

Local Authority:	<b>Bracknell Forest Borough Council</b>
Reference:	<b>ASR23-1651</b>
Date of issue	<b>July 2023</b>

## Annual Status Report Appraisal Report

The Report sets out the Annual Status Report, which forms part of the Review & Assessment process required under the Environment Act 1995 and subsequent Regulations.

Bracknell Forest Borough Council (BFBC) have declared two Air Quality Management Areas (AQMA) across the district: The Bracknell AQMA and the Crowthorne AQMA. Both were declared in 2011 for exceedances of the annual mean NO<sub>2</sub> Air Quality Objective (AQO). The Bracknell AQMA covers the A322 Bagshot Road and Downshire Way from Berkshire Way to Junction with B3430. The Crowthorne AQMA covers part of the B3348 High Street and part of Sandhurst Road.

BFBC have reviewed both AQMAs and the potential to revoke the AQMAs. However, as LAQM.TG22 states "the AQMA should be considered following three consecutive years of compliance" BFBC state that due to the 2020 and 2021 data being affected by COVID-19, only one year of the three consecutive years below the 36 µg/m<sup>3</sup> limit can be considered, and that two further years of data is needed before revoking both AQMAs. It should be noted that for the Bracknell AQMA NO<sub>2</sub> concentrations have been below the annual average NO<sub>2</sub> AQO since 2018 and have shown a downward trend into 2022.

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.

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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 Guidance 2022 for more information.

The Crowthorne AQMA showed exceedances of 36 µg/m<sup>3</sup> in 2019 and along with the data in 2020 and 2021 it is considered that further data is needed to ensure there is sufficient data in the Crowthorne AQMA before it can be revoked.

The LAQM Covid Guidance note states: Where 2020 is one of many (i.e. at least three) consecutive years of compliance, this may still be considered for revocation where the supporting evidence is considered suitably robust. If authorities wish to make any changes to AQMAs, whether declaration, amendment or revocation, based upon 2020 data, please contact the LAQM Helpdesk to discuss your approach.

Bracknell Forest Borough Council undertakes automatic monitoring at one site within the AQMA. Monitoring is completed for NO<sub>2</sub> and PM<sub>10</sub>. None of these sites recorded exceedances of the relevant AQOs. Bracknell Forest Borough Council also carried out monitoring with 'Low Cost Sensors' (Vortex) at 14 selected schools between February 2022 and 2023, for a minimum of 3 months at each school. While these low cost sensors provide a useful indication of pollutant concentrations, as they are not an established reference method sensor, they cannot be used to inform LAQM decisions, which is referenced in the report. It is recommended that results from this monitor are included as a separate appendix. Further information on the use of Low Cost Sensors is included within this FAQ: <https://laqm.defra.gov.uk/faqs/faq140/>

Non-automatic (passive) monitoring of NO<sub>2</sub> was conducted at 26 sites during 2022, including one site where a colocation triplicate study was undertaken with the automatic monitor. No exceedances of the annual mean NO<sub>2</sub> objective were recorded. The ASR states that overall, there has been a slight increase in annual mean concentrations of NO<sub>2</sub> in 2022 compared to 2021, bar one monitoring site. However, all 2022 concentrations were below the pre-pandemic 2019 concentrations.

Some QA/QC procedures have been applied with details of automatic monitoring QAQC procedures as well as passive monitoring. A local bias adjustment factor was used, however no clear justification provided. The report provides a clear breakdown of historical data (and maps) of each monitoring site in detail. Annualisation has also been undertaken at all required sites, however there seems to be some minor discrepancies on the methodology

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used. Concentrations for PM<sub>2.5</sub> based on the monitored PM<sub>10</sub> data is also provided which is commended.

There is an appropriate level of detail on the Progress and Impact of Measures to address air quality, though this could be more specific to the measures taken during 2022 to tackle air quality within table 2.2 which replicates much of the data in the 2022 ASR. Although sufficient information on the ongoing measures and measures to be progressed and discussed outside of Table 2.2. Priorities during the next reporting year are clearly outlined.

The report contains discussion on existing measures to improve air quality that would also act to reduce PM<sub>2.5</sub> emissions.

The ASR has been signed off by the director of public health.

On the basis of the evidence provided by the local authority the conclusions reached are **acceptable** for all sources and pollutants. Following the completion of this report, Bracknell Forest District Council should submit an Annual Status Report in 2023.

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## Commentary

The report is well structured, detailed, and provides some information specified in the Guidance. The following comments are designed to help inform future reports.

1. The Annualisation undertaken for the four diffusion tube sites has not been undertaken in accordance with LAQM.TG.22 with no automatic monitoring data provided for the automatic sites used in annualisation for 2023 and stops at the end of 2022. Future reports should ensure that annualisation should cover the entire monitoring period rather than annual year date.
2. Valid Data Capture for 2022 and for the monitoring period do not align. This is likely due to the “Valid Data Capture for 2022% which is calculated in the DTDPT calculating for all monitoring periods based on the Defra Diffusion Tube Calendar rather than the 2022 calendar year. Where there is no change in the monitoring periods, for example a site being added or removed partway through the year then the “Valid Data Capture for Monitoring Period” and “Valid Data Capture 2022” should be the same. This should be updated in future reports.
3. There is justification to revoke the Bracknell AQMA despite the ASR stating a further two years of data is required. Although TG.22 states three consecutive years, BFBC have stated that data from 2020 and 2021 should be excluded in this period. This would still give three years below the AQO, however the trends in data showing a decrease from 2018 at all monitoring sites in the AQMA. As such there is considered sufficient evidence to suggest that NO<sub>2</sub> concentrations will not be exceeded in the Bracknell AQMA. Although there is merit in the exclusion of data from 2020 and 2021 due to COVID, given the concentrations within the Bracknell AQMA prior to 2020 and the increase between 2022, 2021 and 2020 with all results still well below the AQO, there is sufficient data to revoke the AQMA. It is considered that three consecutive years of data from 2022 is not necessary to revoke the AQMA. The 2024 ASR should look to revoke the Bracknell AQMA or discuss the data with the LAQM Helpdesk for support.
4. BFBC should confirm if the information on UK-Air regarding their AQMAs is up to date however this should be reviewed as the description of the AQMA on the LAQM portal and in the 2023 ASR compared to UK-Air differs slightly.
5. Table 2.2 Progress on measures should be regularly updated, the details within the 2023 ASR are similar to the 2022 ASR despite many measures being progressed. It

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should also be noted that BFBC AQAP is to be developed over the next year, this is welcomed.

6. No justification over the selected bias adjustment factor is provided. Although the National and local factor are very similar, given the trend over the last 5 years with three using the National Factor and now two years using the local bias adjustment factor, additional justification as to the reason one is selected should be provided in future reports.
7. Trends of annual mean NO<sub>2</sub> concentrations are clearly presented in detail and discussed and a robust comparison with air quality objectives is provided.
8. Maps of the diffusion tube network are clear and comprehensive, showing the AQMA boundaries and monitoring undertaken in this area.
9. Measures to address PM<sub>2.5</sub> are detailed within the ASR.
10. Monitoring of PM<sub>2.5</sub> at 14 schools was undertaken in 2022, although this was undertaken using 'low cost sensors' the results would be welcomed in an additional appendix in future reports.
11. It is not clearly stated whether Diffusion Tubes have been deployed in line with the Defra Calendar. Please clearly state this in future ASRs.
12. The ASR has been signed off by a director of public health, this is welcomed.

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 Progress 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 Assembly Government, Scottish Government or DOE.**

For any other queries please contact the Local Air Quality Management Helpdesk:

Telephone: 0800 0327 953

Email: LAQMHelpdesk@uk.bureauveritas.com

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## **Appraisal Response Comment Form**

Contact Name:	
Contact Telephone number:	
Contact email address:	

**Comments on appraisal/Further information:**

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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: [laqmhelpdesk@uk.bureauveritas.com](mailto:laqmhelpdesk@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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