



Department
for Environment
Food & Rural Affairs

Local air quality management review

Summary of responses

March 2016



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1. Purpose of Consultation

This consultation was the third of a series of three consultations on Local Air Quality Management. The consultation ran 26th November 2015 to 21st January 2016.

2. Geographical extent

The consultation applied to England only.

3. Summary of responses

A total of 72 respondents submitted comments via Citizen Space or Defra's air quality inbox – LAQM.Review@defra.gsi.gov.uk. See annex for full list.

We were pleased to receive comments from a wide range of interested parties, including local authorities, air quality practitioners, environmental groups and concerned individuals.

There were no campaign responses.

4. Responses to individual questions

The following section summarises the responses to each of the questions posed by the consultation. The summary includes responses submitted online and by email. Late responses were not accepted.

Due in part to the number of responses received, the summary report identifies the key themes (i.e. what most people said), together with relevant insights and innovative ideas to help inform policy.

Streamlining of reporting requirements – new Annual Status Report (ASR)

High level statistics

There were (68) responses to this question

Yes: 62%

No: 3%

Partly: 35%

Key themes:

- **General agreement that ASR strikes the right balance between streamlining and robustness of evidence**
- **Differing views on degree of efficiency savings as a result of ASR**
- **PM_{2.5} role currently too flexible (need better steer)**
- **Calls for a standardised 30 June submission date for ASR**
- **Recommendations for inclusion of additional topics such as health, planning, new developments and so on**

The majority of respondents welcomed the proposal to streamline the reporting process through the introduction of a single Annual Status Report (ASR), especially where it standardised the reporting procedure. In general the ASR was seen as striking the right balance between streamlining and robustness of evidence. Many felt that without practice it was difficult to gauge the merits fully. To this end it was suggested that a review take place, post June 2016, to assess the ASR, building on feedback from local authorities. To further streamline resources and make efficiency savings, the case was put forward for those local authorities in partnership with another authority or consortium of authorities to continue to be able to submit a single joint ASR report.

Not all believed the ASR to be more streamlined than the previous Progress Report, which was required in two out of every three years. However, they did acknowledge that the ASR better enabled local authorities to report key information of interest to government, local politicians and the public, whilst removing much of the detail which may not have altered in a number of years. As such it was likely to be easier and quicker to complete the ASR, especially in subsequent years after the initial adaptation phase.

There was some confusion about the date of submission for the ASR. It was strongly recommended that a June reporting deadline become the norm as it will provide authorities with time to prepare the latest air quality data.

Many respondents felt that the section on PM_{2.5} needed greater clarity and thought, as it was currently too open. The new role was not a regulatory requirement with respect to action to reduce emissions or concentrations of fine particulate pollution, and hence would make securing additional resources, including for monitoring/modelling, difficult for local air quality teams to justify. Following on from this, many felt that it would be difficult to implement measures for PM_{2.5} on the ground, let alone quantify the impacts.

Some questioned the absence of information about planning, new developments and significant changes to the road network and their expected impact on air quality. These are dealt with further under Q2.

Government response to ASR

On efficiency savings: Annex 1 provides estimates of the expected reduction in the administration burden as a result of using the ASR. The numbers cited are estimates only but overall we believe they provide a good basis to understand the potential sources of administration burden reductions.

On submission dates: Defra clearly states that the submission date for the first year is 30th June. A post-ASR review will take place after June and a decision taken then as to the appropriateness of a 30th June deadline for all subsequent reporting years.

On the requirement to work towards reducing PM_{2.5}: by necessity, this role is designed to be flexible. This is reflected in the Technical Guidance, which does not prescribe what the local authority approach should be. The reasoning behind this is to develop a practical approach, based on local circumstances and public health priorities, which will allow local authorities to focus on clear actions with attainable targets to tackle PM_{2.5} alongside other air pollutants. We acknowledge that authorities will be looking for a stronger steer in due course and intend to draw upon local experiences and best case examples to strengthen the role.

Question 2: Does the executive summary provide sufficient information in a format to keep the public informed of air quality progress and issues within a local authority area? What else would you like to see covered or removed?

High level statistics

There were (50) responses to this question

Yes: 66%

No: 1%

Partly: 33%

Key themes:

- **Overview section seen by most as a positive move, though some questioned the impact it would have on local understanding and buy-in**
- **Calls for local authorities to consider wider communication strategies as well**
- **Calls for the inclusion of a health section so that the public is informed of the dangers of air pollution**

Approximately two-thirds of respondents felt that the Executive Summary provided sufficient information for the public, and in an appropriate format. Typical comments were that it was a good idea to simplify the ASR in an overview section for greater public

accessibility/interest and that it should ensure greater consistency and reduce confusion about what is to be included. The summary section was seen as being very helpful in that it gave a concise snapshot of the status of air quality, the main areas of concern and remedial action being taken in the local authority.

A third of respondents, while supportive of the public facing summary, raised some doubts about its efficacy in engaging the wider public, as well as the completeness of the categories. There was some confusion over which sections applied to the public and which were for a more technical audience. There was also some confusion over whether the ASR was mandatory. Individual responses aside, key issues emerged on how the summary section of the ASR might be improved. Many called for the inclusion of a short section on the local health impacts of air pollution, including morbidity and mortality estimates, and, where available, cost estimates. This was considered important to increase understanding among the general public of the dangers of air pollution as well as drum up support for proposed measures and better ensure partnership with local public health teams. It was noted by one respondent that Public Health England already produce information on the mortality impacts of fine particulates (PM_{2.5}) at the local level; the same data could be transferred easily into the summary section of the ASR.

Other additional themes suggested for the summary included: how air pollution levels have changed in the area and other trends; a brief summary of the activities of the local authority's Passenger Transport Executive and its report to the Integrated Transport Authority; and key monitoring results, including on AQMAs, so that local communities know what they are being subjected to and the background for action.

Some comments were received, stating that the ASR was geared towards local authorities with Action Plans in place for AQMAs. This, they felt, diluted the actions taken by compliant local authorities without AQMAs (or Action Plans) because the detail that a compliant authority could provide would be less numerous and quantifiable in terms of air quality improvement.

Several respondents felt that the overview summary was not an appropriate forum for communication with the general public. By its nature, the ASR was a technical report and any summary within such a report would in effect be a 'state of the environment' summary, aimed chiefly at professionals. Public facing information, it was suggested, would be best disseminated through the local authority's regular website. To counter this, some respondents believed that including a summary section, especially if made interesting and written in lay-language, could engage members of the public and act as a hook for the technical aspects of the report. Also, the summary need not be dedicated to the ASR but could also be utilised in other media such as updates in parish/district magazines, webpages, social media and so forth.

At least two respondents sought greater alignment between local and national air quality. In particular, they wanted to include an updated estimate of when compliance with local air quality objectives and EU limit values would be achieved, based on appropriate modelling

methodologies. This comparison would help illustrate the magnitude of the problem across the entire UK.

Government response to executive summary

The Annual Status Report (ASR) is a standard document which all local authorities will be expected to use when submitting their statutory LAQM reports. All local authorities in England must submit the first of its ASRs via the Report Submission Website¹ by 30th June 2016 and each year thereafter.

Whilst all respondents correctly identified the 'overview' as the Executive Summary, this should have been made clearer in the consultation. We will amend 'Overview' to read 'Executive Summary'.

We recognise that local circumstances will dictate the level of detail in the summary and do not expect the same level of detail from a local authority without an AQMA compared to one with several. To aid in the submission process we support joint ASR submissions where there is a clear partnership approach between one local authority and another. The ASR template is designed to be flexible to allow additional sections and material (including in the form of annexes) to be added, should the local authority wish. This includes sections on health, PM_{2.5}, monitoring, the Public Health Outcomes Framework and so on. Consideration will be given to including health based and/or other themes in the summary overview to encourage public engagement with the LAQM process. This may include (as a starting point) standardised text agreed with Public Health England, which local authorities may add to, including local public health statistics and measures.

It is likely that those authorities with Air Quality Action Plans will generally have more to input into the ASR. An Action Plan arises from the declaration of an AQMA, which in turn arises from the exceedance or persistent risk of exceedance of a pollutant objective. It remains a statutory duty for all local authorities to review and assess air quality and to submit an ASR each year for review. Efforts made by local authorities without Action Plans are still very important to the local communities they serve, and integral to the government's multi-levelled approach to improving air quality locally, regionally and nationally.

In response to calls to align LAQM/EU and to report compliance with EU limit values in the ASR: The UK is taking action to improve air quality in the UK at international, national and local level, and recently published its Article 23 plans under the Air Quality Directive. The action plans local authorities prepare through the LAQM framework set out detailed local measures that support the delivery of the national plans² as well as addressing specific

¹ <http://laqm.defra.gov.uk/1rsw/>

² Action being taken to reduce NO₂ concentrations is set out in the Air quality plan for nitrogen dioxide (NO₂) in the UK - <https://www.gov.uk/government/collections/air-quality-plan-for-nitrogen-dioxide-no2-in-uk-2015>

local air quality issues, but they are not themselves Article 23 plans. Using the new Annual Status Report template, local authorities are required to classify measures in accordance with Article 23 categories in order to be consistent with the national air quality plans.

Results from ASR trial

Three local authority representatives agreed to trial the ASR template during the consultation period. The representatives were Worcestershire Regulatory Services, Lancaster County Council and Brighton & Hove City Council. Initial views included:

- Template generally self-explanatory, drawing as it does on tone and structure of previous reports
- Overview section: 'Why Air Quality Matters' – this should be standard text rather than for the local authority to fill out
- Table 2.1 (Declared AQMAs) – not sure if necessary as duplicates key AQMA information in the public overview section
- Table 2.2 (Progress on Measures) – some items overlap the categories given. Suggest deleting 'Estimated Completion Date' as this is implied by the 'Implementation Date' column; many actions are, by their nature, ongoing, and therefore end dates are often irrelevant or difficult to estimate. Potentially remove 'Comments' column as this information can be contained in 'Progress to Date'.
- Alternative text should be included in some sections in case the local authority needs to report that it has not undertaken any monitoring e.g. 3.1.1 Automatic Monitoring Sites; 3.2.2 Particulate Matter (PM₁₀)
- Consider including text on planning applications – biomass – industrial sources etc. rather than relegate to Annex.

Fast-Track AQMA declaration

Question 3: Do you support the idea of fast track AQMA declaration?

High level statistics

There were (46) responses to this question.

Yes: 98%

No: 2%

Key themes:

- **Strong support for the principle of fast track AQMAs**
- **Some concerns over robustness of monitoring/modelling data used to declare fast-track AQMAs – e.g. could lead to false AQMAs which would then need to go through a protracted revocation procedure**
- **Some concerns over effectiveness of proposed air quality measures based on shortened period of data**

Almost all respondents supported the fast-track option, seeing it as a positive move in shortening the declaration process and enabling action to be taken more quickly. Many confirmed that under the current system the timescales involved in declaring AQMAs slowed down the development and implementation of practical measures. The process for completing a Detailed Assessment was seen as an additional unnecessary burden, though some argued for its retention. Those authorities already with AQMAs would especially be in a position of confidence to know where local hotspots and other critical areas were, and as such could proceed with AQMA declaration based on a shortened period of data collection. Finally, as action plan measures effectively derive from the declaration of an AQMA, the health benefits of the fast-track option were seen as a core justification for its adoption. The system would also be more operationally efficient for local authorities in light of their better understanding of air quality in their areas than when they first started implementing LAQM.

Some concerns were raised over the wording of the policy guidance, specifically the 'risk of exceedance', as well as the emphasis on a much shorter monitoring programme prior to declaration. It was felt that the term 'risk of exceedance' widened the definition and could result in some authorities rushing to declaration based on limited data. Also, fast track did not apply to revocation and therefore a hasty declaration which then proved to be unfounded or short-lived, would require a protracted revocation procedure, as per current guidance.

Several respondents also highlighted the consequences of potentially reduced monitoring capability, feeling that inefficient localised monitoring would negatively impact on the ability of local authorities to correctly identify and enact an AQMA. A specific concern was that it was necessary to collect a comprehensive baseline level of air quality data in order to know where, and in what capacity, to take action. The proposed 4-month timescale was considered insufficient time to gather such data for detailed dispersion modelling, nor did it take account of the local authority processes prior to declaration, such as securing sign-off from elected members.

Government response to fast-track AQMAs

It is important to note that the fast-track option is not mandatory; it is expected that local authorities will use their best judgement based on local knowledge in deciding the merits of an AQMA or whether the problem area can be best dealt with through the authority's local

air quality strategy. Any risk must be a persistent risk and if a longer monitoring regime is necessary to inform the extent of the risk then this should be done. Normally, an AQMA, fast track or otherwise, should be applied only in a well-understood area with good monitoring coverage. It should be noted that 'risk of exceedance' is implied in the wording of the Environment Act 'the Act'(Part IV, Section 83), which states that "Where, as a result of an air quality review, it appears that any air quality standards or objectives are not being achieved, **or are not likely** [*emphasis added*] within the relevant period to be achieved, within the area of a local authority, the local authority shall by order designate as an air quality management area (in this Part referred to as a "designated area") any part of its area in which it appears that those standards or objectives are not being achieved, or are not likely to be achieved within the relevant period".

On equivalence with the Detailed Assessment: feedback from this and previous consultations has consistently confirmed that most local authorities see the Detailed Assessment as a block on implementing action plan measures more quickly. A Detailed Assessment takes on average 12 months to compile, and it is correct to assume that most local authorities have a much better understanding of air quality in their areas now than when they first started implementing LAQM. Where a local authority chooses not to fast-track an AQMA, they should not seek to replicate a Detailed Assessment; the ongoing monitoring/modelling of air quality in their area, as reported each year in the Annual Status Report (ASR), should indicate whether there is an exceedance or risk of exceedance of a pollutant objective. The process for declaring an AQMA is explained further in LAQM Policy and Technical Guidance 2016. Ultimately, the ASR data should provide sufficient enough granularity to make a reasoned argument for declaring or confirming an AQMA.

On monitoring and timescales: we recognise the importance of monitoring in support of AQMAs and that robust information forms the backbone for targeted and effective action. Since the LAQM system began in 1997, local authorities have undertaken detailed monitoring and modelling in order to understand the scale of the problem across the country. For this reason, in its formative years LAQM was more heavily focused on diagnosing air pollution and less on taking direct action to remediate it. Most local authorities now have the necessary information and confidence to develop and implement air quality measures based on a considerable backlog of data acquisition and local knowledge. Despite this, the new LAQM Policy Guidance makes it clear that the fast-track AQMA is not for local authorities who have had, until now, few air quality problems, ever declared an AQMA or have sufficient doubts, and that they should consider the necessity of obtaining further supporting information, with the methods used briefly set out in their ASR.

There are still processes involved prior to formal AQMA declaration and we recognise that these can take time. The key change under the new system is that the declaring of an AQMA (fast track or otherwise) provides the impetus for immediate action, whereas under the old system the declaring of an AQMA was provisional, subject to the production of supplementary and additional information reports (Detailed and Further Assessments). Fast-tracking an AQMA speeds up the development and implementation of measures to improve local air quality.

Template for Air Quality Action Plans (AQAP)

Question 4: Do you support the introduction of an AQAP template? If yes, what else would you like added or removed?

High level statistics

There were (51) responses to this question.

Yes: 96%

No: 4%

Key themes:

- **Strong support for AQAP template**
- **Template should foster consistency of action and read across from one local authority to the next**
- **Some concerns over degree of flexibility within the template – e.g. inclusion of health section**
- **Calls for additional guidance on expectations from different departments/agencies**

There was strong support for the introduction of an AQAP template, being seen by most as a positive step towards standardising the structure and content of an Action Plan and helping to foster consistency of action and reporting across local authorities. It was considered especially useful for local authorities new to the action plan process or at the development stage of their action plan. The template was recognised as a guide to good practice and would reduce time and costs spent in producing Action Plans. Some also considered the template as a useful mechanism for updating existing Action Plans, and there was support for aligning local authority measures with EU classifications.

A number of concerns were raised over the degree of flexibility within the template, cautioning against over-prescription which could limit the development of new and effective measures or packages.

Several respondents requested confirmation as to the voluntary/optional status of the template. At least one respondent recommended that the template not only be mandatory but also include all information required by Article 23 and Annex XV of the EU Ambient Air Quality Directive.

Powers and ownership for delivery of the action plan measures was highlighted as a key issue by some, specifically whether the template could include guidance on expectations from different departments, e.g. planning, transport, and public health, as well as County Councils, Highways England, the Environment Agency and others who regulate pollution

from known dedicated sources such as motorways and industrial processes. Connected with this was the issue of ‘sign-off’ of the AQAP by, for instance, Directors of Public Health, and the County Council. Highways England should also be included in the template as a supporting delivery partner.

Finally, as with the ASR, some respondents recommended the inclusion of a public health section.

Government response to AQAP template

The AQAP template, whilst its use is encouraged, is voluntary. LAQM Policy Guidance 2016 – para 5.1, makes this clear. Due to the nature of Action Plans, which vary in scope and complexity from one authority to the next, we recognise that the template approach will not satisfy everyone. For this reason, the template is not mandated. As with the ASR template, however, local authorities are free to add additional material, for instance, in the form of an annex.

The UK is taking action to improve air quality in the UK at international, national and local level, and recently published its Article 23 plans under the Air Quality Directive. The action plans local authorities prepare through the LAQM framework set out detailed local measures that support the delivery of the national plans³ as well as addressing specific local air quality issues, but they are not themselves Article 23 plans. Using the new Annual Status Report template, local authorities are required to classify measures in accordance with Article 23 categories in order to be consistent with the national air quality plans.

On the expectations of key local authority departments and stakeholders in support of the AQAP, we recognise that there is a challenge around securing engagement but ultimately it is the responsibility of local authorities to engage with all relevant stakeholders and stakeholder departments. Government agrees that a public health section be included within the AQAP (as with the ASR). This will include standard text on the health impacts of air pollution, with links to Public Health England advice and health cost calculators.

Removal of the requirement to report on benzene, 1,3-butadiene, carbon monoxide and lead

Question 5: Is the guidance clear that LAs are not required to review and assess these four pollutants unless they are aware of any potential new issues in their locality?

High level statistics

There were (20) responses to this question.

³ See footnote 2

Yes: 97%

No: 3%

Key themes:

- **Guidance very clear on not needing to report on these pollutants unless by exception**
- **Limited cost impact as most authorities do not review and assess these pollutants**
- **Guidance less clear on whether action is required by the local authority should a problem arise**

Almost all respondents confirmed that the advice in both policy and technical guidance made it clear that local authorities were not required to review and assess these 4 pollutants. Reporting by exception was deemed a sensible approach, especially where there were no local sources for the pollutants.

Some respondents stated that whilst the focus should be on reducing Nitrogen Dioxide and Particulates, they would continue to make reference to the 4 pollutants, where they continued to be monitored, for example, in an area of heavy industry or where public perceptions about industrial air were prominent.

The few 'no' replies confirmed that the guidance was clear on not reporting the excepted pollutants but less clear on whether these pollutants needed to be addressed should local circumstances indicate there was a problem, or whether remedial action was entirely voluntary.

Reference was also made to the limited impact the measure would have on costs as most local authorities had already stopped monitoring and reporting on these pollutants several years ago.

Government response to reporting on the four pollutants

The government recognises that reporting on these pollutants does not represent a material burden for most local authorities. We are satisfied that the guidance is clear that these pollutants are not required to be reported on unless by exception. The responses showed that for some local authorities, local circumstances meant that they would still reference some or all of the pollutants, as there were historical reasons for doing so. This is within the remit of the measure, which is designed to be flexible. This flexibility applies equally to whether action is required in the event of a problem arising. It is only right that such situations be taken on a case by case basis between the local authority and the government. To clarify further, it states in LAQM Policy Guidance 2016 that "where national monitoring or modelling indicates a significant deterioration in any of these

pollutants either nationally or in a particular area, government will inform affected local authorities of any changes in expectations around reporting.”

PM_{2.5} role for local authorities

Question 6: Do the revised policy and technical guidance documents provide local authorities with a framework to help them address PM_{2.5} pollution in their local area?

High level statistics

There were (52) responses to this question.

Yes: 38%

No: 25%

Partly: 37%

Key themes:

- **Mixed views on efficacy of the framework to address PM_{2.5} due to limited local data and current openness in how local authorities interpret the role**
- **Appropriate measures to address PM_{2.5} locally can only be realised through true local assessment – i.e. national data has limited granularity**
- **Calls for a review of the PM_{2.5} role a year or so after implementation of new system**

The PM_{2.5} role drew a variety of responses, with most agreeing to its inclusion on public health grounds. However, reservations were made on the lack of available monitoring data for fine particulate pollution and the openness of the PM_{2.5} framework, which many felt was too flexible, not least because it was non-mandatory. The available real time monitoring and current lack of detailed modelling for PM_{2.5} made a true local assessment and therefore decisions on appropriate measures to address it, difficult. Even where measures were introduced it would be difficult to gauge their impact on reducing levels of PM_{2.5} without appropriate local monitoring in the area in question. Reduced local resources and budget cuts compounded the issue.

It was recognised, however, that the current limitations of the PM_{2.5} framework would be built upon, drawing on local experiences and best case examples, and that the role, by its nature, was an evolving one.

Government response to PM_{2.5} role

The guidance acknowledges that financial constraints will limit the degree to which local authorities can address PM_{2.5}, notwithstanding the transboundary nature of the pollutant. This accounts for the flexible nature of the role at present. This is a new area for most local authorities and we will review the role in due course, drawing on feedback from local authorities.

Clarification of roles and responsibilities

Question 7: Does the updated policy guidance achieve its aim of clarifying the roles and responsibilities of District and County Councils?

High level statistics

There were (42) responses to this question.

Yes: 67%

No: 1%

Partly: 32%

Key themes:

- **Guidance better clarifies roles and responsibilities in general, though less clear on the responsibility of departments within councils, especially transport, planning and health**
- **Guidance not clear on enforcement issues, including dispute resolution in agreeing actions between tiers**

More than two-thirds of respondents felt that the updated guidance better clarified the roles and responsibilities of District and County Councils. The guidance on the appointment of roles on a steering group and how two-tier authorities should participate in the group was particularly welcome. It was hoped that as in practice accountability for air quality had been unclear for some time, County Councils and departments within councils, especially transport, planning and health, would respond positively to their responsibilities.

It was recognised that there would still be challenges in achieving cohesion among the more than 200 two-tier authorities across England, and between departments, and that it was important the guidance was directed at the right audience to effect the most change. It was not clear what the strategy was for communicating the policy to County Councils, and it was suggested by some respondents that separate guidance, directed specifically at the County level, might be appropriate.

A number of respondents felt that the guidance should have included obligations expected of Highways England, the Environment Agency and Directors of Public Health, the latter considered appropriate due to the emerging data on the mortality impacts of Nitrogen Dioxide and PM_{2.5} (fine particulate matter).

Enforcement was raised as an issue, and how, without requirements, checks or repercussions, would the guidance translate into action/engagement on behalf of the County Council. Connected with this was the matter of dispute resolution and the procedure in the event of a party failing to implement agreed actions in the adopted Action Plan.

Government response to roles and responsibilities

The roles and responsibilities of District and County Councils are already set out in Part IV of the Environment Act, Sections 84(5) and 86. However, government acknowledges the ongoing challenges in securing greater accountability for air quality control at the County level and between departments and external agencies. Where practical, wording in the guidance will be strengthened further to emphasise this responsibility.

Revised policy and technical guidance

Question 8: Do you have any further comments about the revisions to the technical or policy guidance that have not been covered elsewhere in this consultation?

High level statistics

There were (41) responses to this question.

Yes: 58%

No: 42%

Key themes:

- **Updated guidance welcomed but some uncertainty as to it stimulating action to improve air quality**
- **Greater clarification needed on public exposure and its relation to pollutant objectives**
- **Financial constraints remain as a key disincentive for implementing effective action plans**

It is not within the scope of this summary document to include details of all the comments received about revisions to LAQM Technical Guidance; hence, only key issues have been included. Where responses in relation to guidance (especially policy guidance) have been

dealt with in other questions (such as PM_{2.5} and roles and responsibilities), these have been omitted. All comments, however, have been reviewed, with input from external consultants. Key issues were:

Quality control on data: many respondents voiced concern over a new recommendation in TG16 (Section 7.141) for an independent audit for continuous monitoring, which could impose significant costs on local authorities (for monitoring sites outside the Automatic Urban and Rural Network (AURN)).

Screening Assessment: Some comments were received in relation to the screening assessment criteria in Table 7.1 (road traffic sources) and at what frequency screening should take place – for instance, should it be undertaken annually or when the local authority is aware of a development or change which could result in one of the criteria being met?

Toolbox: most found the list of potential actions to be useful but that for it to remain useful it would need to be updated on an ongoing basis, and recognition given for the applicability of certain measures, such as Clean Air Zones in particular areas. Some respondents noted that Clean Air Zones were barely mentioned within the guidance overall despite being a key action outlined in the UK Air Quality Plans submitted to the EU.

Public exposure: Some respondents sought greater clarity in the Technical guidance on the issue of public exposure, i.e. where members of the public are regularly present. It was felt that some AQMAs were not being declared in appropriate areas and that to align LAQM designated AQMAs with Defra's Pollution Climate Mapping predictions, especially for NO₂, would give greater assurance to practitioners and the public that further emission reduction measures were required for NO₂. It was argued that a 1-hour mean objective would be applicable at other locations (such as a place of work) and consequently this and similar environments should be explicitly included as places where objectives were to apply, at least for 1-hour mean values.

Financial constraints: the lack of appropriate funding was cited by a number of respondents as being the major limiting factor in the development of effective AQAPs, and that guidance that failed to drive action would not serve the best interests of local air quality teams already suffering budget cuts. Cost constraints impacted across all aspects of air quality control, including the new PM_{2.5} role, which, it was argued, was at odds with the importance placed on fine particulate pollution in terms of its health impact. There were calls for a separate, secure budget to be consistently allocated to air quality management at the national level.

General updates: responses included numerous references to key sections, recommending updated text to describe the challenges that local authorities face and guidance on how to overcome these successfully. Suggestions included: revising guidance in the Design Manual for Roads and Bridges (DMRB) so that it is up to date and applicable to LAQM; and adding queuing conditions to emissions data for road transport sources.

Government response to revisions to policy and technical guidance

Quality control on data: It is important that sufficient quality control checks are in place so that the authority is confident of the information it is gathering, which will, in turn, inform the reliability of action plan measures. We have adjusted TG16 to make it clearer that the examples of quality control given are of best practice.

Screening assessment: local authorities have the opportunity to carry out assessment against the criteria in Table 7.1 annually as part of their ASR submission.

Toolbox: it is Defra's intention for the toolbox to be a 'living' document, which will be updated on an ongoing basis. We recognise that there are still issues in relation to quantification of measures and enforcement/funding. Additionally, we recognise that Clean Air Zones may not be appropriate for all areas. The toolbox will be reviewed in the future, including taking account of Clean Air Zones and quantification of impacts.

Public exposure: For the purpose of LAQM, regulations state that exceedances of the objectives should be assessed in relation to "the quality of the air at locations which are situated outside of buildings or other natural or man-made structures, above or below ground, and where members of the public are regularly present". We consider the wording, including examples, in the guidance to be clear. The guidance also invites local authorities to use local knowledge to inform their decisions and/or use the LAQM helpdesk to do so. We will, however, keep the issue of public exposure under review, and if necessary, revise guidance accordingly.

Financial constraints: Since 2010, Defra's air quality grant fund has spent over £11m in support of LAQM duties across England, including £500k in 2015-16 on a variety of projects to tackle NO₂ emissions. At the national level, government set out in its air quality plan for nitrogen dioxide that we will provide more funding in future years for locally driven measures to assist the delivery of compliance in the shortest possible time in all zones.

General updates: Every effort will be made to update and revise the guidance documents prior to publication. In order to ensure timescales for delivery are met and that local authorities have suitable lead in time to familiarise themselves with the new guidance and reporting templates, it is not our intention to make substantive changes at this stage, except to those areas where there are clear omissions, mistakes or the need for urgent updating. A review of the new system will take place in due course to assess the merits of the new reporting structure and efficacy of the guidance.

Impact Assessment

Question 9: Do you have any further information/views on costs and benefits related to the proposals in this consultation?

High level statistics

There were (33) responses to this question.

Yes: 41%

No: 59%

Key themes:

- **Streamlining of reporting welcomed as an overall efficiency saving, albeit with varying cost and resource reductions**
- **Efficiency savings questioned over ASR, AQAP template, the new PM_{2.5} role and quality control checks on monitoring equipment. Calls for a review of the new system, once in operation for a while, in order to better inform costs and benefits**

The overall scope of the changes was welcome as an efficiency saving, with the reduction in reporting seen as likely to reduce the burden on local authorities, albeit to varying degrees, both financially and in terms of officer resources. It was in the detail that the benefits of the proposals were questioned, especially around the government's assumption that the need to monitor would be reduced as much as projected without it having an impact on the authority's ability to identify areas where mitigation may be used to improve air quality. Also, many felt that the overall workload reduction was too optimistic.

Key issues raised were:

An over-estimate of the number of existing Updating and Screening Assessments (USAs) and Progress Reports (PRs), the assumption being that each of these reports would be submitted annually, when in a normal three-year cycle, only one USA and two PRs would be submitted. The 'present value' cost savings from not producing these reports, including Detailed Assessments, was stated as £13m in the Impact Assessment. It was queried how such savings could be realised when all the reports to be removed would merely be included in the ASR.

An over-estimate of the benefits of using the AQAP template: Some respondents felt that the AQAP template was unlikely to bring benefits to local authorities, especially those taking a community focused approach.

Resource issues: a number of respondents considered the streamlining of reporting to translate into an overall cost-benefit, though the full measure of the impact could not be realised until sometime into the implementation of the new system. Despite this, concerns were raised over the potential for added costs in relation to the ASR and the reporting of PM_{2.5}, which is a new requirement.

PM_{2.5} role: a number of responses concerned the scope of the new PM_{2.5} role and, considering that there is no recognised safe level of exposure to fine particulates, how long it would be before government compelled local authorities to undertake PM_{2.5} monitoring.

Also, additional costs might arise in relation to the PM_{2.5} role and these will vary considerably between local authorities based on progress already made on this issue to date, availability of existing local data, level of buy in from public health officers and so on.

Service checks of monitoring instruments: Some respondents raised concerns about the recommendation in Technical Guidance to carry out QA/QC checks every six months on monitoring equipment, which would add additional costs to the upkeep of each monitoring station.

Inevitably there was some cross-over in responses, which have been dealt with in other sections of the summary of responses, notably on the revised policy and technical guidance and the new PM_{2.5} role.

Government response to Impact Assessment

Overestimate of savings: Despite the high level of interest and engagement during the consultation process, it has not been possible to gather enough information to be able to change the central estimates in the Impact Assessment. We recognise that costs will vary depending on individual circumstances, but the lack of new quantitative data has meant that the estimates cannot be updated further. However, in response to the comments challenging the estimated administration savings arising from the introduction of ASR and AQAP templates, a detailed list (see Annex 1) is provided, which presents the changes contributing to the overall burden reductions.

On the overestimate of USAs, PRs and other reports: whilst the numbers in the Impact Assessment are presented annually, the modelling assumes the correct frequency of submissions (i.e. that USAs are required every 3 years).

Service checks on monitoring instruments: the recommendation in Technical Guidance to periodically service monitoring instruments by the manufacturer or an approved service unit every six months and within three weeks of the independent QA/QC audit is recommended to ensure local authorities are confident in the results of AQ monitoring. However, the need to carry out AQ monitoring or to undertake QA/QC is not mandatory.

Additional cost/resources required for ASR and PM_{2.5} role: we recognise that while there will be some costs to local authorities as they need to complete the new report, there will be annual cost savings from the reduced reporting burden. As the general size of the ASR will be significantly lower compared to the combined size of all the previous individual reports, officers will need less time to complete them and will subsequently free up resources. Time savings should also be realised due to the clearer and more consistent reporting process and the elimination of repetitive text.

On the AQAP template: a single template will reduce the time spent in producing an AQAP and should result in reduced costs. We estimate a maximum 10% reduction in local authority time/resources but this will depend of course on each authority.

In terms of monitoring/modelling costs in relation to the new PM_{2.5} role, we do not intend for local authorities to incur new costs relating to local monitoring and modelling as these will be provided at the national level. Local monitoring of air pollution is encouraged but not compulsory. The new PM_{2.5} role is in its introductory stage and we are keen to hear from authorities in their ASRs how they interpret this role on the basis of local circumstances and priorities.

Attached at Annex 1 is a spreadsheet detailing the expected reduction in the administration burden as a result of using the ASR and AQAP templates. The percentage reductions are cited for the purpose of comparison only and were not directly used to estimate the numbers in the Impact Assessment.

5. Next steps

The revised approach to LAQM reporting will be in place from mid-2016. In the first year, submission of the Annual Status Report will be required by 30 June. An initial review of the system is likely to take place later this year.

Annex 1 – Administration Burden Reduction Estimates

Annual Status Report template

List of changes contributing to admin burden reduction for local authorities	LA Admin Burden	Significance	% Change (Min)	% Change (Max)
General: Size of report template halved (30 pages) compared to USA or PR templates (both around 60 pages)	Decrease	Medium	-5%	-10%
Reporting simplification - 1 single ASR combining the requirements of USA/PR and Detailed Assessment reports	Decrease	Medium	-5%	-10%
For local authorities with AQMAs - Action Plan Progress Report combined with ASR - Although was already recommended for R&A Progress Report, this will now be systematic and will avoid local authorities submitting separate AQAP PR. Also means that local authorities will be able to submit all reports (although still excluding AQAPs) via the Report Submission Website (previously not possible for AQAP PRs)	Decrease	Low	-2%	-5%
Local authorities allowed to declare AQMAs without waiting for further information (previously dealt with in Detailed Assessments) if sufficient information (monitoring, screening assessment) available. Detailed dispersion modelling or additional monitoring may still be required if current monitoring or any screening assessment is not deemed sufficient, but will be appended to the ASR. This means that local authorities will be able to declare AQMAs and immediately focus on Action Plan measures	Decrease	High	-10%	-20%

List of changes contributing to admin burden reduction for local authorities	LA Admin Burden	Significance	% Change (Min)	% Change (Max)
Reporting of Carbon Monoxide, Benzene, 1-3 Butadiene or Lead dropped. The reduction in admin burden is however expected to be Low as most local authorities do not monitor these pollutants anymore	Decrease	Low	-2%	-5%
Sections removed compared to USA/PR report templates: (most of Section 1 introduction - including summary of previous Rounds of R&A), streamlining the reporting requirements	Decrease	Medium	-5%	-10%
Long section on new local developments (especially in USA report) streamlined - Local authorities will now only need focus on reporting significant changes likely to have an impact in an Appendix	Decrease	Medium	-5%	-10%
AQMA information (maps, details) streamlined in ASR, replaced by link to the AQMA website (http://uk-air.defra.gov.uk/aqma/) for further information	Decrease	Low	-2%	-5%
NO2 monitoring data reporting streamlined (merging of automatic/non-automatic monitoring results)	Decrease	Low	-2%	-5%
Incentive to report on PM2.5 to tie in with Public Health Outcome Framework	Increase	Medium	5%	10%
"Public Facing" exec summary to ensure the ASR is more outward facing - focusing on key actions to tackle air pollution	Increase	Medium	5%	10%
Total Reduction			-28%	-60%

Overall, we feel that the % reduction (time/resources) is likely to be between **30%-40%** (60% likely to be overly optimistic)

AQAP Report Template

List of benefits contributing to burden reduction for local authorities	LA Admin Burden	Significance	% Change (Min)	% Change (Max)
No template available beforehand. The template will guide local authorities to produce their AQAP, making sure they focus on key information and avoid reporting on unnecessary information. It will also allow standardise the size, structure and content of all AQAPs across England, making the appraisal process easier	Decrease	Medium	-5%	-10%
Template populated with standard text to reduce LA reporting wherever possible	Decrease	Medium	-5%	-10%
Supporting technical evidence previously provided in Further Assessments (source apportionment, reduction required to comply with AQ objectives) or standalone reports (quantitative appraisals of AQAP measures) will need to be included within AQAPs	Increase	Medium	5%	10%
Total Reduction			-5%	-10%

Overall, we think the gain is likely to be around **10% maximum and possibly less** - the reason is that information previously included within Further Assessments will now need to be included as part of AQAPs - including more detailed dispersion modelling to quantify the reduction of action plan measures.

Annex 2 – List of respondents⁴

Aether UK
Air Quality Consultants Employee
Air Quality Consultants Ltd.
Ashfield District Council
Atkins Ltd
Autogas Ltd
Babergh District Council & Mid Suffolk District Council
Barnsley Metropolitan Borough Council
Bath and North East Somerset Council
British Heart Foundation
Cambridge City Council
Cambridgeshire County Council
Carmarthenshire County Council
City of Wolverhampton Council
City of York Council
Client Earth
Cornwall Council
Darlington Borough Council
Dartford Borough Council
Dudley Council
Eastleigh Borough Council
Elmbridge Borough Council
Environmental Health
Environmental Protection UK
ESU1 Ltd
Fenland District Council
Forest Heath D.C.
Hartlepool Borough Council
Healthy Air Campaign
Henley in Transition and South Oxfordshire Sustainability
Huntingdonshire District Council
Institute of Air Quality Management (IAQM)
Ipswich Borough Council
Lancaster City Council
Leicester City Council
London Sustainability Exchange
Middlesbrough Borough Council

⁴ List excludes the names of individuals in accordance with Defra consultation guidance, including those who requested anonymity

New Forest District Council
Newark & Sherwood District Council
Norfolk Environmental Protection Group (LAQM)
North Hertfordshire District Council
Northumberland County council
Nottingham City Council
Oxford City Council
Perth & Kinross Council
Redcar and Cleveland Borough Council
Rossendale Borough Council
Rotherham MBC
Rushcliffe Borough Council
Sefton MBC
Sevenoaks District Council
Sheffield City Council
South Lakeland District Council
South Oxfordshire District Council
Stevenage Borough Council, Environmental Health
Stockton on Tees Borough Council
Stoke on Trent City Council
Suffolk Coastal and Waveney District Councils
Surrey Transport Plan
Sustainable Wallingford
The Chartered Institute of Environmental Health
Tonbridge and Malling Borough Council
Transport for Greater Manchester
UKLPG
Walsall Metropolitan Borough Council
Wiltshire Council
Worcestershire Regulatory Services