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| Local Authority: | Broxtowe Borough Council |
| Reference: | ASR23-1787 |
| Date of issue | July 2023 |

Annual Status Report Appraisal Report

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

Broxtowe Borough Council currently have one air quality management area (AQMA). The Trowell AQMA, declared in 2006 and encompasses 20 residential properties alongside the M1, it was declared for exceedances of the annual mean NO₂ air quality objective (AQO) of 40 µg/m³. The AQO was not exceeded in 2022, the highest concentration recorded in the AQMA was 22.3 µg/m³ and the average concentration across all five non-automatic monitoring sites located within the AQMA was 21.5 µg/m³. There has not been an exceedance of the AQO in the AQMA since 2015 and since 2017, the concentrations have been below 36 µg/m³ (90% of the objective). Broxtowe Borough Council have stated that they will revoke the AQMA in 2023/2024 as it has been consistently below 36 µg/m³ for five consecutive years, excluding 2020 due to Covid-19 restrictions. This is in line with the LAQM Technical Guidance 2022 as keeping AQMAs in place longer than required risks diluting their meaning and impacting public trust in LAQM.

"There should not be any declared AQMAs for which compliance with the relevant objective has been achieved for a consecutive five-year period." (LAQM.TG22 Point 3.57, page 50).

After revocation of the AQMA BBC 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.

The AQAP for Trowell AQMA has not been updated since 2008 however this is in agreement with the LAQM helpdesk. Broxtowe Borough Council are not required to update the AQAP as long as they meet several conditions - which they have done (1. To undertake a detailed monitoring study, by increasing the number of diffusion tubes within the AQMA to identify whether the AQMA designation is required, 2. To send the LAQM helpdesk the latest results on a regular basis rather than providing an annual figure, 3. To identify any factors that would contribute to the anomaly in 2015 when there was an increase in NO₂ levels.). The measures that BBC are implementing to improve the air quality are continued to be discussed annually in the ASR instead until the AQMA is revoked.

No automatic monitoring was undertaken in the borough during the 2021 reporting year, however a Zephyr real time monitor was purchased in late 2021 to monitor NO₂, PM₁₀ and PM_{2.5} in the

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Trowell AQMA. There were a variety of issues with the monitor throughout 2022, and as a result BBC felt that the data was not reliable enough to report on. These issues have since been rectified and the 2023 data will be reported on in the 2024 ASR.

Non-automatic, passive monitoring was carried out for NO₂ at 49 monitoring sites, with one triplicate location for a total of 51 diffusion tubes. None of the sites reported exceedances of the AQO. The highest concentration was 28.4 µg/m³ at DT 48 (Near 73 Town Street, Bramcote). Excluding the 2020 data as an anomaly, twenty-eight sites showed a consistent downward trend every year from 2018 to 2022, ten sites showed an overall downward trend from 2018 to 2022 and four sites reported an increase from 2021 to 2022. NO₂ tubes were analysed by Gradko, none required annualisation or distance correction. The national bias adjustment factor was used.

Broxtowe Borough Council clearly report the progress made on measures to improve air quality in the reporting year, as well as their priorities for the upcoming year. Key measures completed in 2022 include: improvement of council fleets by purchasing four electric vehicles to replace two older more polluting vehicles; increase of the number of electric vehicle charging points in the Borough and approval for introduction of an Electric Vehicle Cable Channel pilot scheme; and investigation of new heating technologies by introducing air source heat pumps into new builds (7 in 2021 and 5 in 2022). The council have also provided numerous priorities, these include; educating the public and businesses in matters that contribute to air quality; encouraging, supporting and promoting sustainable and green travel; and review suitable research methods for reducing air quality levels for both NO₂ and particulate matter.

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, Broxtowe Borough 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. The executive summary provides additional information about NO₂ and particulate matter, as well as the health impacts of both. This is a welcome addition and should be continued in future ASRs.
2. The “how to get involved” section of the executive summary provides numerous suggestions. Along with the additional information provided about pollutants, this is useful for informing the general public.
3. The trends observed in the data reported in this ASR are discussed for the AQMA, former AQMAs, individual tubes and small areas. This provides significant detail about the air quality in the borough and is appreciated. The addition of colour to table B.1. is welcomed as it helps add context to missing periods of data.
4. The report is descriptive and informative throughout with each section providing a significant amount of detail, this is appreciated and encouraged to continue in future ASRs. In particular, the measures to manage PM_{2.5} by the Council and individuals, the key priorities for the next reporting year and the measures completed in this reporting year.
5. The PM_{2.5} modelling undertaken by the council is detailed and helps provide context for the councils PM_{2.5} measures, the addition of the map is very useful for visualization of areas to prioritize.
6. The Council could include an image of the appropriate national bias adjustment spreadsheet to demonstrate where the chosen bias adjustment factor has come from.
7. The council could also provide the latest results from the AIR PT/WASP Scheme to verify the quality of the analysis lab's results.
8. It would be good if the council verify if tube deployments are in line with the Defra Calendar, or if there was any reason as to why this couldn't happen.
9. Overall this report is an example of good practice due to the required information and significant detail provided throughout.

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.

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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

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

Comments on appraisal/Further information: