
Local Authority:	East Devon District Council
Reference:	ASR23-1725
Date of issue	July 2023

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Annual Status Report Appraisal Report

The Annual Status Report (ASR) 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 does not have any declared Air Quality Management Areas (AQMAs) within its area. No new AQMAs need to be declared due to no exceedances of the NO₂ Air Quality Objective (AQO) being recorded in 2022. As EDDC does not have any declared AQMAs within its area, it is under no obligation to produce an Air Quality Action Plan (AQAP), but EDDC have a number of ongoing measures to improve air quality.

EDDC undertook no automatic monitoring (but has taken the data from an Automatic, Urban and Rural Network automatic monitoring site located within East Devon) and non-automatic NO₂ diffusion tube monitoring at 54 sites in 2022. No exceedances of the NO₂ AQO were recorded in 2022. In 2022, the highest NO₂ annual mean concentration was recorded at site N59 which recorded a concentration of 32.2µg/m³ (relevant exposure) which is a decrease on the concentration of 33.1µg/m³ recorded at the same site in 2021.

QA/QC procedures have been applied, with the national bias adjustment factor being used. This factor was used as EDDC undertook no automatic monitoring in 2022. In 2022, no monitoring site required annualisation or any distance correction. As no adjustments have been made, no calculations have been provided.

The ASR discusses what direct measures were taken forward during the reporting years of 2020 and 2021 in pursuit of improving local air quality which range from continuing to work on the Devon Low-Carbon Energy & Transport Technology Innovator programme by installing electric vehicle charging points for public use around Devon, to working with partners both inside and outside the district council to help reduce the number of children who travel to school by car. The ASR also discusses EDDC's priorities for the coming year which range from continuing to review the current NO₂ diffusion tube monitoring network to ensure that it remains relevant and fit for purpose, to ensuring that new developments meet the requirements of planning policies and guidance in relation to air quality.

From 2023 those authorities who have not had to designate AQMAs and produce AQAPs will be required to draw up a local Air Quality Strategy. The objective of a local Air Quality Strategy is to

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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.

Defra recommends that Directors of Public Health approve draft ASRs. Sign off is not a requirement, however collaboration and consultation with those who have responsibility for Public Health is expected to increase support for measures to improve air quality, with co-benefits for all. Please bear this in mind for the next annual reporting process.

On the basis of the evidence provided by the local authority the conclusions reached are **accepted** for all sources and pollutants. Following the completion of this report, East Devon District Council should submit an Annual Status Report in 2024.

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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 help inform future reports:

1. Good quality graphs have been produced for Figures A.1 to A.11 which shows the trends in Annual Mean NO₂ concentrations. This allows the reader to compare up to 5 years' worth of results for any site. This approach is encouraged for future reports.
2. Good quality maps have been produced for Figures D.1 – D.10 which shows the locations of each monitoring site. This allows the reader to see the locations of each monitoring site in relation to each other and in relation to major/main roads, and this allows the reader to see if the monitoring network is still fit for purpose or if changes need to be made. This approach is encouraged for future reports.
3. Good discussion is provided on the measures that EDDC are implementing to reduce PM_{2.5} emissions. This allows the reader to see that the council are taking a proactive approach to reduce PM_{2.5} emissions and is encourages for future reports.
4. A Local Air Quality Strategy should be developed and published as soon as possible. This should be rectified for future reports.
5. There is no text, explaining the reasons for using the national bias adjustment factor as part of the QA/QC process. In future reports, this text should be included.
6. There are several points in the reports that refer to the years '2020' and '2021' whereas the report should be about the year '2022'. In future reports, the report should be about the current reporting year.
7. In the figures showing the trends in annual mean NO₂ concentrations, a line should be included that shows the NO₂ annual mean AQO which would allow the reader to easily compare the recorded NO₂ annual mean concentrations to the NO₂ annual mean AQO which would allow the reader to easily see if any exceedances of the NO₂ annual mean AQO have been recorded.

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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LAQM Guidance Notes – 2023

Changes to the Local Air Quality Management Framework

Through the Environment Act 2021 and updated 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)

Where a Local Authority is not meeting air quality objectives, they must create an AQAP setting out their intentions to improve air quality in the area. Without current action plans in place, Local Authorities risk negatively impacting their communities by not proactively working to reduce air pollution in the area.

The requirements and guidance around AQAPs were recently strengthened under the Environment Act 2021 and revised LAQM Statutory policy guidance, which Local Authorities must have regard to. The key criteria for action plans are that they:

- set out the measures they will take to secure the achievement, and maintenance, of air quality standards and objectives
- specify a date by which each measure will be carried out
- are revised no later than every five years

2. New 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 has introduced a new 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.

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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 therefore advised to ensure all statutory reporting duties for LAQM are met on time.

3. Public Bodies Required to Contribute to Action Plans

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 new 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: laqmhlpdesk@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

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

Comments on appraisal/Further information: