

## **AIR QUALITY MANAGEMENT - EWELL HIGH STREET**

<b>Head of Service:</b>	Rod Brown, Head of Housing & Community
<b>Report Author</b>	Oliver Nelson
<b>Wards affected:</b>	Ewell Village Ward;
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	Appendix 1 – Technical basis for revocation Appendix 2 – Original Air Quality Management Area Order

### **Summary**

A report highlighting improvements in air quality within the Ewell High Street Air Quality Management Area (AQMA) and consequentially recommending revocation of the AQMA designation.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) Nominate and authorise the Public Protection Manager to take steps to revoke the Ewell High Street Air Quality Management Area.**
- (2) To note the 2025 Air Quality Annual status report has been approved by DEFRA and that it is now hosted on the Council's website.**

## **1 Reason for Recommendation**

- 1.1 Measured levels of Nitrogen Dioxide (NO<sub>2</sub>) within the Ewell High Street Air Quality Management Area have shown a sustained and significant improvement allowing the Council to revoke the Air Quality Management Area (AQMA).

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- 1.2 The requirement for the Council to continue to resource this area is expressed both in law and via statutory guidance requiring local authorities to summarise their work in the form of Annual Status Reports. These reports are required to be submitted to DEFRA at the end of July each year and subject to technical evaluation. In 2025 the Epsom & Ewell Borough Council Annual Status Report, having been approved by DEFRA, appears on the [Council's website](#) alongside previous years' reports.

## 2 Background

- 2.1 At its meeting of 7 June 2007, the Council's previous Social Committee heard that a section of Ewell High Street exceeded the national objective for NO<sub>2</sub> and consequently designated an Air Quality Management Area in that locality.
- 2.2 The Environment Act 1995 imposes a continuing obligation on local authorities to review and assess the current and likely future air quality in their areas against nationally determined air quality objectives. Local authorities are required to issue an Order for any area where air quality objectives are not being met, designating it an AQMA.
- 2.3 Nitrogen oxides are formed during high temperature combustion processes from the oxidation of nitrogen in the air or fuel. The principal source of nitrogen oxides, nitric oxide (NO) and nitrogen dioxide (NO<sub>2</sub>) collectively known as NO<sub>x</sub>, in Epsom & Ewell, is road traffic.
- 2.4 NO<sub>2</sub> has a variety of environmental and health impacts. It is a respiratory irritant, may aggravate asthma and increases susceptibility to infections. In the presence of sunlight, it reacts with volatile organic compounds to produce photochemical pollutants such as ground level ozone which in itself is a pollutant and can harm lung function at high concentrations, as well as being detrimental to vegetation and a potent greenhouse gas.
- 2.5 Following the declaration, the Council consulted on, and in partnership with the Highways Authority, delivered a set of actions contained within an Air Quality Action Plan including:
  - 2.5.1 The disapplication of certain marked roadside parking bays during peak times.
  - 2.5.2 Limited widening of the carriageway outside 76 to 62 Ewell High Street
  - 2.5.3 Re-engineering of the junction between the High Street and Cheam Road (B2200).
- 2.6 The full set of actions appears in the many Air Quality Annual Status Reports located on the Council's website.

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The combination of these measures plus other regional and national factors have been successful in reducing the concentration of NO<sub>2</sub> to below the national objective.

Appendix 1 to this report contains the technical basis for the proposed revocation and this has been approved by the Department of Environment, Food and Rural Affairs (DEFRA).

- 2.7 Legislation and statutory guidance indicates that it is not appropriate for AQMAs to be maintained with no good reason. It is therefore recommended that the Order be revoked.

## 3 Risk Assessment

Legal or other duties

### 3.1 Equality Impact Assessment

- 3.1.1 No positive or negative impacts are expected as a result of this decision.

### 3.2 Crime & Disorder

- 3.2.1 None identified

### 3.3 Safeguarding

- 3.3.1 None identified

### 3.4 Dependencies

- 3.4.1 None identified

## 4 Financial Implications

- 4.1 There are no additional implications arising from this report.

- 4.2 **Section 151 Officer's comments:** None for the purposes of this report.

## 5 Legal Implications

- 5.1 The operation of part 4 of the Environment Act 1995 (the Act), collectively known as Local Air Quality Management (LAQM), is a statutory duty of local authorities. These duties involve the regular review of air quality within a council area and determining whether the air quality objectives are being met and if they are not, to work towards improvements.

- 5.2 Section 83(2)(b) of the Act states an AQMA should be revoked where an air quality review shows compliance and that compliance is expected to be maintained.

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- 5.3 **Legal Officer's comments:** None other than as set out in the above report

## 6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Safe and well
- Green and vibrant

- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

- 6.3 **Climate & Environmental Impact of recommendations:** Supports delivery of action 35 in the Climate Change Action Plan 2025-2029: Continue to publish DEFRA Air Quality Status Report and seek to revoke Ewell High Street Air Quality Management Area at earliest opportunity.

- 6.4 **Sustainability Policy & Community Safety Implications:** None identified

- 6.5 **Partnerships:** LAQM places obligations on partner agencies, in this case most importantly the Local Highways Authority and National Highways. Surrey County Council in their role as Local Highways Authority contributed to the original action plan and cooperated with deploying highways measures which contributed to the improvements.

- 6.6 **Local Government Reorganisation Implications:** None

## 7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

### Previous reports:

- Epsom & Ewell Borough Council Social Committee minutes – 7 June 2007.
- Epsom & Ewell Borough Council Social Committee minutes – 4 November 2010.
- Epsom & Ewell Borough Council Social Committee minutes – 26 March 2015.

### Other papers:

- DEFRA (2022), Local Air Quality Management Technical Guidance TG.22 (<https://lagm.defra.gov.uk/wp-content/uploads/2022/08/LAQM-TG22-August-22-v1.0.pdf>) [accessed 10 July 2025]

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- DEFRA (2025), Local Air Quality Management Policy Guidance PG.22 (<https://laqm.defra.gov.uk/wp-content/uploads/2025/05/LAQM-Policy-Guidance-2022-revised2025.pdf>) [accessed 10 July 2025]
- Epsom & Ewell Borough Council (2025), Air Quality Annual Status Report 2025 ([www.epsom-ewell.gov.uk/residents/environmental-services/air-quality](http://www.epsom-ewell.gov.uk/residents/environmental-services/air-quality)) [accessed 19 September 2025]