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| Local Authority: | East Devon District Council |
| Reference:       | ASR24-2151                  |
| Date of issue    | June 2024                   |

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## **Annual Status Report Appraisal Report**

The Annual Status Report sets out new information on air quality obtained by East Devon District Council (EDDC) as part of the Review & Assessment process required under the Environment Act 1995 (as amended by the Environment Act 2021) and subsequent Regulations.

EDDC currently have no AQMAs within their jurisdiction. Despite this, the Council have several measures in place to maintain good air quality. These include the promotion of low emission vehicles by installing electric vehicle charging points across the District, improvements to cycling and walking provisions, and an anti-idling scheme. Progress on these measures includes the installation of 42 electric vehicle charging points, with the intention to increase this by 24, and transitioning 33% of the Council's vehicle fleet to electric. The Council have stated that an Air Quality Strategy is currently in development. The Council should prioritise the development of this Strategy and provide updates in the next annual status report.

From 2023 those authorities who have not had to designate AQMAs and produce AQAPs should draw up a local Air Quality Strategy. The objective of a local Air Quality Strategy is to encourage prevention and reduction of polluting activities in preference to only taking steps to reduce air pollution once exceedances have been identified.

Local Air Quality Strategies will not have a set format and authorities will be able to draw on content within their ASRs and local transport plans to produce them. As long as the strategy addresses air quality assessments and policy responsibilities under the LAQM regime, it can be combined with the authority's other relevant plans and strategies if it is logical to do so.

Defra will monitor whether Local Authorities have or are developing a local Air Quality Strategy through the ASR appraisal process.

No automatic monitoring was undertaken by EDDC in 2023. However, there is one AURN automatic monitor within the district, which measures NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Results for this monitor have been included within the report. An annual mean NO<sub>2</sub> concentration of 9.7 µg/m<sup>3</sup> was recorded in 2023, with no instances of the hourly mean exceeding 200 µg/m<sup>3</sup>. An annual mean PM<sub>10</sub> concentration of 10.3 µg/m<sup>3</sup> was recorded in 2023, with no instances of the daily mean exceeding 50 µg/m<sup>3</sup>. An annual mean PM<sub>2.5</sub> concentration of 6.2 µg/m<sup>3</sup> was recorded. Monitored concentrations in 2023 were below the relevant objectives for all pollutants.

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Passive monitoring was undertaken at 54 sites in 2023. No additional sites were introduced for the 2023 reporting year. A maximum annual mean NO<sub>2</sub> concentration of 33.0 µg/m<sup>3</sup> was recorded at site N46, which is location at Honiton (High Street). In general, concentrations have decreased from those recorded in 2022 with the exception of 10 sites. The largest increase was reported at N20 (+1.2 µg/m<sup>3</sup>) No monitoring sites recorded a concentration above or within 10% of the objective, and therefore there is no risk of exceedance.

QA/QC procedures have been discussed. Annualisation was required at the AURN site due to low data capture for the NO<sub>2</sub> monitor. Calculations have been included. Annualisation was also required at 2 diffusion tube sites due to low data capture. This was correctly undertaken for N60. N63\_LODGE has been included within the annualisation table but has not been annualised. As the tube has 9 months of data, annualisation was not needed despite a data capture of less than 75%. The reported concentration for this site is the raw concentration multiplied by the bias adjustment factor. No distance correction calculations were required for any site as concentrations were below 36 µg/m<sup>3</sup>. A national bias adjustment factor of 0.81 was used for adjustment of raw concentrations. A local bias adjustment factor was not calculated due to low data capture of the AURN site.

On the basis of the evidence provided by the local authority the conclusions reached in the report are **accepted**, on the proviso that grammatical and formatting errors in the report should be corrected prior to publication on the council's website. ASRs are public facing documents that serve to keep local communities informed of the steps being taken by their local authority to improve air quality, and as such it is important that they are accessible and easy to read. Following the completion of this report, East Devon District Council should address the issues with annualisation, and submit an Annual Status Report in 2025.

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## Commentary

The report is well structured, detailed, and provides the information specified in the Guidance. The following comments are designed to inform future reports:

1. Table C.1 includes annualisation factors for N63\_LODGE but no final annualised concentration. As this site had 9 months of valid data capture, annualisation was not required as per LAQM.TG(22), despite having a data capture of less than 75%. It may be useful to state that annualisation has not been completed for this reason, as including N63\_LODGE within Table C.1 suggests that annualisation was completed for this site. Alternatively, N63\_LODGE could be removed from Table C.1 to avoid confusion.
2. The Council have included a discussion regarding measures to reduce PM<sub>2.5</sub> concentrations. Within this discussion, the Council have stated that Defra modelled PM<sub>2.5</sub> background concentrations are well-below the objective, which supports the monitored concentrations from the AURN site. The Public Health D01 indicator has also been included, which is below the regional and national statistics. The Council should continue to include these discussions in future reports.
3. Figure D.10 does not have a complete figure caption, and currently is titled "2023 NO<sub>2</sub>". Could the Council clarify which location this Figure shows.
4. A screen capture of the appropriate national bias adjustment sheet has been included for completeness. This is welcomed and ensures that the most up-to-date national adjustment factor has been used.
5. Clear graphs have been included to show the trends in concentrations across the monitoring network over the last 5 years. These graphs are easy to read and clearly show the trends. It would be useful for the objective value to be highlighted on the graphs for an easy comparison.

This commentary is not designed to deal with every aspect of the report. It highlights a number of issues that should help the local authority either in completing the Annual Status Report adequately (if required) or in carrying out future Review & Assessment work.

**Issues specifically related to this appraisal can be followed up by returning the attached comment form to Defra, Welsh Government, Scottish Government or DOE.**

For any other queries please contact the Local Air Quality Management Helpdesk:  
 Telephone: 0800 0327 953  
 Email: LAQMHelpdesk@bureauveritas.com

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## Notice for 2024

### Changes to the Local Air Quality Management Framework

Through the Environment Act 2021 and Local Air Quality Management Statutory Policy Guidance 2022, the Local Air Quality Management (LAQM) framework has been considerably strengthened. This page highlights some of the changes for delivery to help you prioritise action for improved air quality:

#### 1. **Strengthened Criteria for Air Quality Action Plans (AQAPs)**

The requirements and guidance around AQAPs have been strengthened under the Environment Act 2021 and the LAQM Statutory Policy Guidance 2022. Action plans must include:

- an assessment of source apportionment,
- provide the population living within the AQMA (where the data is available),
- specify the concentration emission reductions required,
- set out the measures being taken to secure the achievement and maintenance of air quality standards and objectives,
- specify clear timescales for the implementation of measures,
- specify the date air quality objectives are expected to be achieved,
- include quantification of the impacts of the proposed measures,
- detail how delivery partners will work together to implement the AQAP,
- set out a plan to monitor and evaluate the effectiveness of the plan,

Actions plans must be finalised within 18 months of an AQMA being declared and reviewed every five years thereafter.

#### 2. **Escalation Process for Reporting**

Government is committed to increasing transparency by requiring timely and accurate publication of Annual Status Reports (ASRs) and AQAPs by local authorities, as set out in the Environmental Improvement Plan 2023. These documents are public-facing and serve to keep local communities informed of the steps being taken by their local authority to improve air quality.

To ensure ASRs and AQAPs are delivered on time, Defra introduced a reminder and warning letter system for Local Authorities. This system was set out in the LAQM Statutory Policy Guidance 2022 and started to apply from 30 June 2023.

If reporting requirements continue to be missed, the matter can be escalated to a Section 85 Secretary of State direction to the relevant Local Authority Chief Executive specifying action. You are advised to ensure all statutory reporting duties for LAQM are met on time.

#### 3. **Public Bodies Required to Contribute to Action Plans**

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The Environment Act 2021 amended the Environment Act 1995 to increase the number of public bodies that have a duty to co-operate with Local Authorities for LAQM. Air quality partners are certain other public bodies that a Local Authority identifies as having responsibility for a source of emissions contributing to an exceedance of local air quality objectives. This could be a neighbouring authority, National Highways, or the Environment Agency. Once identified, there is a statutory requirement for such public bodies to engage and to contribute actions they will take to secure achievement of the local air quality objective and to maintain achievement thereafter.

All tiers of local Government are also now required by law to collaborate to address exceedances of Air Quality Objectives. County councils, the Mayor of London and combined authorities have similar duties to air quality partners. The difference is that, when requested, they must contribute to an action plan being prepared by a Local Authority, regardless of whether the local authority has identified them as being responsible for a source of emissions.

Under the legislation, you may choose to request the support of another public body in the development of an AQAP and the same may be requested of your organisation.

Please refer to the LAQM Statutory Policy Guidance 2022 for more information. Should you require further assistance, please contact the LAQM Helpdesk: <https://laqm.defra.gov.uk/air-quality/featured/england-exc-london-policy-guidance/>

Web: <http://laqm.defra.gov.uk/helpdesks.html>

FAQs: <http://laqm.defra.gov.uk/laqm-faqs/>

Tel: 0800 032 7953

Email: [laqmhelpdesk@uk.bureauveritas.com](mailto:laqmhelpdesk@uk.bureauveritas.com)

The Air Quality Hub also provides free online information and is a knowledge sharing resource for local authority air quality professionals: <https://www.airqualityhub.co.uk/>

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## Appraisal Response Comment Form

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|---------------------------|----------------------------|
| Contact Name:             |                            |
| Contact Telephone number: |                            |
| Contact email address:    | UKLAQMAppraisals@aecom.com |

**Comments on appraisal/Further information:**