should demonstrate that air quality objectives are being met and will continue to do so. In other words, the Council should have confidence that the air quality improvements will be sustained.
- 7.5 A copy of the order will be provided to statutory consultees as set out in Schedule 11(1)(2) of the Environment act 1995 and the Local Air Quality Management Policy Guidance (PG22), April 2022, specifies the statutory consultees along with DEFRA as:
- Environment Agency;
 - National Highways;
 - The Mayor of London (for London Boroughs only)
 - All local authorities neighbouring the local authority in question;
 - The County Council (if a District Council);
 - Any National Park authority as appropriate;
 - Other public authorities as appropriate; and
 - Bodies representing local business interests and other organisations as appropriate.
- 7.6 Local Air Quality Management Policy Guidance (PG22), April 2022, also requires that where an Order is revised, a copy of the revocation or amendment Order should be submitted to DEFRA and other statutory consultees and made publicly available to ensure the public and local businesses are aware of the situation.

8. Human Resources Advice and Implications

8.1 There are no direct human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no implications for Children and Young People and Vulnerable Adults

10. Equalities and Human Rights Advice and Implications

10.1 A screening assessment has been carried out in Appendix 1

10.2 There are no equalities or human rights implications.

11. Implications for CO2 Emissions and Climate Change

11.1 An assessment has been carried out in Appendix 6.

11.2 Revocation of an AQMA is an administrative process with no impact on greenhouse gas emissions. AQMAs at Fitzwilliam Road and Rawmarsh hill were designated for NOx pollutants: not to be confused with N2O, nitrous oxide which is a greenhouse gas.

12. Implications for Partners

12.1 There are no implications for partners

13. Risks and Mitigation

13.1 Choosing not to revoke the Order may attract criticism from DEFRA for failing to effectively review the air quality of the Borough

14. Accountable Officers

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