

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 09 October 2017

Portfolio:	Health and Public Protection
Subject:	Update on National and Local Air Quality Action Plans
Report of:	Director of Planning and Regulation
Strategy/Policy:	Air Quality Assessment Strategy
Corporate Objective:	Protect and Enhance the Environment A Safe and Healthy Place to Live and Work

Purpose:

The purpose of this report is to inform Members of the implications of the revised National Air Quality Plan (UK Plan for tackling roadside nitrogen dioxide concentrations) recently published by the Department for the Environment Food & Rural Affairs (DEFRA). Additionally, this report proposes to make two Air Quality Management Area (AQMA) amendment orders, as a result of the annual mean objective for nitrogen dioxide (NO₂) not being achieved at additional properties outside both the existing AQMAs, in accordance with our local air quality responsibilities.

Executive summary:

The UK Government is required under the Environment Act 1995 to produce a National Air Quality Plan. The Plan sets out the United Kingdom's air quality objectives and recognises that action at national, regional and local levels may be needed, depending on the scale and nature of the air quality problem. The United Kingdom's revised National Air Quality Plan was recently published by DEFRA. This Plan identifies 29 local authorities with persistent pollution exceedances (based on computer air pollution monitoring) that are required to undertake local action to achieve statutory NO₂ compliance within the shortest possible time.

Fareham Borough Council is highlighted as one of the Authorities that must produce a targeted local plan. The area of road identified is from the M27 Motorway Junction 11 down to the A27 Market Quay 'through-about' and along the A27 to the Station roundabout. To that end, DEFRA issued a Compliance Directive on Fareham Borough Council, along with the other identified Authorities.

This Direction requires the Authority to undertake and submit a Feasibility Study (Initial Plan) to identify the option which will deliver compliance with legal limits by 31 March 2018 at the latest. The Authority must also submit a Final Plan by 31 December 2018 which must identify the preferred option to deliver compliance.

The Government is funding this work.

A further report detailing the initial Plan for approval will be considered by the Executive on 5 March 2018, with a further report detailing the Final Plan being reported to the Executive in time for the December 2018 deadline.

In addition, local authorities have statutory duties for Local Air Quality Management (LAQM) under the Environment Act 1995. They are required to carry out regular reviews and assessments of air quality in their areas, against the national air quality objectives. Where it is found that these objectives are unlikely to be met, local authorities must designate AQMAs and prepare and implement Air Quality Action Plans (AQAP) to tackle the air pollution. An AQMA was declared for an area of the Gosport Road Fareham in 2006 (see Appendix A) and for Portland Street Fareham in 2007 (see Appendix B). Both were declared for exceedances of the annual mean objective for NO₂ due to traffic emissions. The 2016 air quality Annual Status Report (ASR) for the Council has been approved by DEFRA and concludes that the Council needs to extend both existing AQMAs for NO₂ due to traffic emissions in the area of Gosport Road, Fareham and Portland Street, Fareham.

Over the next year as the targeted plan to meet the Compliance Directive is developed, it will be integrated with the Authority's existing local Air Quality Action Plan.

Recommendation:

It is recommended that the Executive agrees that:

- (a) the implications for Fareham of the recently published National Air Quality Action Plan be noted;
- (b) the member led steering group on air quality be re-established together with a technical Officer group; and
- (c) the following Air Quality Management Areas; Gosport Road Fareham and Portland Street Fareham be extended as detailed in Appendices C and D to the report and that they are declared operational on 1 November 2017 with the signing of the AQMA amendment orders attached as Appendices E and F to the report.

Reason:

The recently published National Air Quality action plan identifies Fareham as having to take specific action in respect of this plan, the member led steering group will need to be re-established together with a technical Officer group to help to ensure the requirements of the Compliance Directive are met.

The results in the Annual Status Report for 2016 for both existing AQMAs, indicate that the annual mean NO₂ concentrations at various houses close to the road will exceed the annual objective. Defra has approved the results of the assessment and the Environment Act 1995 now requires the Council to extend the two existing AQMAs.

Cost of proposals:

The ultimate actions determined by the feasibility work will have significant cost implications, however it is anticipated that this will be met by funding from central government. The cost of the initial feasibility work has ready been granted to the Council by DEFRA.

The amendment of the existing AQMAs can be met within existing budget limits. The Council continues to use diffusion tubes throughout the Borough and operate two monitoring stations within existing budget limits; Hampshire County Council (HCC), Defra and the developer of the Quay Street roundabout retail site, have all provided additional funding for the purchase and operation of two air quality monitoring stations and other air quality projects, over the years.

Appendices:

- A:** Gosport Road AQMA 2006
- B:** Portland Street AQMA 2007
- C:** Extended Gosport Road AQMA 2017
- D:** Extended Portland Street AQMA 2017
- E:** AQMA Order (A) Gosport Road
- F:** AQMA Order (B) Portland Street

Background papers:

None

Reference papers:

www.phoutcomes.info

Report to the Public Protection Policy Development and Review Panel - 17 March 2017

Fareham and Gosport EH Partnership - Local Air Quality Management- Updating and Screening Assessment 2015

Fareham and Gosport EH Partnership - Local Air Quality Management- Annual Status Report with detailed modelling 2016

LAQM Policy Guidance (PG16) – 2016

LAQM Technical Guidance (TG 16) – 2016

The Mortality Effects of Long Term Exposure to Particulate Air Pollution in the UK - COMEAP (2009)

Estimating Local Mortality Burdens associated with Particulate Air pollution - PHE - April 2014

The Lancet, Living Close to busy roads, air pollution and dementia - Jan 2017

Air Quality Bulletin January 2017

Royal College of Physicians and Royal College of Paediatrics and Child Health -
Every breath we take: the lifelong impact of air pollution - February 2016

Improving air quality in the UK: tackling nitrogen dioxide in our towns and cities (Draft
UK Air Quality Plan for tackling nitrogen dioxide) - May 2017 - Defra and DfT

Draft UK Air Quality Plan for tackling nitrogen dioxide Technical Report - May 2017 -
Defra and DfT

Clean Air Zone Framework - May 2017 - Defra and DfT

NICE guideline - Air pollution: outdoor air quality and health (NG70) - June 2017 -
National Institute for Health & Care Excellence

The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations - July 2017 -
Defra and DfT

FAREHAM

BOROUGH COUNCIL

Executive Briefing Paper

Date:	09 October 2017
Subject:	Update on National and Local Air Quality Action Plans
Briefing by:	Director of Planning and Regulation
Portfolio:	Health and Public Protection

INTRODUCTION

1. The 2008 Ambient Air Quality Directive (2008/50/EC) set legally binding limits for levels of major pollutants that impact public health such as certain particulates and nitrogen dioxide (NO₂). Compliance was originally required by 2010 and later extended until 2015.
2. The UK government are required under the Environment Act 1995 to produce a national air quality plan. The plan sets out the UK's air quality objectives and recognises that action at national, regional and local level may be needed, depending on the scale and nature of the air quality problem.
3. Part IV of the Environment Act 1995 requires local authorities in the UK to review air quality in their area and designate air quality management areas if improvements are necessary. They are required to carry out regular reviews and assessments of air quality in their area against national objectives. Where it is found that these are unlikely to be met, local authorities must designate Air Quality Management Areas (AQMA) and prepare and implement Local Air Quality Action Plans (AQAP) to tackle the problem.

NATIONAL AIR QUALITY ACTION PLAN

4. In April 2015, the non-profit environmental law organisation ClientEarth won a Supreme Court ruling against the Government which ordered ministers to come up with a plan to bring down air pollution levels to within legal limits as soon as possible.
5. The plans were published and in November 2016 ClientEarth won another Supreme Court ruling that those plans were inadequate. Following consultation, the Government published a revised National Action Plan in July 2017.
6. This Plan based on an agreed computer air pollution modelling program identified 29 local authorities with persistent pollution exceedances that are required to undertake local action to achieve statutory NO₂ compliance within the shortest possible time. Of these, 5 are required to implement Clean Air Zones, the rest

must produce targeted local plans to address very specific areas where exceedances are likely.

7. Fareham Borough Council is highlighted as one of the Authorities that must produce a targeted local plan. The area of road identified is from the M27 motorway Junction 11 to the A27 Market Quay 'through-about' and along the A27 to the Station roundabout. To that end on 27 July 2017 the Department for the Environment Food & Rural Affairs (DEFRA) issued a compliance Directive on Fareham Bough Council, along with the other Authorities listed. This Direction requires the Authority to undertake and submit by 31 March 2018 a Feasibility Study (Initial Plan) to identify the option which will deliver compliance with legal limits. The Authority must also submit a Final Plan by 31 December 2018 which must identify the preferred option to deliver compliance. The Government is funding this work.
8. A further report detailing the initial Plan for approval will be considered by the Executive on 5 March 2018, with a further report detailing the Final Plan being reported to the Executive in time for the December 2018.

NATIONAL PLAN -V- LOCAL PLAN

9. Within the directive 2008/50/EC Annex III there are detailed instructions as to how and where air quality should be monitored. In broad terms, it should not be in any locations within areas where members of the public do not have access and there is no fixed habitation and; on the carriageway of roads and on central reservations of roads where there is no pedestrian access. This has resulted in local authorities not generally monitoring on major by-passes where there is no habitation or pedestrian access.
10. DEFRA has however in producing its National plan adopted a different interpretation or approach to the information contained in Annex III, which has resulted in the additional requirements on Fareham in respect of air quality on the stretch of road highlighted. This is over and above the air quality monitoring and review that has been carried out since 1995 under the Environment Act 1995 duty.

LOCAL AIR QUALITY ACTION PLAN

11. In respect of the Environment Act 1995 duty an AQMA was declared for part of the Gosport Road, Fareham on 1 April 2006. This followed detailed investigation of the air quality and the conclusion that levels of NO₂ due to traffic emissions exceeded the air quality objective for NO₂ of 40 ug/m³. An AQMA was declared for Portland Street, Fareham for similar reasons on 1 December 2007.
12. A joint AQAP for the two AQMAs was approved by the Executive on 8 December 2008 and by DEFRA in November 2009. The Executive recommended establishment of a Member-led steering group which met regularly until April 2015 to monitor and progress the actions in the AQAP. Partners such as Hampshire County Council provided updates for and attended these meetings. HCC continue to provide updates in respect of public transport and school and work travel planning actions. Other updates are provided by Fareham Borough Council employees.
13. The most significant developments in terms of the AQAP have been:

- the opening of the A27 Quay Street 'through about';
- the opening of the Eclipse busway for buses and cyclists;
- improvements to the Council's vehicle fleet;
- staff taking part in annual sustainable travel challenges;
- information on air quality on the Council's website including real time monitoring data;
- improvements to road infrastructure undertaken and planned such as the Peel Common roundabout, Longfield Avenue, The Avenue, Newgate Lane and the Stubbington bypass;
- opening of a bus lane on Western Way and a bus gate at Western Road;
- the provision of an additional air quality monitoring station at Portland Street, Fareham in addition to the stations at Tichborne Way, Gosport and Gosport Road, Fareham;
- improvements to the Fareham Station road-rail interchange;
- the development of an air quality and health leaflet;
- ongoing work with HCC school travel planning team and Friends of the Earth to display sustainable travel banners on the A32;
- working with HCC school travel planning team on monitoring air quality at schools and
- the provision of two charging points for electric vehicles at the Civic Way, Fareham, car park.

14. Since the last report to the Executive in June 2012, there have been several annual reports submitted to DEFRA in respect of Local Air Quality Monitoring (LAQM). As discussed below, there have been concerns that certain locations outside the existing AQMAs were showing elevated levels of NO₂ due to traffic emissions. Finally, the Updating and Screening Assessment 2015 (USA 2015), recommended that further investigation was required to assess these areas of concern.

UPDATING AND SCREENING ASSESSMENT 2012 (USA 2012)

15. The updated monitoring for 2011 indicated that the annual mean NO₂ objective was achieved at all monitoring locations. Therefore, a detailed assessment was not required at this stage.

PROGRESS REPORT 2013

16. The monitoring data for 2012 indicated that the annual mean NO₂ objective was achieved at all monitoring locations except for two sites, both of which were in the two existing AQMAs.

PROGRESS REPORT 2014

17. The monitoring data for 2013 indicated that the annual mean NO₂ objective was again achieved at all monitoring locations except for two in the existing AQMAs. However, it was also not achieved at one location outside the Gosport Road, Fareham AQMA. A similar result occurred in 2010 at this location; a resulting detailed assessment of air quality showed no exceedance at the façade of the nearest property and therefore the AQMAs were not adjusted. DEFRA approved that no further action would be required at this stage.

UPDATING AND SCREENING ASSESSMENT 2015

18. In 2014 monitoring data showed there were exceedances of the annual mean NO₂ objective at six monitoring locations within Fareham. Of these locations, three were located within the existing AQMAs and three were outside the AQMAs; two of these sites were associated with a relevant receptor, that is, a residential property.
19. The report recommended that the Council undertake a detailed assessment of air quality in the area to assess the current exposure at residential receptors close to both sites, and whether or not the existing AQMAs should be extended.

ANNUAL STATUS/DETAILED ASSESSMENT REPORT 2016

20. As stated above, the Council has been submitting LAQM reports to DEFRA for many years in accordance with policy and technical guidance. DEFRA released new guidance in 2016 which streamlined the reporting commitments of local authorities in respect of air quality review and assessment. The annual reports are now known as Annual Status Reports (ASR) and will include updates of any AQAPs.
21. Following a recommendation approved by DEFRA in the Council's 2015 Progress Report, the ASR 2016 for both Fareham and Gosport Councils, also included a detailed assessment of the air quality in the vicinity of both the existing AQMAs where exceedances of the annual NO₂ objective were observed.
22. The detailed assessment, using a dispersion modelling tool known as ADMS-Roads (Version 4.0), indicated that the 40ug/m³ annual mean objective for NO₂ was exceeded at 19 receptor locations beyond the boundaries of the current AQMAs, and therefore both AQMAs should be extended. The maximum annual mean NO₂ concentration predicted was 56.3 ug/m³ at a location outside the existing Gosport Road AQMA.
23. Based on an additional figure of nearly 120 residential and commercial properties located within the extended boundaries proposed for the AQMAs, it is estimated that around 310 additional residents are exposed to potential exceedances of the NO₂ annual mean objective.
24. As stated above, appendices C and D show the proposed extended AQMAs and Appendices E and F show the AQMA amendment orders which will be signed to ensure the declaration of the new AQMAs on 1 November 2017.
25. Apart from the extension of the two AQMAs, the ASR 2016, also included an update of the AQAP. The AQAP has been further updated for the latest ASR 2017 which was recently submitted to DEFRA for approval. It will be further updated when the measures to deal with the compliance directive are identified.

MONITORING OF NITROGEN DIOXIDE (NO₂) LEVELS

26. The Council continues to monitor NO₂ levels using both passive diffusion tubes and continuous monitoring stations at Portland Street, Fareham and Gosport Road, Fareham. A new three-year monitoring and service contract was established in April 2016 with a consultant and Gosport Borough Council, which will cover our two monitoring sites and the monitoring site at Fareham Road Gosport.

27. Diffusion tubes are now mainly located on the facades of residential properties where exposure is relevant. This year we appear to be receiving more concerns than ever regarding air quality which has resulted in some additional tubes being placed at houses. The concerns mainly relate to idling vehicle engines at, for example, general roadside locations, a taxi rank, vehicles queuing at traffic lights controlling roadworks, parents dropping off and collecting children to and from schools and traffic queuing in a workplace car park, close to a residential property.
28. The Council are working with Friends of the Earth and Hampshire County Council School Travel Planning team on projects to display sustainable travel messages on lamp column banners on the A32 (designed by local school children), and to run some tests for a few months on pollution levels at schools in Fareham and Gosport, using NO₂ diffusion tubes.

NEW RESPONSIBILITY FOR HAMPSHIRE COUNTY COUNCIL (AS LOCAL HIGHWAY AUTHORITY) FOR FINE PARTICULATE MATTER (PM_{2.5})

29. The 2016 LAQM policy guidance, introduced a new duty for local authorities to work towards reducing emissions of fine particulate matter (PM_{2.5}) as well as slightly larger particulate matter known as PM₁₀. The Council has been responsible for the latter since the start of the LAQM review and assessment process; there are no AQMAs declared for PM₁₀ in Fareham. There is clear evidence that PM_{2.5} has a significant impact on human health including premature mortality, allergic reactions and cardiovascular disease.
30. The Public Health Outcomes Framework (PHOF) data tool compiled by Public Health England (PHE) quantifies the mortality burden of PM_{2.5} within England and also on a County and local authority scale. In 2015, the fraction of mortality attributable to PM_{2.5} pollution across England was 4.7%; for Hampshire, 4.5%; Fareham 4.8%; Gosport 5.0%; Portsmouth 5.9%; Eastleigh 4.8% and Havant 5.1%.
31. PM₁₀ has not been considered an issue in Fareham in terms of an exceedance of the objective and is not monitored by the Council. This has been accepted by DEFRA. Using current DEFRA guidance, the current annual mean concentration for PM_{2.5} in Fareham has been estimated at 12.7ug/m³. This is below the national 2020 annual mean objective of 25 ug/m³, but the Council is still expected to look to reduce the level of this pollutant.
32. The AQAP actions to reduce NO₂ associated with traffic, will also assist in reducing PM_{2.5}. This will continue in the future particularly where we try to promote alternative methods of transport and cleaner vehicles.
33. In response to the challenges of reducing PM_{2.5} emissions and concentrations within the Borough, meetings have and will continue to be held, with a representative of the Director of Public Health at Hampshire County Council and Council officers from Fareham and Gosport Borough Councils including Environmental Health, Transport Planning and others with a public health role such as personnel involved with School and Work Travel Planning, Walking to Health, improving fitness etc. The current concentration of PM_{2.5} will be discussed, together with current and future actions that may assist in reducing this pollutant, for which there is no known safe level.

34. The Member-led steering group will be re-established to ensure the requirements of the Compliance Directive are met, together with a technical Officer group. It should be noted that Hampshire County Council (HCC) not least in their role as the Local Highway Authority, will be represented on these two groups, reflecting the key role that HCC will need to play in assisting this Council in formulating the initial and Final Plans.

FUTURE AIR QUALITY IMPROVEMENT ACTIONS IN FAREHAM

35. Due to the unique nature of the Gosport peninsula, the practical solution to the air quality problem on the A27 and the A32 is to improve road infrastructure and make further improvements to both public and sustainable transport methods, subject to available funding. These include:
- a) Ongoing improvements to the road/rail interchange at Fareham railway station to increase capacity and reduce congestion at key arterial junctions with a new cycle hub;
 - b) Works started in July 2017 at Newgate Lane South which will see the construction of a new alignment, further increasing capacity on the route, linking directly to the redesigned Peel Common roundabout, with completion expected in the Summer, 2018;
 - c) The construction of the Stubbington bypass to divert traffic around the outskirts of Stubbington and reduce journey time and peak hour congestion onto and off the Gosport peninsula;
 - d) The extension of the Eclipse busway to Welborne and beyond.
36. The Council is also reviewing the existing AQAP, published in 2008, with the assistance of an air quality consultant, in the next 6-12 months.
37. Following the recent publication of the National Air Quality Action Plan, the required feasibility study will be produced, and ultimately actions detailed to improve air quality in relation to the specified stretch of road; this will however have a knock-on effect for air quality generally. The identified 'preferred options' will be funded by central government and our local action plan will be amended to incorporate these, once known.

AMENDMENT ORDERS TO THE EXTEND THE EXISTING AQMAS

38. For the time being, the Council is required to sign the AQMA amendment orders in Appendices E and F in order for the new, extended AQMAS, to be declared on 1 November 2017.
39. All households and businesses in the existing and proposed AQMAS have been written to regarding the extension of the AQMAS, together with all other statutory consultees such as Highways England, HCC, local interest groups such as the Fareham Society and adjacent local authorities. The interested parties will be informed after the new extended AQMAS are in place.

RISK ASSESSMENT

40. Under the Environment Act 1995, Fareham Borough Council must continue to undertake reviews and assessments of air quality, to declare AQMAS where

appropriate and further pursue improvements in air quality through the AQAP to reduce levels of NO₂ and particulates. The government can take appropriate measures to enforce these requirements.

FINANCIAL IMPLICATIONS

41. The declaration of the new extended AQMAs will be met from existing budgets as will the ongoing cost of monitoring air quality, using diffusion tubes which are placed out and collected in-house and analysed by an external company and a three-year service, maintenance and data management contract for the two Fareham continuous air quality monitoring stations and the one station in Gosport.
42. As stated above, the review of the AQAP is being undertaken in conjunction with an air quality consultant as is the compilation of current and future air quality reports.
43. The compilation of the local plan, including a feasibility study under the new UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations, in respect of the defined stretch of the A27, by the end of March 2018, with final plans due by the end of 2018, may require an application to be made for funding to the £255M government Implementation Fund and/or the Clean Air Fund.

CONCLUSION

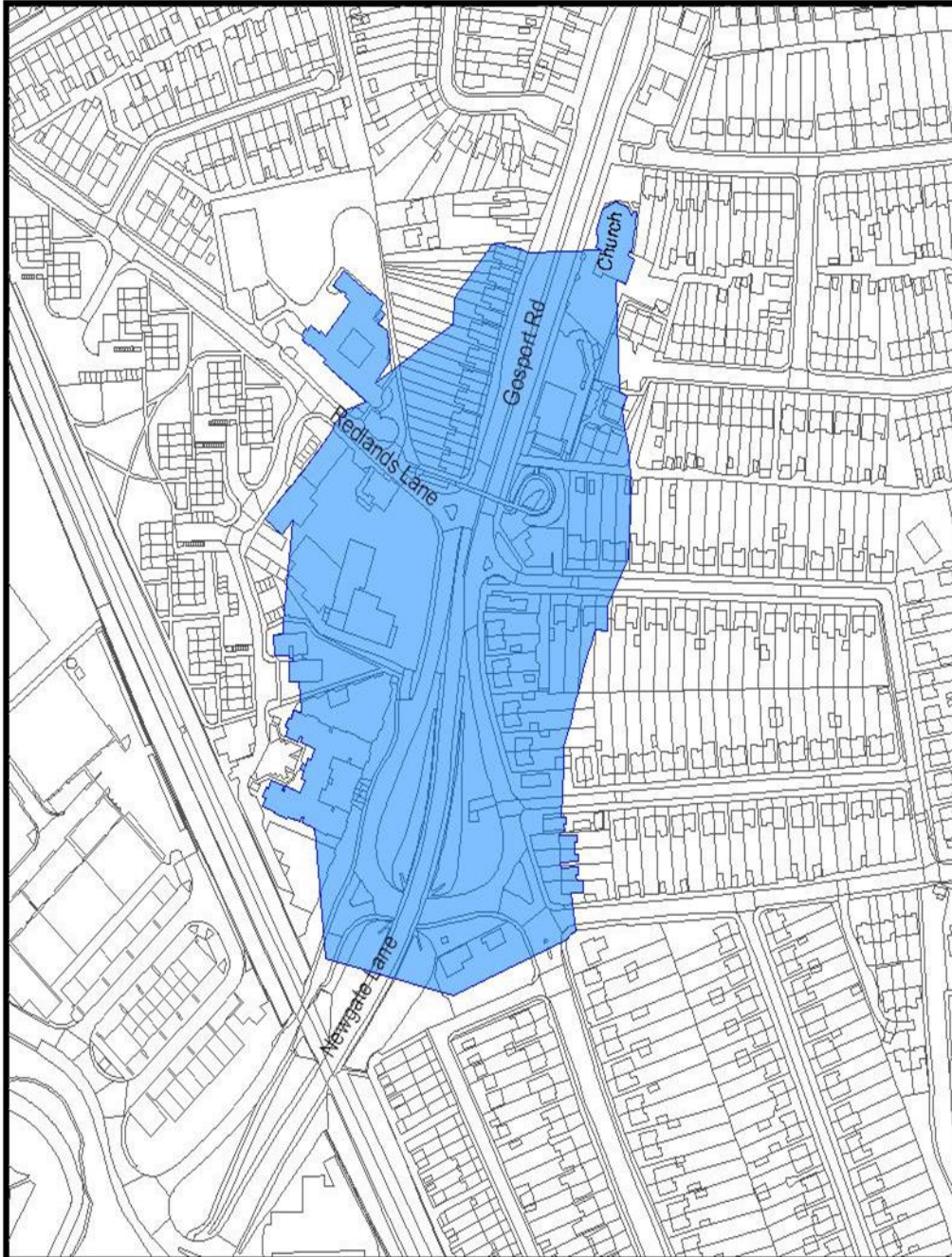
44. In response to the ASR 2016 detailed assessment of air quality in Fareham, the two existing AQMAs for NO₂ due to traffic emissions, are to be extended to include nearly 120 additional residential and commercial properties.
45. Subject to funding, the Council will continue to undertake NO₂ monitoring in the Borough using both diffusion tubes and two continuous monitors located on the Gosport Road, Fareham and on Portland Street, Fareham.
46. The Council will continue to ensure compliance as far as is reasonably practicable, with the timetable for submissions to DEFRA. ASRs will be published on the Council's website together with live data from the monitoring stations.
47. The Council will review and continue to progress the AQAP, seeking updates from HCC on a regular basis regarding public transport, road improvements, school and work travel planning and public health initiatives.
48. The Council will ensure that a draft local plan under the new UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations, in respect of the defined stretch of the A27, is submitted to DEFRA by March 2018, with final plans due by December 2018.

Enquiries: For further information on this report please contact Ian Rickman (0770227155).



FAREHAM BOROUGH COUNCIL

CIVIC OFFICES CIVIC WAY FAREHAM HAMPSHIRE



Fareham Borough Council
Air Quality Management Area 2006

Map Ref. AQMA 2006 (1)	Ref. Nitrogen Dioxide
Date 31st January 2006	Scale 1:2500

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FAREHAM BOROUGH COUNCIL

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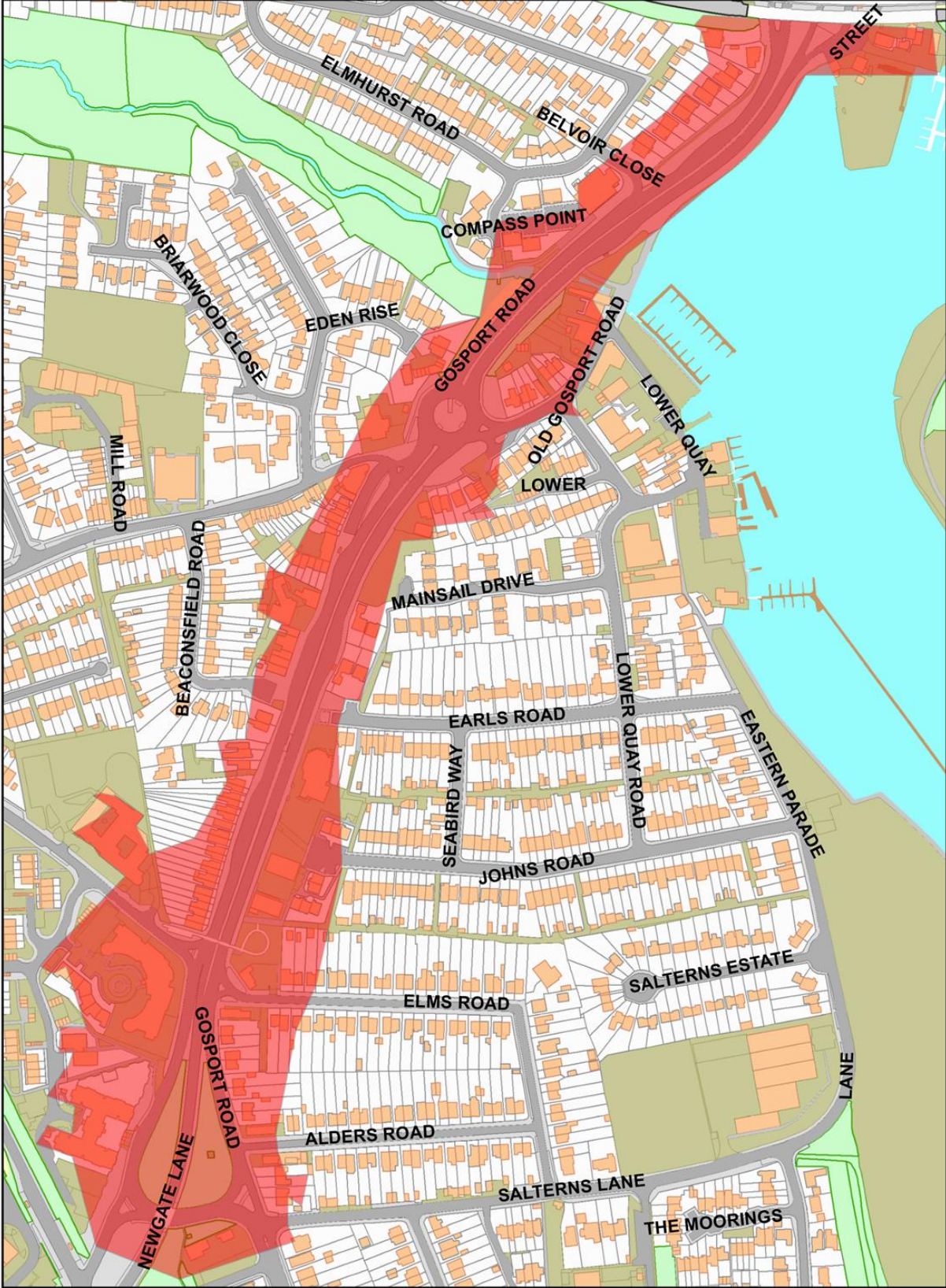


**Portland Street
Air Quality Management Area**

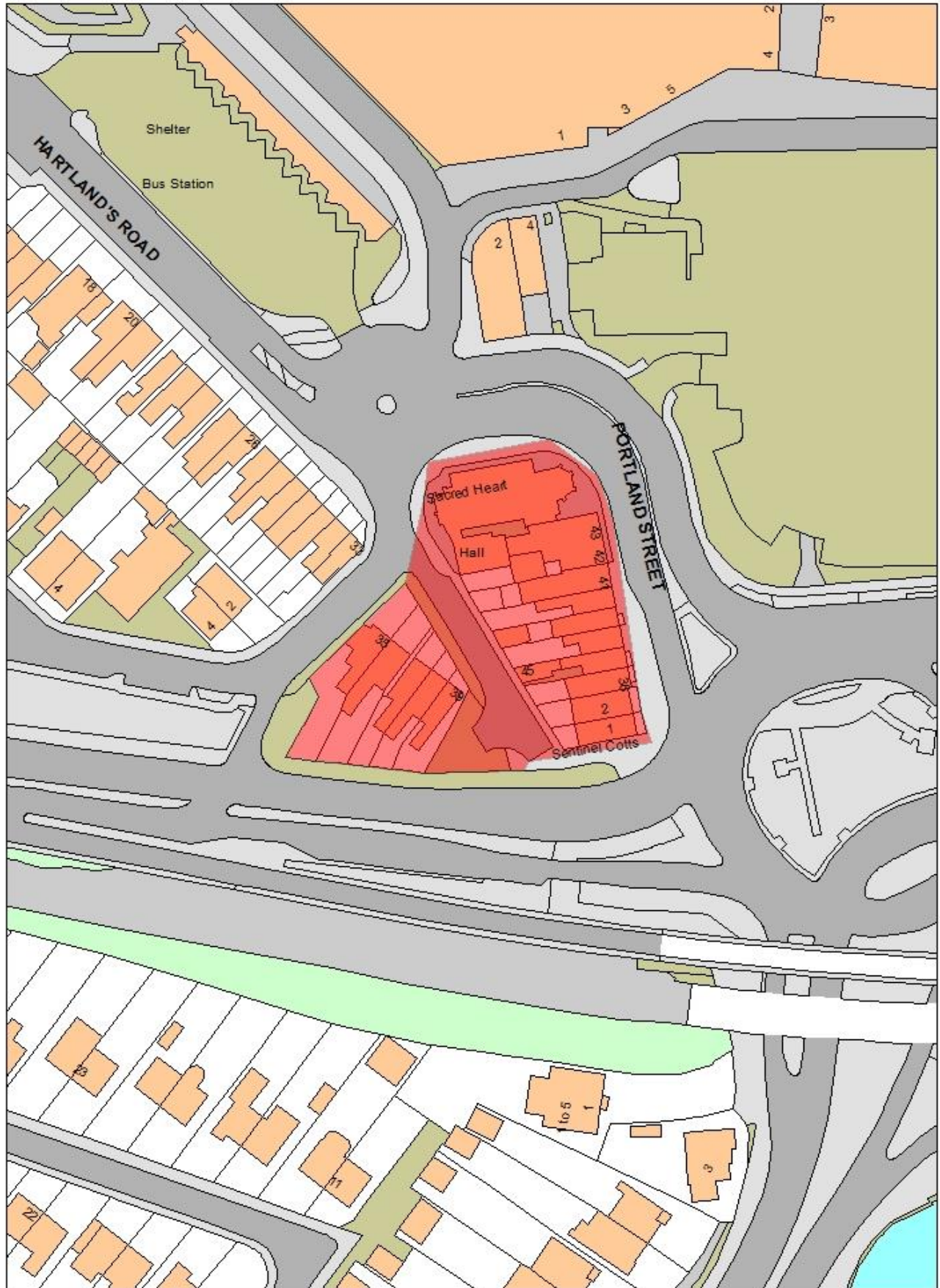
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Scale	1:750
Date	September 2007

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ENVIRONMENT ACT 1995 PART IV SECTION 83(2)(a)

**AIR QUALITY MANAGEMENT AREA (NITROGEN DIOXIDE) AMENDMENT ORDER 2017
(GOSPORT ROAD) ORDER**

By an Order dated 1 April 2006, Fareham Borough Council ("the Council") made The Fareham Borough Council Air Quality Management Area (AQMA) Order 2006 for the Gosport Road Fareham.

The Council is satisfied that as a result of the Annual Status Report/Detailed Assessment Report 2016, the existing Gosport Road Fareham AQMA, known as AQMA 2006, needs to be extended to incorporate relevant receptors that are exceeding the Annual Mean Air Quality Standard for nitrogen dioxide. This extended area is marked in red on the attached map reference AQMA 2017(A) Gosport Road Fareham.

The Council in exercise of the powers conferred upon it by section 83(2)(a) of the Environment Act 1995, hereby makes the following order varying the Fareham Borough Council Air Quality Management Area Order 2006:-

1. This order will be referred to as the Fareham Borough Council Air Quality Management Area Order 2017(A) and shall come into effect on 1 November 2017.
2. The area which is marked red on the attached map reference AQMA (2017)(A), covering an area from the junction of the Gosport Road with Newgate Lane to the Quay Street roundabout, Fareham, encompassing either fully or partially a number of residential, commercial and other properties, to be designated as an Air Quality Management Area (the designated area) for the pollutant nitrogen dioxide (NO₂). The map AQMA 2017(A) Gosport Road Fareham may be viewed at the Fareham Borough Council Offices, Civic Way, Fareham. This map will replace the map AQMA (2006)(1).
3. The area is designated in relation to a likely breach of the nitrogen dioxide annual mean objective as specified in the Air Quality (England)(Wales) Regulations 2000 (as amended), that is, 40 ug/m³.
4. This Order shall remain in force until it is varied or revoked by a subsequent order.
5. Within 12 months of this Order coming into operation, the Council shall review and update as necessary, the current written action plan in order to pursue the achievement of air quality standards and objectives in the designated area. The action plan will include a timetable for the Council's implementation of each of the proposed action plan measures.
6. The Council may revise the action plan from time to time.

Executed as Deed affixing
The Common Seal of
FAREHAM BOROUGH COUNCIL
In the presence of:-

.....
Authorised signatory

**FAREHAM
BOROUGH COUNCIL**

ENVIRONMENT ACT 1995 PART IV SECTION 83(2)(a)

**AIR QUALITY MANAGEMENT AREA (NITROGEN DIOXIDE) AMENDMENT ORDER 2017
(PORTLAND STREET) ORDER**

By an Order dated 1 December 2007, Fareham Borough Council ("the Council") made
The Fareham Borough Council Air Quality Management Area (AQMA) Order 2007 for Portland Street Fareham.

The Council is satisfied that as a result of the Annual Status Report/Detailed Assessment Report 2016, the existing Portland Street Fareham AQMA, known as AQMA 2007, needs to be extended to incorporate relevant receptors that are exceeding the Annual Mean Air Quality Standard for nitrogen dioxide. This extended area is marked in red on the attached map reference AQMA 2017(B) Portland Street Fareham.

The Council in exercise of the powers conferred upon it by section 83(2)(a) of the Environment Act 1995, hereby makes the following order varying the Fareham Borough Council Air Quality Management Area Order 2007:-

1. This order will be referred to as the Fareham Borough Council Air Quality Management Area Order 2017(B) and shall come into effect on 1 November 2017.
2. The area which is marked red on the attached map reference AQMA (2017)(B), centred on the houses on Portland Street Fareham and the southern end of Hartlands Road Fareham, encompassing either fully or partially a number of residential and other properties, to be designated as an Air Quality Management Area (the designated area) for the pollutant nitrogen dioxide (NO₂). The map AQMA 2017 (B) Portland Street Fareham may be viewed at the Fareham Borough Council Offices, Civic Way, Fareham. This map will replace the map AQMA (2007)(1).
3. The area is designated in relation to a likely breach of the nitrogen dioxide annual mean objective as specified in the Air Quality (England)(Wales) Regulations 2000 (as amended), that is, 40 ug/m³.
4. This Order shall remain in force until it is varied or revoked by a subsequent order.
5. Within 12 months of this Order coming into operation, the Council shall review and update as necessary, the current written action plan in order to pursue the achievement of air quality standards and objectives in the designated area. The action plan will include a timetable for the Council's implementation of each of the proposed action plan measures.
6. The Council may revise the action plan from time to time.

Executed as Deed affixing
The Common Seal of
FAREHAM BOROUGH COUNCIL
In the presence of:-

.....
Authorised signatory