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| Local Authority: | <b>Mid Devon District Council</b> |
| Reference:       | <b>ASR24-2406</b>                 |
| Date of issue    | <b>September 2024</b>             |

## **Annual Status Report Appraisal Report**

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

In 2023, the MDDC had three air quality management areas (AQMA) declared for both NO<sub>2</sub> annual mean and PM<sub>10</sub> 24-hour mean. Two of these were located in Crediton and one in Cullompton. The AQMAS at these locations have not experienced any exceedances for at least five years, therefore revocation should be considered. When applying for revocation, ensure that a relevant air quality strategy has been prepared. If you require further assistance, help can be sought from the LAQM helpdesk. The details are posted in the TG22 document.

The list of air quality measures included in the air quality action plan (AQAP) is extensive, indicating that the MDDC are serious about improving air pollution within their jurisdiction. Progress for the measures in the table have been included, which is important. This should be continued into future ASRs.

Automatic monitoring has been performed using the AQ Mesh monitors, however, the monitoring results can only be used indicatively, and not for LAQM purposes. It is recommended that results from this type of monitoring are included in the appendix and not within the main body of the report. However, due to ongoing service and maintenance issues during 2023, the decision was made to decommission the monitors. Data retrieved from the co-location study should not be used for any bias adjustments to the monitoring data, and only to be used as supplementary data for discussion.

Non-automatic monitoring was undertaken at 20 sites during 2023. The maximum concentration of any diffusion tube within the MDDC jurisdiction was 28.7 µg/m<sup>3</sup> at DT12 and DT20, which are in Cullompton AQMA and Crediton AQMA, respectively. All observations are well within the air quality objectives (AQO) and trends have been clearly discussed and compared to the air quality objectives (AQO) within the report.

QA/QC process that has been performed on the data set is good and justification has been provided for either using the local or national bias adjustment factor. The laboratory used for the analysis was Somerset Scientific Services LTD and the methodology was 20% TEA in water. The 2023 Diffusion Tube Monitoring Calendar was adhered to and annualisation of the data was not required since data capture was greater than 75%. MDDC have applied the national bias

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adjustment of 0.79.. No diffusion tube NO<sub>2</sub> monitoring locations within MDDC required distance correction during 2023.

The revocation of an AQMA should be considered following three consecutive years of compliance with the relevant objective as evidenced through monitoring. Where there have been no exceedances for the past five years, local authorities must proceed with plans to revoke the AQMA. The LAQM Technical Guidance 2022 is clear in this respect:

"There should not be any declared AQMAs for which compliance with the relevant objective has been achieved for a consecutive five-year period." (Point 3.57, page 50).

Please be aware that unless a likely exceedance has been identified in the area, Defra will not appraise AQAPs for AQMAs that have been in compliance for five years. Local Authorities will instead be advised to revoke the AQMA.

AQMAs should identify areas where air quality objectives are not being met or are likely to be at risk of not meeting them. Keeping AQMAs in place longer than required risks diluting their meaning and impacting public trust in LAQM.

Local authorities that do not have an AQMA should continue to monitor for exceedances and should still have a local Air Quality Strategy in place to ensure air quality remains a high-profile issue, thereby enabling a quick response should there be any deterioration in condition.

See LAQM Statutory Policy and Technical Guidance 2022 for more information, as well as FAQ 142: Three or more years of compliance with air quality objectives. MDDC should begin the revocation process for all three of their AQMAs in 2024.

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, Mid Devon District Council should 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 help inform future reports:

1. Last year's appraisal comments have been addressed. This is commended.
2. The Council should consider revoking the current AQMAs in place as they have been compliant for at least 5 years. Progress towards this should be reflected in next year's appraisal report.
3. The AQ Mesh data should be added to the appendix of the report in future submissions.
4. Clear trend graphs with comparisons to the AQOs have been included in the report. This is commended.
5. Sufficient maps have been included showing AQMA boundaries and diffusion tubes, which is commended.
6. Although not a requirement, the ASR has not been signed off by the Director of Public Health. MDDC should seek to include this in future reports.
7. The Council has provided extensive evidence showing the progress and impact of measures to date, this is welcomed.
8. QA/QC is robust, and the council should continue this approach in future ASR appraisals.

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

The [Air Quality Hub](#) is now run by Defra, it is a free online information and knowledge sharing resource for local authority air quality professionals. Please consider onboarding on the Air Quality Hub to access a multitude of air quality resources and be kept up to date with local authority air quality activity and air quality news.

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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:**