

Worthing Air Quality Action Plan

Report by the Director for Communities

1.0 Summary

- 1.1 A draft Action Plan for the Grove Lodge/Lyons Farm Air Quality Management Area was released for public consultation in October 2015. As a result of feedback during the consultation a number of amendments have been made to the Action Plan, which is now ready for publication.

2.0 Background

- 2.1 In 2010, Grove Lodge (A27 Upper Brighton Road) was declared an AQMA as levels of Nitrogen Dioxide (NO₂) above the national annual mean objective of 40µg/m³ were measured in the area. At that stage, a draft Air Quality Action Plan was drawn-up.
- 2.3 Additional monitoring revealed that levels at Lyons Farm and Grove Lodge remained above the national annual mean objective. A Further Assessment of air quality in and around the Grove Lodge AQMA confirmed that levels of NO₂ were predicted to continue to exceed the objective in the area around Lyons Farm, Grove Lodge (A27) and Offington Corner (A27/A24 junction). Consequently, following a period of consultation, the AQMA was extended and the 'Worthing Borough Council Air Quality Management Area No.2' came into force on 15th December 2014.
- 2.4 Part IV of the Environment Act 1995 requires local authorities that have designated an Air Quality Management Area (AQMA) to complete an Air Quality Management Plan detailing how air quality will be improved. Therefore a plan was drafted during 2015. The Plan sets out measures devised to try to deliver improvements to air quality by reducing pollution emitted from vehicles and the amount of traffic passing through the AQMA. Being a strategic route linking Kent with Hampshire, this will be a challenging task. The Plan includes actions specifically targeted at Lyons Farm, Grove Lodge and Offington Corner and measures that will affect the Borough as a whole.

2.5 The Plan was subject to a four week period of Public Consultation and advertised on the front page of the Council's website, with a link to the Plan. The Plan was also consulted upon internally and the following external bodies were consulted.

- ❑ West Sussex County Council
- ❑ Highways England
- ❑ South Downs National Park Authority
- ❑ Neighbouring local authorities – Adur District Council (internally), Arun District Council, Brighton and Hove City Council and Horsham District Council
- ❑ Sussex-air (which comprises all Sussex Districts and County/Unitary Councils).

The draft Action Plan was also sent to Defra.

2.6 Results of Consultation

Comments were received from Adur & Worthing Planning Policy, West Sussex County Council Highways, Highways England and Brighton & Hove City Council. No comments were received from members of the public.

- ❑ Adur & Worthing Planning Policy made suggestions on the wording of the planning policies summarised and a change to the matrix outcome for planning policy.
- ❑ West Sussex County Council Highways made a number of comments relating to various action plan proposals including Low Emission Zone feasibility, traffic light sequencing, encouraging alternative travel modes, public information and signage. They also clarified a number of points relating to traffic counters and traffic signals and expressed concerns about the impact of any Low Emission Zone on HGV routes through Worthing.
- ❑ Highways England made a few technical corrections and suggested the impact of traffic signal linking may not be high as they are already linked and optimised.
- ❑ Brighton & Hove City Council highlighted the probable lack of resources to successfully deliver the measures outlined in the Plan. They also suggested joint grant bidding and project working. Other comments related to measures we could consider under our action plan heading (e.g. controls on planning permissions, bio gas transport, links to public health). They also suggested lobbying Highways England to recognise NO₂ compliance on their trunk road as a priority.

3.0 Proposals

3.1 The comments received during the consultation have been noted and minor amendments to the Action Plan have subsequently been made. The Plan, whilst impacting on other areas of the Council, is primarily the responsibility of the Wellbeing Directorate.

3.2 The Action Plan must now be agreed by the Executive Member for the Environment.

4.0 Legal

4.1 Section 84(2) of the Environment Act 1995 states that where a Local Authority has declared an Air Quality Management Area it shall be a duty to

Prepare a written plan (in this Part referred to as an “action plan”) for the exercise by the authority, in pursuit of the achievement of air quality standards and objectives in the designated area, of any powers exercisable by the authority.

Section 84(3) states that

An action plan shall include a statement of the time or times by or within which the local authority in question proposes to implement each of the proposed measures comprised in the plan.

Section 84(4) states that

The Local Authority can revise the Action Plan as and when deemed necessary.

A copy of the Action Plan must also be submitted to HM Government (Defra).

5.0 Financial implications

5.1 A large proportion of the Actions are to be undertaken by external partners incurring no cost to the Local Authority.

The Plan requires many actions that will involve a cost to the Local Authority. Many of the Actions are already being implemented under existing budgets. There will be costs associated with ongoing monitoring, such as the maintenance of equipment. Other costs of an as yet unknown quantity may arise as the Action Plan progresses and these will be reported as and when they occur.

6.0 Recommendation

6.1 The Executive Member is recommended to agree the Worthing Air Quality Action Plan.

Local Government Act 1972

Background Papers:

Worthing Air Quality Management Area

<http://www.adur-worthing.gov.uk/environmental-health/pollution/air-quality-and-pollution/local-air-quality-management/#upper-brighton-road-worthing>

Grove Lodge AQMA Further Assessment

<http://www.adur-worthing.gov.uk/media/media.123938.en.pdf>

Draft Air Quality Action Plan <http://www.adur-worthing.gov.uk/media/media.136519.en.pdf>

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Schedule of Other Matters

1.0 Council Priority

- 1.1 **A mixed economy of Partnership working** - 2) Work more closely with and commission our communities, the voluntary sector, public organisations, business and commercial sectors to: Deliver interventions that improve the health of our communities.
Protecting front line services - 3) Adopt more sustainable ways of delivering services.

2.0 Specific Action Plans

- 2.1 The Action Plan aims to contribute towards compliance with the NO₂ Annual Mean Objective as set out in the Air Quality (England) Regulations 2000 (SI 928) and The Air Quality (England) (Amendment) Regulations 2002 (SI 3043)

3.0 Sustainability Issues

- 3.1 Matter considered and no issues identified

4.0 Equality Issues

- 4.1 The Action Plan seeks to improve air quality in the Air Quality management Area, thereby enhancing the quality of life for those residing and working within the area.

5.0 Community Safety Issues (Section 17)

- 5.1 Matter considered and no issues identified

6.0 Human Rights Issues

- 6.1 Matter considered and no issues identified

7.0 Reputation

- 7.1 There is likely to be an adverse impact on the reputation of the Council if it fails to comply with its statutory duties. The Action Plan is a legal requirement. Furthermore we need to be protecting the health of our residents and visitors.

8.0 Consultations

- 8.1 (A) Details of consultation are contained in paragraphs 2.5 and 2.6 of the report.
(B) The comments received have been noted and minor amendments to the Action Plan have subsequently been made.

9.0 Risk Assessment

- 9.1 Doing nothing would mean failure to comply with our statutory duty in Section 84(2) of the Environment Act 1995 to devise an Action Plan following declaration of an Air Quality Management Area (AQMA).

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified

11.0 Procurement Strategy

11.1 Matter considered and no issues identified

12.0 Partnership Working

12.1 The Action Plan promotes working in partnership with several external partners - West Sussex County Council, Highways England and other Sussex Authorities. It also recognises and promotes working with other Council Departments to deliver air quality improvements, such as Planning Policy, Development Control and Car Parking.