

**Report for: Community, People and Equalities
PDG**

Date of Meeting:	25 th March 2025
Subject:	ANNUAL AIR QUALITY REVIEW
Cabinet Member:	Councillor David Wulff, Cabinet Member for Quality of Living, Equalities and Health
Responsible Officer:	Simon Newcombe, Head of Housing and Health
Wards Affected:	All
Enclosures:	Annex A: Air Quality Annual Status Report 2024 Annex B: DEFRA Annual Status Report Appraisal Report September 2024 Annex C: Air Quality Action Plan 2021

Section 1 – Summary and Recommendation(s)

To provide PDG members with an update on recent air quality monitoring and actions in Mid Devon, particularly in relation to the 2024 Air Quality Annual Status Report (ASR) and continued delivery of the Air Quality Action Plan 2021-2025 (AQAP). The status of the current Air Quality Management Areas and AQAP is due to be reviewed, commencing within the next 12-months.

Recommendation:

That the PDG note the report.

Section 2 – Report

1 Introduction

1.1 The Local Air Quality Monitoring process places an obligation on all local authorities to regularly review and assess air quality in their areas to determine if they are meeting the national air quality objectives in its locality. This is known as Local Air Quality Management (or LAQM), the provisions of which are set out under Part IV of the Environment Act 1995.

- 1.2 With these provisions, there is a statutory duty to report annual air pollution data to Defra and provide a wider assessment of ambient air quality through an Annual Status Report (ASR) together with the provision of an updated Air Quality Action Plan (AQAP) every five years, where a local authority has Air Quality Management Areas (AQMAs). The most recent 2024 ASR report and the current AQAP is attached in Annexes A and C respectively.
- 1.3 Mid Devon District Council has two air quality management areas declared for NO₂ (Nitrogen dioxide) annual mean at Cullompton and both the NO₂ annual mean and PM₁₀ (fine particulates) 24-hour mean at Crediton. The AQMAs at these locations have not experienced any exceedances for at least five years as set out below, positive indications that the commitment to improving the air quality in the area is continuing in line with the required objectives. Nonetheless, there remains significant development pressures where transport infrastructure delivery requirements are a key part of mitigating any negative change in air quality. This is especially relevant to Cullompton. As such, the AQAP sets out relevant measures specific to each area alongside a number of district-wide considerations.

2 Monitoring Results and Actions

- 2.1 As set out in the most recent ASR, in 2023 MDDC undertook the non-automatic (diffusion tube) monitoring at 20 locations. These are sited cross the district but with a focus within each AQMA. They provide monthly average data which are collated into an annual mean and verified against national bias adjustment factors. The maximum verified annual concentration of any diffusion tube within Mid Devon for 2023 was 28.7 NO₂ µg/m³, recorded at two locations; one in the Cullompton AQMA and the other in the Crediton AQMA. This is set against an Air Quality Standard (AQS) of 40 NO₂ µg/m³. All observations are therefore well within the air quality objective and there is a long term trend showing a decline in measured concentrations of NO₂.
- 2.2 There have been no exceedances of the PM₁₀ AQS objective for the past ten years, and no exceedances of the annual mean AQS for NO₂ in Cullompton and Crediton AQMAs since 2018 (at locations of relevant exposure). Defra expect a revocation of an AQMA where there is a consistent trend of observations well within the AQS, reiterated in our feedback to the ASR as set out in Section 3 below.
- 2.3 In January 2024 a review of the diffusion tube locations was undertaken and those in locations which consistently provided the lowest levels of NO₂ well below the AQS were removed. This provided a cost saving but also enabled the Council to focus on monitoring levels in key areas where exceedances would be most

likely and is consistent with the statutory technical guidance under the Environment Act 1985.

- 2.4 The full data for 2024 and wider updated monitoring location and assessment information will be included in the next ASR report. Data for 2024 is currently being validated and the next ASR report due with Defra in June this year – this will be referred to as the 2025 ASR. Draft data indicates that the above trends have continued and NO₂ levels.
- 2.5 The decision was taken to decommission the existing automatic monitoring performed via the AQ Mesh monitors in late 2023 due to them being end-of-life with ongoing service and maintenance issues. This meant the Council ended the collection of any local Particulate Matter data at that stage, however monitoring data reported in earlier ASRs also showed a consistent trend of levels being well within the relevant AQS. This is especially relevant to the CREDITON AQMA where historic exceedances of the AQS for PM₁₀ were part of the original designation of the AQMA. Consequently, where earlier air quality action plan mitigation focussed on the provision of the (now complete) Lords Meadow Link Road enabling a significant volume of source traffic emission to by-pass Exeter Road where high levels had been recorded.
- 2.6 Nonetheless, the previously decommissioning monitors are to be replaced with new models. As such, we expect to obtain new, high resolution monitoring data in both AQMAs for the relevant pollutants over the next 12-months which will enable us to make new assessments against the relevant annual AQS parameters.
- 2.7 These new automatic air quality monitors have now been purchased and due to be installed in April 2025. The monitors are Airly Air Quality Sensors which will be able to measure NO₂, PM₁, PM_{2.5}, PM₁₀ (different sizes of ultrafine – fine particulate matter), temperature (°C), pressure (hPa), humidity (%) with a measurement interval of 5 minutes, 24/7/365.
- 2.8 The monitors have been funded by s106 air quality funds which are allocated specifically for air quality improvements within the district and are to be installed in the following roadside locations at points of relevant exposure:
 - Adjacent 94 High Street, Crediton. EX17 3LB
 - Adjacent 8 Fore Street, Cullompton. EX15 1JL
- 2.9 These monitors will in essence provide real time air quality information and enable us to have an ongoing understanding of patterns and trends and to identify sources of pollution in order to inform policies and initiatives to reduce

pollution, reduce exposure and improve health in the locality. This data will be openly automatically recorded on the Air Quality England Website.

2.10 With updated monitoring data and further progress towards key infrastructure delivery in Cullompton the Council will better placed to formally review the status of each AQMA as set out below. Further information on the current delivery status of key infrastructure in Cullompton is provided in Section 4.

3 Defra ASR review and AQMA status

3.1 Defra have provided feedback as part of their ratification process for the MDDC 2024 ASR. This feedback was positive – the ASR has been commended as being robust with extensive evidence showing the progress and impact of the measures to date and a recognition that all comments from the previous year had been addressed in the report. A copy of this feedback is attached in full within Annex B.

3.2 Key actions highlighted by Defra to be considered include:

- Carry out further assessment as to whether the Mid Devon AQMAs could be revoked
- Continue steps to deliver key infrastructure in Cullompton (Relief Road, J28 improvements and Railway station)
- Continue to review the monitoring locations across the Mid Devon area, particularly in the vicinity of a major new development
- Review opportunities to implement Automatic (continuous) Monitors following decommissioning of AQMesh monitors
- Continue to deliver measures set out in the Mid Devon Council AQAP (2021) alongside the additional measures that were added following the recent review of the AQAP

3.3 In setting out the first action above, Defra have recommended that consideration should be given to revoking both the current AQMAs as compliance with exceedances has been achieved for the last 5 years. In response, the Council have highlighted that due to the extent of local developments planned in both Cullompton and Crediton in the near future, and key infrastructure requirements within Cullompton specifically, we are proposing to retain the AQMAs for now and will carry further review within the next 12-months.

3.4 We have further highlighted that the review of both AQMAs will also benefit from the new monitoring data as set out in Section 2 above and will also take into account further progress towards the delivery of key infrastructure.

- 3.5 The AQAP, which outlines actions to be undertaken to improve air quality between 2021–2025 is reviewed annually as part of the ASR and a full review is expected every 5-years in line with requirements and the plan timeframe. Consequently, a review of the AQAP will run in parallel with the status review of the AQMAs as set out above. If both AQMAs are fully revoked following review then there will be no statutory requirement to produce an updated AQAP. If one or both AQMAs are retained for either NO₂ or Particulate Matter (or both) an updated 5-year AQAP will be required as defined by the latest monitoring trends and progress with key infrastructure.
- 3.6 In the meantime, the new monitoring equipment and ongoing actions with regard to key infrastructure set out the Council's commitment to continue to improve air quality in the district as an ongoing priority.

4 Cullompton infrastructure / Crediton update

- 4.1 **Cullompton Town Centre Relief Road (CTCRR)** – the HIF agreement with Homes England is now signed, with monies secured. The Council is progressing detailed scheme design, land acquisitions and sports club relocations. The Cricket Pitch replacement square (as key enabling works) is now seeded and doing well. The commencement on sports site construction will occur during 2025 with the main road construction scheduled to commence in 2026 and open in early 2028.
- 4.2 **Junction 28 M5** – a Strategic Outline Business Case is with the Department for Transport in relation to the strategic upgrading of J28 to support planned growth and address historic road constraints. The timetable for decisions and any funding awards is yet to be confirmed.
- 4.3 **Cullompton Rail Station** – this project is currently paused following the Government's decision to close down the Restoring Your Railway programme. The project achieved an advanced stage of scheme development and so is in a position to proceed subject to confirmation of funding. The Council continues to seek funding and is continuing background project work to keep the scheme live.
- 4.4 **Crediton Master plan** - this was adopted in September 2024 to enhance the town and included provisions for enhanced cycling and pedestrian connections between the town centre and the railway station. This is likely to have a positive impact on air quality and Public Health accordingly had input into the plan. Minor interventions identified through the masterplan are being progressed – including those funded by external grant sources.

Financial Implications

The current and future plans as per the ASR and AQAP include measures ranging from small-scale initiatives through to major infrastructure projects such as the Cullompton Town Centre relief road.

Measures will therefore continue to be delivered through a variety of different mechanisms including the Local Plan Review and planning obligations such as s106, in addition to Government infrastructure funds and the Devon County Local Transport Plan. The Cullompton centre relief road has been awarded a large sum of funding from the Homes England Housing infrastructure fund as set out above.

Legal Implications

Local Authorities have a duty to pursue measures aimed at improving air quality. This is a statutory requirement under Part IV of the Environment Act 1995 for Local Air Quality Management.

Risk Assessment

In addition to meeting our statutory duties and the risk of financial penalties under the Localism Act 2011 if we fail to do so, a failure to make improvements to air quality would be directly contrary to our wider public health objectives including those set out in the MDDC Corporate Plan 2024-28. Therefore, we would fail to address a priority health target locally. Furthermore, the successful implementation of an Air Quality Action Plan underpinning relevant Local Plan policies is essential to mitigate against the impact of significant new development district-wide and to deliver the wider community infrastructure benefits.

Impact on Climate Change

Further to the measures implemented, as a result of the LAQM statutory regime and commitment to air quality action as per the ASR and AQAP, there will be some correlational benefit between these and climate change, although via integrated National policies aimed at reducing transport emissions.

Equalities Impact Assessment

No equality issues specifically identified. Nonetheless, whilst poor local air quality impacts everyone, air quality standards are health-based and designed to protect the most vulnerable persons including those who are young, elderly and/or have pre-existing disabilities arising from sensitive medical conditions. Consequently, the Council's Air Quality Action Plan and annual ASR submission seeks to proactively protect some of those residents with protected characteristics.

Relationship to Corporate Plan

Air Quality adopted measures align with and support the Corporate Plan. Our ongoing, enhanced air quality monitoring and rolling review of air quality align closely with

objective 2.3 of the current Corporate Plan to support the health, wellbeing, and safety of our residents. The delivery of key infrastructure as a key component of our present air quality mitigation and planning is a further priority within this Corporate Plan, as set out under objective 4.5 and a commitment to work with partners to ensure that Mid Devon has the infrastructure it requires to meet its potential

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

Date: 11 March 2025

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 11 March 2025

Chief Officer: Stephen Walford

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 11 March 2025

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 10 March 2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Simon Newcombe, Head of Housing and Health or Jo Pope, Community Team Lead

Email: snewcombe@middevon.gov.uk or jpope@middevon.gov.uk

Telephone: 01884 255255

Background papers:

[Local air quality management - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/Local-air-quality-management)