

**DEVIZES AREA BOARD**

**23<sup>rd</sup> November 2009**

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**Proposed Shanes Castle, Devizes Air Quality Management Area**

**1. Purpose of the Report**

- 1.1 To brief the meeting regarding the decision to propose an Air Quality Management Area (AQMA) in the vicinity of Shanes Castle, Devizes.
- 1.2 To agree the proposal to declare an AQMA in the vicinity of Shanes Castle, Devizes.

**2. Background**

A Detailed Assessment (DA) of the air quality in the vicinity of Shanes Castle, Devizes has been completed as part of the statutory duties of the Wiltshire Council within the process of Local Air Quality Management (LAQM).

This is set out fully in Part IV of the Environment Act 1995 but essentially requires all local authorities to periodically review air quality within their areas and to take action if published Air Quality Objectives for the UK are likely to be exceeded.

The DA has developed the information gathered and the conclusions reached from previous Air Quality reporting within the former Kennet District Council area. It aims to identify with reasonable certainty whether the Air Quality Objectives are likely to be exceeded in the vicinity of Shanes Castle and if a formal AQMA is required.

The report concludes that an AQMA is required to cover a small area of likely exceedence of nitrogen dioxide (NO<sub>2</sub>) levels. The AQMA is to be centred on Shanes Castle, Devizes, located directly at the junction of the A342 and A362.

**Main Considerations**

The Council has enhanced the Air Quality Monitoring in the area with a view to modelling the air quality as part of the air quality management process.

Once the proposed AQMA has been formally approved the council is required under section 84(1) of the Environment Act 1995 to carry out a Further Assessment of existing and likely future air quality in the designated AQMA within 12 months of its designation.

**Environmental Impact of the Proposals**

Ultimately the proposal will lead to action designed to improve the air quality in the immediate area of Shanes Castle, Devizes.

**Financial Implications**

Any financial implications will be linked to the actions taken as a consequence of the declaration of the AQMA. These are to be determined in the 12 months period immediately following the decision to declare the area, during which the local authority is to carry out a Further Assessment of the air quality.

### **Legal Implications**

Having identified a likely exceedance of the Air Quality Objectives in the Detailed Assessment, the Council has a statutory obligation to declare an Air Quality Management Area.

### **HR Implications**

None.

### **Equality and Diversity Implications**

None

### **Recommendation**

It is recommended that:

The Devizes CAB accept the proposals in the Detailed Assessment and agree the Air Quality Management Order for Shanes Castle.

Mark Boden  
Director of EDHP

Report Author: Peter Nobes, Environmental Protection Officer.  
Tel No: 01380 734892  
E-Mail: [peter.nobes@wiltshire.gov.uk](mailto:peter.nobes@wiltshire.gov.uk)

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### **Appendices**

Background Paper - Detailed Assessment for Shanes Castle, available on the Wiltshire Council Website:

<http://www.wiltshire.gov.uk/environmentandplanning/publicprotection/pollutionandnoise/airandwaterpollution/airquality.htm>

No unpublished documents have been relied upon in the preparation of this report