

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 08 January 2018

Portfolio:	Health and Public Protection
Subject:	Air Quality and Traffic Modelling Consultancy
Report of:	Director of Planning and Regulation
Strategy/Policy:	
Corporate Objective:	Protect and Enhance the Environment A Safe and Healthy Place to Live and Work

Purpose:

To agree the works required to meet the requirements of the compliance Directive which was issued to the Council by the Department for the Environment, Food & Rural Affairs (DEFRA) on 27 July 2017 up to the production but not submission of the Final Plan (31st December 2018 at the latest).

Executive summary:

In November 2016, 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.

The latest plan was published in July 2017 and Fareham Borough Council was highlighted as one of the Authorities that must produce a targeted local plan to tackle likely exceedances of Nitrogen dioxide levels.

This relates to an area of road from the M27 motorway Junction 11 to the A27 Market Quay 'through-about' and along the A27 to the Station roundabout and branching into the Portchester Road and into the A32. To that end, on 27 July 2017 the Department for the Environment, Food & Rural Affairs (DEFRA) issued a Compliance Directive on Fareham Borough Council, along with the other Authorities that were listed. This Directive 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. The Joint Air Quality Unit (JAQU) which is a Government unit consisting of staff from DEFRA and the Department for Transport (DfT) are closely monitoring progress on compliance with the Directive. They have produced detailed guidance on the work that must be undertaken and are requiring

approval at each stage. A report was taken to the Executive on 9 October 2017 – to provide an update on the National and Local Air Quality Action Plans. In addition, a report was taken to the Executive Member for Health and Public Protection on 1 November 2017 in order to approve the procurement of an Automatic Number Plate Recognition (ANPR) Survey to meet the initial requirement of the Air Quality Compliance Notice.

In order to meet the Feasibility Study requirements, significant air quality and traffic modelling consultancy must be procured and undertaken, all of which will be agreed beforehand by JAQU and funded by them.

In order to meet the Council's procurement regulations and the project's tight timelines, the most expedient way of doing this to ensure that there are no delays is to give the Director of Planning and Regulation the Delegated Authority to do this, in consultation with the Executive Member for Health and Public Protection.

In addition, at the time of writing, it has become apparent that the Initial Plan which must be delivered by the end of March 2108 also does not fit easily with report lead in times and as this is really only determining which measures go forward for further examination, based on recommendations by all of the experts involved and subject to the requirement for further JAQU funding, it would aid this project immensely if the Director of Planning and Regulation could be given Delegated Authority to submit this plan to JAQU, following consultation with the Executive Member for Health and Public Protection.

Recommendation:

It is recommended that the Executive:

- (a) delegates authority to the Director of Planning and Regulation following consultation with the Executive Member for Health and Public Protection to agree that Hampshire County Council procure the services required for the next stage up to and including the Initial Plan submission and preparation of the Final Plan, as specified by the Joint Air Quality Unit (JAQU); and
- (b) approves the expenditure in relation to (a) above from grant funding provided by JAQU for this work, together with any subsequent unforeseen works agreed and funded by them as necessary.

Reason:

The Council is required to follow the process set down by JAQU in order to meet the requirements of the Compliance Directive. This will require procuring significant expertise, all of which will be funded by JAQU and the Delegated Authority is required to comply with the Council's Financial Regulations for the spend.

Cost of proposals:

There will be no cost to the Council for this work as the only work we will be undertaking is that which JAQU agree to fund. An initial grant of £100,000 was received which went towards the traffic Survey, a further bid for the next tranche of work of approximately £700,000 is currently being considered by JAQU.

Background papers: File of correspondence with JAQU.

Reference papers:

Report to the Executive 9 October 2017 - Update on National and Local Air Quality Action Plans.

Report to the Executive Member for Health & Public Protection 1 November 2017 - Procurement of an Automatic Number Plate Recognition Survey to meet the requirements of the Air Quality Compliance Notice.

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BOROUGH COUNCIL

Executive Briefing Paper

Date:	08 January 2018
Subject:	Procurement of Air Quality and Traffic Modelling Consultancy
Briefing by:	Director of Planning and Regulation
Portfolio:	Health and Public Protection

INTRODUCTION

1. In November 2016, 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 within the UK to within legal limits as soon as possible.
2. The latest plan, "The UK plan for tackling roadside nitrogen dioxide concentrations" was published in July 2017 and Fareham Borough Council was highlighted as one of the Authorities that must produce a targeted local plan to tackle likely (based on computer modelling) exceedances of Nitrogen dioxide levels.
3. The area of likely exceedance highlighted by this plan for Fareham relates to an area of road from the Delme roundabout down from the Junction 11 M27 exit through Eastern and Western Way and onto the A27 by Fareham train station. It includes the A32 branch from Market Quay 'through-about' and branching into the Portchester Road A27.

COMPLIANCE DIRECTIVE

4. On 27 July 2017 the Department for the Environment Food and Rural Affairs (DEFRA) issued a compliance Directive on Fareham Borough Council, along with the other (22) Authorities that were listed. This Direction requires the Authority to undertake and submit by 31 March 2018 a Feasibility Study (Initial Plan) to work towards identifying the option or options 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 or options to deliver compliance.
5. The Government established the Joint Air Quality Unit (JAQU) which is a Government unit consisting of staff from DEFRA and the Department for Transport (DfT). A workshop was provided in September for Local Authority Officers, where the very detailed and prescribed process that we must follow was set out. JAQU are approving each tranche of works as they are scoped and crucially providing funding for the agreed works. Progress is being closely monitored with the prescribed works, this is consisting of regular meetings, submission of evidence at key stages and a weekly teleconference

call. They have produced detailed guidance on the work that must be undertaken and are carrying out microscopic scrutiny and approval of work planned and costs at each stage.

INITIAL PLAN AND FINAL PLANS

6. One of the first tasks as part of the evidence gathering stage was to conduct a traffic survey for ascertaining the fleet composition to establish the pollution exact plume and also journey details. In addition, it will enable the likely effect on current traffic levels of the 1km extension to the Eclipse Busway into Gosport and the Stubbington by-pass will have.
7. The traffic survey took place w/c 4th December 2017. Officers from Environmental Health and Planning Strategy and Regeneration Services, together with colleagues from the Highways Department at Hampshire County Council determined the study area and designed the ANPR traffic survey. This was undertaken by Atkins Air Quality Management Consultants. This was the first key deliverable required by this project. A report was taken to the Executive Member for Health and Public Protection on 1 November 2017 in order to approve the procurement of an Automatic Number Plate Recognition Survey to meet the initial requirement of the Air Quality Compliance Directive.
8. Next the Council has had to submit a Feasibility Proposal scoping and costing the work involved up to the Initial Plan to the end of March and some of the known works required past that date. JAQU were scrutinising that proposal at the time of writing this report. The proposal itself is a bid for further funding which will also be scrutinised by JAQU in terms of value for money. The works that have been scoped are to deliver the initial plan around the end of March 2018 and to also carry out a lot of work towards the Final Plan around the end of 2018. The current proposal is to procure works from the air quality and transport consultant Atkins supported by Officers from Hampshire County Council and Fareham Borough Council. All of those costs are included and the bid is currently around £700,000. The purpose of this report is to seek delegated Authority from the Executive to the Director of Planning and Regulation to procure the works that JAQU approve using the funds that will be released by them for this work, together with any subsequent unforeseen works agreed and funded as necessary to deliver the Final Plan, after consultation with the Executive Member for Health and Public Protection. In addition to give the Director of Planning and Regulation to approve the submission of the Initial Plan, again after consultation with the Executive Member for Health and Public Protection.
9. The bulk of the work required is air quality and traffic modelling, this can only be done using the help of consultants. This will involve not only understanding the current traffic fleet and the pollution plume it creates, but also modelling the effects of various measures to improve air quality. At the time of writing this report it has been established that time will not allow the reporting of the Initial Plan, hence the additional request to the Executive to allow this to be delegated to the Director of Planning and Regulation.
10. This is a very challenging project the like of which officers from both County and Fareham Borough Council have not been involved with before. The timescales set by the Government to reach deliverable are very challenging. The timescales are deliberately challenging to meet the Supreme Court Order to achieve compliance in the shortest possible time. The project timescale overall is to determine the measures which will achieve compliance by December 2018 and them to be implemented between 2018 and 2020. Any measures that cannot be implemented in this timeframe are unlikely to

be considered.

11. The afore-mentioned project is taking place alongside the usual air quality monitoring and improvement regime which takes place under the Local Authority Air Quality Management Regime, although the two work streams will be brought together at some point, as both are focussed on the same traffic problem.
12. Although the National Pollution Climate Model has informed the Government that the afore-mentioned stretch of road is likely to be non-compliant in terms of air quality, the initial local work i.e. the traffic survey and subsequent air quality and traffic modelling, sets out to establish if this is the case locally and if so exactly where the hot spots are.

CONCLUSION

13. As the Government are funding the ultimate measures identified where exceedances are established, any positive effects on air quality this project brings can only be good news for the residents of Fareham in terms of the health benefits of cleaner air, but one would also hope that if measures can be identified to improve traffic flow, this would in addition benefit the commuting public of the local areas.
14. Due to the pressing timescales it is imperative that any funding received from JAQU during the project is able to be used to procure the works required in a timely way. In addition, the next major deliverable in terms of the Compliance Directive is the Initial Plan, again due to report lead in times it is unlikely that this can be reported to the Executive. The Initial Plan however is only set to list a long list of measures that might secure improvements to air Quality and suggest a number that may be worth further consideration. It is hoped that further report can brought to the Executive in early summer to report on progress, with another in October to secure approval for the final list of measures.

Enquiries:

For further information on this report please contact Ian Rickman, Head of Environmental Health (Ext 4773).