

## **REPORT TO EXECUTIVE**

Date of Meeting: 7 September 2021

## **REPORT TO COUNCIL**

Date of Meeting: 18 October 2021

Report of: Director – Net Zero and City Management

Title: Air Quality Annual Status Report

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

#### **1. What is the report about?**

To present the statutory Annual Status report that has been submitted to the Department of Environment, Food and Rural Affairs (DEFRA). This contains the monitoring data from 2020 and a summary of the actions taken in that year to improve local air quality.

#### **2. Recommendations:**

2.1 That Executive Committee notes the statutory annual status report.

2.2 That Council notes the statutory annual status report.

#### **3. Reasons for the recommendation:**

3.1 Action on local air quality is a legal duty placed upon the Council (and all district and county councils) by Part IV of the Environment Act 1995. Safeguarding air quality will help reduce any detrimental effects from air pollution on the health and wellbeing of Exeter's population. We are required under this legislation to submit an Annual Status Report to DEFRA using their template and to present the report to members at a local level.

#### **4. What are the resource implications including non financial resources**

The City Council will continue to monitor air pollution and report on levels. This will take place within existing resources.

#### **5. Section 151 Officer comments:**

5.1 There are no financial implications for Council to consider.

#### **6. What are the legal aspects?**

6.1 Part IV of the Environment Act 1995 sets out statutory provisions on air quality. Section 82 provides that local authorities shall review the air quality within their area. Section 83 requires local authorities to designate Air Quality Management Areas (AQMAs) where air quality objectives are not being achieved, or are not likely to be

achieved (i.e. where pollution levels exceed the air quality objectives) as set out in the Air Quality (England) Regulations 2000. Where an area has been designated as an AQMA, Section 84 requires local authorities to develop an Air Quality Action Plan (AQAP) setting out the remedial measures required to achieve the air quality standards for the area covered within the AQMA.

6.2 The Department for Environment, Food and Rural Affairs (DEFRA) has provided statutory guidance in the form of the Local Air Quality Management Policy Guidance (PG16). The guidance gives particular focus to so-called 'priority pollutants' such as Nitrogen Dioxide (NO<sub>2</sub>) and so-called 'Particulate Matter' (PM10 and PM2.5) which are relevant to both district and county councils. Local Authorities are required to submit an Annual Status Report (ASR) to the Department for Environment, Food and Rural Affairs in order to report the progress being made in achieving reductions in concentrations of emissions relating to relevant pollutants below air quality objective levels. The completed report is submitted to the Secretary of State (DEFRA) for consideration. DEFRA provide comments back to the Local Authority which the Authority must 'have regard to'.

## **7. Monitoring Officer's comments:**

This report sets out the Council's return that has been submitted to the Department of Environment, Food and Rural Affairs (DEFRA) and as such raises no issues for the Monitoring Officer.

## **8. Report details:**

8.1 There are two national objectives for levels of nitrogen dioxide. These are for the average level over a whole year, which should be below 40 µg/m<sup>3</sup>, and the average level for one hour, which should not exceed 200 µg/m<sup>3</sup> on more than 18 occasions during a year. Local authorities are told that this one hour standard is unlikely to be exceeded where the average level over a whole year is below 60 µg/m<sup>3</sup> so this measurement is a commonly used proxy. The annual average objective applies to residential, hospital and education sites. The hourly average objective applies to these sites and to busy streets and workplaces as well.

8.2 Exeter City Council has a monitoring network that is designed to identify the areas with the highest levels of nitrogen dioxide, at the locations where the objectives apply. Most of the monitoring sites are therefore on residential properties in close proximity to the busiest roads and junctions in the city. The results of the monitoring conducted by the City Council is not representative of typical or average conditions across the city. Instead most of the monitoring sites are indicative of the worst case locations.

8.3 The number of sites which exceed the objective has reduced significantly since the AQMA was declared (a reduction from 32 exceedances in 2009 to 6 in 2019). In recent years the annual average objective has not been met at Alphington Street and at some of the monitoring sites along the Heavitree corridor into the city. The highest levels are measured on the Heavitree corridor, at East Wonford Hill. Here levels have historically been close to or above the levels which indicates an exceedance of the hourly objective.

8.4 The measured results for 2020 can be found in table A.3 of the Annual Status Report (appendix 1). Trends in annual nitrogen dioxide concentrations can also be seen in Figure

A.1. These show that in 2020 levels of nitrogen dioxide at every site, including East Wonford Hill fell to below the objective levels. This significant fall was caused by a reduction in traffic flows as a result of COVID-19.

8.5 The reduction in vehicle flows seen during 2020 was exceptional and it is not expected that these falls in air pollution levels will be maintained in their entirety. However it is possible that there have been long term changes in travel habits which will result in permanent changes to pollution levels. This will be evaluated in future reports, looking at the data from 2021 and beyond.

8.6 Some sites have levels between 35 and 40  $\mu\text{g}/\text{m}^3$  (i.e. are close to but not above the objective level of 40). In 2020 this was the case only at East Wonford Hill, with all other sites having levels below 35. Most locations along the busy routes into and around the city had concentrations of nitrogen dioxide in the range between 25 and 35  $\mu\text{g}/\text{m}^3$  during last year.

8.7 As you move away from busy roads, levels in previous years have fallen below 25  $\mu\text{g}/\text{m}^3$ . In 2020, levels in these areas were typically between 10 and 15  $\mu\text{g}/\text{m}^3$  for purely suburban streets and between 15 and 20  $\mu\text{g}/\text{m}^3$  for local through routes. The majority of the population of Exeter therefore live in locations with concentrations of nitrogen dioxide well below the objective (especially in 2020), but a small number have previously been exposed at home to levels above the objective. No schools in Exeter experience levels above the objective.

8.8  $\text{NO}_2$  levels in Exeter have at most sites have fallen since a peak in 2009 but have been broadly stable in the four years prior to 2020. 2020 was exceptional, in terms of the reduction in traffic flows during some parts of the year. This resulted in noticeable reductions in nitrogen dioxide concentrations at all sites. Trends in air quality generally take several years to emerge even in normal times, because of the annual variability caused by weather. What the long term impact of COVID-19 will be on air quality is uncertain. As trends do appear, any necessary changes to the AQMA orders or Air Quality Action Plan (AQAP) will be reported in future Annual Status Reports.

8.9 The Annual Status Report also summarises the results of particulate pollution measurements ( $\text{PM}_{10}$  and  $\text{PM}_{2.5}$ ). No areas in the city are thought to exceed the objectives for this type of air pollution. It should also be noted that local authorities do not have legal duties to achieve the objectives for  $\text{PM}_{2.5}$ . This responsibility sits with national government in recognition of the fact that the sources of this type of pollution are much less local and may therefore be mainly beyond the local control. It is also worth noting that  $\text{PM}_{10}$  concentrations have shown a steady decline since 2006.

8.10 The annual status report also summarises the measures that the City Council has taken in the last year to reduce pollution levels, and the actions that will be implemented in the coming year (table 2.2 of the Annual Status Report). Work in this area is also being co-ordinated with Exeter City Futures and the Sport England Local Development Pilot.

## **9. How does the decision contribute to the Council's Corporate Plan?**

9.1 Successful implementation of the Air Quality Action Plan will contribute towards all of the Council's Strategic programmes (promoting active and healthy lifestyles, building

great neighbourhoods and net zero). The collection of reliable air quality data is a vital part of this process, so that the Council and others can understand the scale, location and trends in pollution objective exceedances.

## **10. What risks are there and how can they be reduced?**

10.1 This report is for the information of the Committee only and there are no risks associated with the recommendation to note the contents of the Annual Status Report. There are risks in the implementation of the Air Quality Action Plan, such as funding and the impact of Covid-19. This is acknowledged within the Annual Status Report. Any necessary alterations to the Action Plan can be made by means of future Annual Status Reports.

## **11. Equality Act 2010 (The Act)**

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because the report is for information only.

## **12. Carbon Footprint (Environmental) Implications:**

12.1 Measures to improve local air quality will also reduce carbon emissions from transport. The recommendations of this report therefore align with and support the Council's carbon reduction target (carbon neutral by 2030).

## **13. Are there any other options?**

13.1 Completing an Annual Status Report and submitting it to DEFRA is a legal duty.

**Director Net Zero and City Management, David Bartram**

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## **Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-

None

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