

# FAREHAM

BOROUGH COUNCIL

## AGENDA

### HEALTH AND PUBLIC PROTECTION

### SCRUTINY PANEL

**Date:** Wednesday, 24 January 2024

**Time:** 6.00 pm

**Venue:** Collingwood Room - Civic Offices

**Members:**

Councillor M J Ford, JP (Chairman)

Councillor Mrs P M Bryant (Vice-Chairman)

Councillors Mrs T L Ellis  
Miss T G Harper  
Mrs J Needham  
Ms S Pankhurst  
Mrs K K Trott

**Deputies:** N R Gregory  
D J Hamilton  
S Ingram



**1. Apologies for Absence**

**2. Minutes (Pages 5 - 8)**

To confirm as a correct record the minutes of the meeting of the Health and Public Protection Scrutiny Panel held on 03 October 2023.

**3. Chairman's Announcements**

**4. Declarations of Interest and Disclosures or Advice or Directions**

To receive any declarations of interest from members in accordance with Standing Orders and the Council's Code of Conduct and disclosures of advice or directions received from Group Leaders or Political Groups, in accordance with the Council's Constitution.

**5. Deputations**

To receive any deputations of which notice has been lodged.

**6. Executive Business (Pages 9 - 10)**

To consider any items of business dealt with by the Executive since the last meeting of the Panel, that falls under the remit of the Health and Public Protection Portfolio. This will include any decisions taken by individual Members during the same time period.

**(1) Proposed Off Street Parking Places (Amendment 8) Order - Osborn Road and Others (Pages 11 - 12)**

**(2) Traffic Regulation Order (Amendment 8) - Consideration of consultation responses (Pages 13 - 14)**

**7. Petition - Middle Road, Parkgate car park (Pages 15 - 18)**

To consider a report by the Head of Environmental Health in respect of a petition received requesting that the 2-hour maximum stay at Middle Road car park in Parkgate be extended.

**8. Update on the provision of Community Safety & CCTV Services (Pages 19 - 22)**

To receive a report by the Head of Environmental Health which updates Members on the provision of Community Safety & CCTV services following the dissolution of the Fareham and Gosport CCTV Partnership in 2021.

**9. Air Quality Update (Pages 23 - 32)**

To receive a report by the Head of Environmental Health which provides members with an air quality update and a review of Gosport Road and Portland Street Air Quality Management.

**10. Health and Public Protection Scrutiny Panel Priorities**

To provide an opportunity for Members to consider the scrutiny priorities for the Health and Public Protection Panel.



A WANNELL  
Chief Executive Officer

Civic Offices  
[www.fareham.gov.uk](http://www.fareham.gov.uk)  
16 January 2024

**For further information please contact:  
Democratic Services, Civic Offices, Fareham, PO16 7AZ  
Tel:01329 236100  
[democraticservices@fareham.gov.uk](mailto:democraticservices@fareham.gov.uk)**



# FAREHAM

BOROUGH COUNCIL

## Minutes of the Health and Public Protection Scrutiny Panel

(to be confirmed at the next meeting)

**Date:** Tuesday, 3 October 2023

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** M J Ford, JP (Chairman)

**Councillor** Mrs P M Bryant (Vice-Chairman)

**Councillors:** Mrs T L Ellis, Miss T G Harper, Ms S Pankhurst and  
Mrs K K Trott

**Also Present:** Councillor Miss J Burton, Executive Member for Health & Public  
Protection



**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Mrs J Needham.

**2. MINUTES**

RESOLVED that the minutes of the meeting held on 20 June 2023 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

There were no chairman's announcements.

**4. DECLARATIONS OF INTEREST AND DISCLOSURES OR ADVICE OR DIRECTIONS**

There were no declarations of interest made at this meeting.

**5. DEPUTATIONS**

There were no deputations made at this meeting.

**6. EXECUTIVE BUSINESS**

**(1) Dog Control Public Spaces Protection Order**

Members enquired whether ongoing monitoring of the disturbance level is taking place at the additional exclusion zone at Hill Head beach and were advised that Bird Aware are keeping ongoing records to monitor whether there is an improvement as a result of the Public Spaces Protection Order.

**(2) Traffic Regulation Order for Extension of Coastal Car Park Cohort - consideration of consultation responses**

There were no questions or comments for clarification in respect of this item.

**7. PROPOSED OFF STREET PARKING PLACES (AMENDMENT 8) ORDER - OSBORN ROAD AND OTHERS**

The Panel received a report by the Head of Environmental Health which presented, for consideration, a draft report to the Executive in respect of the proposed regeneration of Fareham Town Centre, including works to Fareham Live and Osborn Road multi storey car park.

At the invitation of the Chairman, Councillor Miss J Burton, Executive Member for Health and Public Protection, addressed the Panel on this item.

During the discussion of this item, Members sought reassurance that there will be the same level of disabled parking available under the new arrangements as there is under current arrangements.

RESOLVED that the Health & Public Protection Scrutiny Panel:

- (a) notes the contents of the report; and
- (b) has no comments to put forward to the Executive for consideration.

**8. HEALTH AND PUBLIC PROTECTION SCRUTINY PANEL PRIORITIES**

In considering the scrutiny priorities for the Panel, members made the following requests:

- (i) A date be set for the review of the new CCTV & Community Safety arrangements. It was agreed that this would be brought to the meeting of the Panel scheduled to take place on 24 January 2024.
- (ii) The Police and Crime Commissioner, Donna Jones, be invited to report on current issues at the meeting of the Panel scheduled to take place on 27 March 2024.
- (iii) A date be set for the post covid-19 review of town centre parking. It was noted that arrangements for town centre parking are being reviewed as part of the Opportunities Plan and that an update on the Plan is due to be provided in the Summer of 2024.
- (iv) A review of the implementation of parking charges at coastal car parks be added to the agenda of the meeting scheduled to take place on 27 March 2024.
- (v) An update on Air Quality in the Borough be scheduled for inclusion on the agenda of a meeting to take place in the 2024/25 municipal year.

RESOLVED that the scrutiny priorities for the Health and Public Protection Scrutiny Panel were reviewed.

(The meeting started at 6.00 pm  
and ended at 6.29 pm).

..... Chairman

..... Date





# FAREHAM

## BOROUGH COUNCIL

### Health and Public Protection Scrutiny Panel

**Date**            24 January 2024

**Subject:**        **EXECUTIVE BUSINESS**

#### **SUMMARY**

One of the key functions of the Scrutiny Panels is to hold the Executive Portfolio Holder and Senior Officers to account in the delivery of the service and the Improvement Actions identified in the Council's Corporate Priorities and Corporate Vision.

Members are therefore invited to consider the items of business that fall under the remit of the Health and Public Protection portfolio and have been dealt with by the Executive since the last meeting of the Panel. This also includes any decisions taken by individual Executive Members.

The relevant notices for decisions taken are attached for consideration.

#### **RECOMMENDATION**

It is recommended that Members consider the items of Business discharged by the Executive since the last meeting of the Panel and make any comments or raise any questions for clarification.



# FAREHAM

## BOROUGH COUNCIL

2023/24  
Decision No.  
2481

### Record of Decision by Executive

Monday, 9 October 2023

<b>Portfolio</b>	Health and Public Protection
<b>Subject:</b>	<b>Proposed Off Street Parking Places (Amendment 8) Order - Osborn Road and Others</b>
<b>Report of:</b>	Head of Environmental Health
<b>Corporate Priority:</b>	Dynamic, prudent and progressive Council; Strong, safe, inclusive and healthy communities

**Purpose:**

This report sets out the recommendation for the proposed Off Street Parking Places (Amendment 8) Order 2023 and next steps.

On 16 May 2022 the Executive considered a report on the regeneration of Fareham town centre, including Fareham Live and Osborn Road multi-storey car park. Since this date, both projects have progressed with Osborn Road multi-storey car park having now received planning permission. A report updating on the progress at Osborn Road multi-storey car park was presented to the Executive on 03 July 2023, with a further report presented to the Executive on 18 September 2023.

Both Fareham Live and the work at Osborn Road multi-storey car park have an impact on the Council's Off-Street Parking Places Consolidation Order 2017, which will require an Amendment Order.

The report sets out the options for proposed amendments and asks that the Executive agree to take them forward through the statutory process to inform the public in the form of a four week Draft Off-Street Parking Places (Amendment 8) Order 2023 consultation.

**Options Considered:**

The comments of the Health and Public Protection Scrutiny Panel were taken into account in considering this item.

As recommendation

**Decision:**

RESOLVED that the Executive:

- (a) agrees the enforcement actions and parking places name changes set out in the conclusion of the report;
- (b) agrees a four-week consultation on the adoption of an Off-Street Parking Places (Amendment 8) Order;
- (c) delegates the decision on the making of the TRO, following the outcome of the consultation, to the Executive Member for Health and Public Protection; and
- (d) agrees that Traffic Regulation Orders are consolidated under an Off-Street Parking Places Consolidation Order following the outcome of the Off-Street Parking Places (Amendment 8) Order consultation.

**Reason:**

To update the Off-Street Places Consolidation Order 2017 to support changes following work undertaken as part of the town centre regeneration.

**Confirmed as a true record:**

Councillor SDT Woodward (Executive Leader)

Monday, 9 October 2023

# FAREHAM

## BOROUGH COUNCIL

2023/24  
Decision No.  
2499

### Record of Decision by Executive Portfolio for Health and Public Protection

Monday, 8 January 2024

<b>Portfolio</b>	Health and Public Protection
<b>Subject:</b>	<b>Traffic Regulation Order (Amendment 8) - Consideration of Consultation Responses</b>
<b>Report of:</b>	Head of Environmental Health
<b>Corporate Priority:</b>	Leisure Opportunities for Wellbeing and Fun

**Purpose:**

The report sets out the results of the recent Traffic Regulation Order (TRO) engagement exercise for the Draft off-street Parking Places (Amendment 8) Order. The Amendment Order sets out proposals to incorporate the new surface car park on the existing Osborn Road multi-storey car park site in the Off-Street Parking Order, as well as name changes to two car parks in the Borough.

The Executive meeting on 18 September 2023 agreed that the following changes should be applied to the existing Off-Street Parking Order:

- a. Change the name of Wicor Recreation Car Park to Wicor Car Park;
- b. Change the name of Ferneham Hall Car Park to Fareham Live Car Park;
- c. Remove references to the Osborn Road Multi Storey Car Park which is to be closed and demolished;
- d. Incorporate the proposed new surface car park at Osborn Road into the Fareham Live Car Park and ensure that it is included within The Borough of Fareham (Off Street Parking Places) Consolidation Order 2017; and
- e. Update the plan for Fareham Live Car Park.

The statutory process to inform the public of these changes took place through the Draft Off-Street Parking Places (Amendment 8) Order consultation which ran from 27 October 2023 to 24 November 2023.

The proposed order and details of how to take part were placed on the Council's website. A notice was published in the Hampshire Independent and consultees including Hampshire Constabulary, Hampshire County Council, the Road Haulage Association and the Freight Transport Association were contacted. Public notices were sited in each of the affected car parks (Ferneham Hall Car Park is currently close, but notices were sited on the perimeter).

Hampshire County Council responded to confirm that they had no objections to the

Amendment Order. No other responses were received.

If the Amended Off-Street Parking Places (Amendment 8) Order is approved, revised signage will be put in place in Wicor Car Park and across the three areas of Fareham Live Car-Park (including the new surface car park on the site of the existing Osborn Road Multi-Storey Car Park). New solar pay-and-display machines will be purchased to support enforcement on the new surface car park. The Council's website will be updated to ensure that parking information reflects the amended Off-Street Parking Places (Amendment 8) Order. Changes will come into effect on 02 February 2024.

**Options Considered:**

As recommendation.

**Decision:**

RESOLVED that the Executive Member for Health and Public Protection agrees the adoption of the updated Off-Street Parking Places (Amendment 8) Order as attached at Appendix A to the report.

**Reason:**

To ensure that The Borough of Fareham (Off Street Parking Places) Consolidation Order 2017 incorporates the new surface car park at Osborn Road as part of the Fareham Live Car Park and reflects the revised name for Wicor Car Park, supporting effective enforcement across the Borough.

**Confirmed as a true record:**

Executive Member for Health and Public Protection (Councillor Joanne Burton)

Monday, 8 January 2024

# FAREHAM

## BOROUGH COUNCIL

### **Report to the Health and Public Protection Scrutiny Panel**

**Date**                    **24 January 2024**

**Report of:**           **Head of Environmental Health**

**Subject:**              **Petition - Middle Road Car Park, Parkgate**

#### **SUMMARY**

On the 25 September 2023 a petition was received from a local business in Park Gate requesting that the maximum stay in Middle Road Park Gate Car Park be increased from 2 hours to 3 hours.

On 9 October 2023 an announcement was made at the Council's Executive meeting that the petition would be referred to the Health and Public Protection Scrutiny Panel to consider and make a recommendation to the Executive.

#### **RECOMMENDATION**

The Health and Public Protection Scrutiny Panel is invited to consider the content of this report and make a recommendation to the Executive regarding the appropriate length of maximum stay in Middle Road Car Park.

## **INTRODUCTION**

1. On the 25 September 2023 a petition was received from a local business in Park Gate requesting that the maximum stay in Middle Road Park Gate Car Park be increased from 2 hours to 3 hours.
2. The petition was organised by a local business in Middle Road and contained 357 signatures.
3. On 9 October 2023 an announcement was made at the Council's Executive meeting that the petition would be referred to the Health and Public Protection Scrutiny Panel to consider and make a recommendation to the Executive. The Panel's recommendation to the Executive will be considered by them at their meeting of 24 March 2024. Any proposed change to the Car Parking Order would be subject to a 21-day public consultation exercise as a minimum.

## **CAR PARKING REGULATIONS**

4. The rules, regulations and restrictions governing Off Street Parking places in Fareham are set out within the Boroughs Off Street Consolidation Order. The Order details all the Councils car parks where restrictions are in place and what those restrictions are. It is an Executive function to determine the Order, although this can be delegated by them to the Executive Member for Public Protection.
5. Several short stay Car Parks around the Borough have a maximum stay period stated within the Order. These maximum stay periods are informed by local circumstances where the individual car parks are sited, these circumstances are usually informed by local residents, councillors, feedback from the Parking and Enforcement Team etc.

## **MIDDLE ROAD CAR PARK**

6. The background to the restrictions at Middle Road Car Park is as follows: -  
  
2007 – 3 Hours Maximum stay  
  
2017 – 2 Hours Maximum Stay  
  
2018 - Introduction of a 4 hour no return
7. The current maximum stay restriction in Middle Road Car Park has been in place since 2017 and in 2018 the 4 hour no return was introduced as at that time it was thought that the turnover of vehicles within the car park wasn't maximising the spaces available for genuine shoppers.
8. Over the last 6 years or so there has been a low level of complaints to the Council and despite regular patrols by the Parking and Enforcement Officers a relatively low level of Parking Charge Notices (PCN's) has been issued. These are as follows:



- 2023 to date 45 PCN's
    - 41 parked longer than permitted.
    - 2 re-parked in the same location (return)
    - 2 beyond bay markings
  
  - 2022 45 PCN's
    - 35 parked longer than permitted.
    - 6 re-parked in the same location (return)
    - 2 beyond bay markings
    - 2 wrong class of vehicle
  
  - 2021 34 PCN's
    - 26 parked longer than permitted.
    - 4 re-parked in the same location (return)
    - 3 beyond bay marking.
    - 1 wrong class of vehicle
9. The general feeling is that the car park is functioning well for most businesses and customers in the Middle Road Area. Increasing the minimum stay is likely to increase the number of retail staff parking in the car park for 3 hours each day and would affect the turnover of vehicles overall.
10. The maximum stays in all of the other short stay Council Car Parks can be seen at Appendix A, without going into too much detail as to the justification for each, Middle Road Car Park is a very busy car park, supporting the commercial centre there, the majority of visitors being able to conduct their business within the permitted 2 hours, whilst controlling the risk of employees of those businesses unable to affect the turnover of vehicles in the car parks due to the current restrictions (something we have seen from time to time in other short stay car parks).

### **RISK ASSESSMENT**

11. There are no significant risk considerations in relation to this report.

### **CONCLUSION**

12. There are 357 on the petition that was submitted, however the level of complaint in recent years about Middle Road Car Park is low as is the level of Parking Charge Notices issued, which indicates most people manage to conduct their business within the current restrictions.

**Background Papers:** None

**Reference Papers:** None

**Enquiries:** For further information on this report please contact Ian Rickman 01329 824773

## APPENDIX A

### FAREHAM SHORT STAY CAR PARKS MAXIMUM STAYS

Broadcut	Broadcut	PO16 8ST	3 hours maximum stay no return 5 hours
Broadcut Retail Park	Broadcut	PO16 8SU	3 hours maximum stay no return 5 hours
The Green	Stubbington Green	PO14 2LE	1-hour maximum stay with 3 hour no return
Rear Standen House	Stubbington Lane	PO14 2JY	1-hour maximum stay with 3 hour no return
Stubbington Lane	Stubbington Lane	PO14 2PF	2 hours maximum stay with no no return
Barrys Meadow	Southampton Hill	PO14 4QA	3 hours maximum stay with no no return
Leigh Road	Leigh Road	PO16 7SU	4 hours maximum stay with no no return
Leisure Centre	Park Lane	PO16 7JU	3 hours maximum stay with no no return
Middle Road	Middle Road	SO31 7FR	2 hours maximum stay with 4 hour no return
Community Centre	Burridge Village Hall	SO31 1BS	2 hours maximum stay with 2 hour no return
Meon House	High Street	PO16 7AA	Free no charges permit holders only
Warsash Road	Warsash	SO31 9ES	4 hours maximum stay with 4 hour no return
Portchester Precinct	Portchester	PO16 9UX	Long stay part maximum stay 24 hours. Short stay part maximum stay 4 hours
Highlands Road shops	Fareham	N/A	4 hours maximum stay and a 2 hour maximum stay (HCC on-street governed)

# FAREHAM

## BOROUGH COUNCIL

### **Report to the Health and Public Protection Scrutiny Panel**

**Date**                    **24 January 2024**

**Report of:**            **Head of Environmental Health**

**Subject:**                **Update on the provision of community safety and CCTV services**

#### **SUMMARY**

The Council's Corporate Strategy (2017-2023) included an action to review our approach to community safety, including an analysis of CCTV, to ensure that we made the borough as safe a place as possible.

This report highlights those recommendations and provides updates for the Panel.

#### **RECOMMENDATION**

It is recommended that the Health and Public Protection Scrutiny Panel notes the content of the report.

## **INTRODUCTION**

1. On 2 November 2020, a report was presented to the Executive regarding a review of Community Safety and CCTV. The overall aim was that Fareham remains a safe place to live, work and visit. The following recommendations were brought forward by the Opportunities Team.

## **RECOMMENDATIONS AND UPDATES**

2. (a) Dissolution of the Fareham and Gosport CCTV Partnership.

The Partnership was officially dissolved on the 31 October 2021.

(b) Procurement of new CCTV cameras in the town centre. The budget for this was £40,000

After a rigorous tender process, new, more technically advanced CCTV cameras were and installed. Additional cameras were procured for Stubbington, Portchester, The Highlands and Broadlaw Walk. Two deployable cameras were procured too, all within budget.

(c) Community Safety Team reduced to two people

This was completed. The Community Safety Team continue to facilitate the Partnership Action Groups and Community Safety Partnership as well as taking on the Safeguarding lead and CCTV functions for the Council.

(d) Two additional enforcement officers be employed at a cost of £53,264

This was completed and delivered. The officers work to enforce the Town Centre Public Spaces Protection Order as well as working as part of the wider enforcement team.

(e) Access All Areas (AAA) continues as a leisure initiative.

This initiative started its life in Community Safety but is now delivered annually by the Council's leisure team.

## **RISK ASSESSMENT**

3. There are no significant risk considerations in relation to this report.

## **CONCLUSION**

4. All recommendations within the previous report have been delivered and the budget savings achieved. The new, clearer CCTV images have led to evidence being produced in partnership with Police to successfully prosecute high profile criminal cases. The cameras also act as a deterrent and compliment the priorities around the Violence Against Women and Girls and prevention of anti-social behaviour agendas. The deployable CCTV cameras have also stopped ASB and criminal damage when they have been deployed. We are also grateful to the support the Police and Crime Commissioner has shown in supporting bids for further cameras around the town centre and The Gillies.

**Background Papers:**

Report to the Executive 2 November 2020

**Reference Papers:**

**Enquiries:**

For further information on this report please contact Narinder Bains (01329 824496)



# FAREHAM

## BOROUGH COUNCIL

### **Report to the Health and Public Protection Scrutiny Panel**

**Date**                    **24 January 2024**

**Report of:**            **Head of Environmental Health**

**Subject:**                **Air Quality Update**

#### **SUMMARY**

Members are invited to consider the report and make a recommendation to the Executive that they revoke the two air quality management areas (AQMA's), one in Gosport Road known as the Fareham AQMA, and the other in Portland Street, known as the Portland Street AQMA. The AQMA's are no longer required as measured levels of nitrogen dioxide are below the nationally set air quality objective levels.

#### **RECOMMENDATION**

That the Health and Public Protection Scrutiny Panel recommends to the Executive that the two AQMA's be revoked by approving the Order as attached at Appendix A to the Draft report to be considered by the Executive at the meeting scheduled to take place on 04 March 2024

## **INTRODUCTION**

1. The UK government is 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.
2. Between 1998 and 2001, Fareham Borough Council undertook its first round of review and assessments of air quality. Following subsequent monitoring and progress reports the results showed that the NO<sub>2</sub> annual mean objective would be exceeded both in 2005 and 2010 in Gosport Road at the junction with Newgate Lane and Redlands Lane, and therefore Fareham Borough Council were required to declare an AQMA in the area. The Fareham AQMA was declared in April 2006 and the Council installed a continuous analyser in Gosport Road to measure traffic related NO<sub>2</sub> concentrations.
3. Following the 2006 Updating Screening Assessment the Portland Street AQMA was declared on 1 December 2007 for nitrogen dioxide from vehicle exhaust emissions.
4. In 2008 Fareham Borough Council published its Air Quality Action Plan which contained 48 measures aimed at reducing NO<sub>2</sub> concentrations.
5. Following discussion and review of the 2023 data with Defra, Fareham Borough Council are instructed to revoke both AQMA'S in early 2024. This would be achieved by the Executive receiving the Report at Appendix A on 4 March 2024 and approving the order detailed at Appendix A of that Report.

## **RISK ASSESSMENT**

6. There is a risk of reputational damage and further measures from DEFRA if the AQMA's are not revoked.

## **CONCLUSION**

7. Monitoring has shown that the air quality objective for nitrogen dioxide in the Fareham AQMA and Portland Street AQMA is not currently exceeded. Assessment indicates it is not likely to be exceeded in the future, and as such both should be revoked by order.

**Annex 1:** Draft Report to the Executive 04 March 2023

**Enquiries:** For further information on this report please contact Ian Rickman on 01329 824773



# FAREHAM

## BOROUGH COUNCIL

Annex 1

### Report to the Executive for Decision 04 March 2024

<b>Portfolio:</b>	Health and Public Protection
<b>Subject:</b>	<b>Air Quality Update and Review of Gosport Road and Portland Street Air Quality Management Areas</b>
<b>Report of:</b>	Director of Neighbourhoods
<b>Corporate Priorities:</b>	Strong, Safe, Inclusive and Healthy Communities

**Purpose:**  
To revoke the Gosport Road and Portland Street Air Quality Management Areas (AQMA's).

**Executive summary:**

Part IV of the Environment Act 1995 introduced a requirement on all local authorities to carry out duties in relation to Local Air Quality Management (LAQM). All local authorities are obliged to regularly review and assess air quality in their areas, and to determine whether the air quality objectives for different pollutants are likely to be achieved.

Between 1998 and 2001, Fareham Borough Council undertook its first round of review and assessments of air quality. Following subsequent monitoring and progress reports the results showed that the NO<sub>2</sub> annual mean objective would be exceeded both in 2005 and 2010 in Gosport Road at the junction with Newgate Lane and Redlands Lane, and therefore Fareham Borough Council were required to declare an AQMA in the area. The Fareham AQMA was declared in April 2006. Following the 2006 Updating Screening Assessment the Portland Street AQMA was declared on 1 December 2007 for nitrogen dioxide from vehicle exhaust emissions.

Due to the actions identified and implemented within the Air Quality Action Plan (AQAP) and subsequent improvements in technology, following discussion and review of the 2023 data with Department for Environment, Food & Rural Affairs (DEFRA), Fareham Borough Council have been instructed to revoke both AQMA'S in early 2024. This would be achieved by the Executive approving the order shown at Appendix A. If approved there will then be no AQMA's in Fareham.

**Recommendation/Recommended Option:**

It is recommended that the Executive approves Revocation of the two Air Quality Management Areas as detailed in the report.

**Reason:**

This is because of the sustained improvement in Air Quality in the areas and the subsequent instruction from DEFRA.

**Cost of proposals:**

There are no costs associated with this proposal.

**Appendices:**                    **A:** Order Revoking the Air Quality Management Areas

**BACKGROUND PAPERS:**

Fareham and Gosport Borough Councils Annual Status Report 2023 Bureau Veritas June 2023

**Reference Papers:**

Fareham and Gosport Borough Councils Annual Status Report 2023 Bureau Veritas June 2023

2022 Air Quality Annual Status Report (ASR) In fulfilment of Part IV of the Environment Act 1995 Local Air Quality Management Date: June, 2022

Fareham Borough Council Local Air Quality Management Updating and Screening Assessment Ref: BV/AQ/AGGX0567/EC/2420 June 2006

Fareham and Gosport Environmental Health Partnership Annual Status Report 2016 Bureau Veritas January 2017

LAQM Technical Guidance 2022

# FAREHAM

## BOROUGH COUNCIL

### Executive Briefing Paper

<b>Date:</b>	04 March 2024
<b>Subject:</b>	Air Quality Update and Review of Gosport Road and Portland Street Air Quality Management Areas
<b>Briefing by:</b>	Director of Neighbourhoods
<b>Portfolio:</b>	Health and Public Protection

#### INTRODUCTION

1. 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 any air quality problem.
2. Part IV of the Environment Act 1995 introduced a requirement on all local authorities to carry out duties in relation to Local Air Quality Management (LAQM). All local authorities are obliged to regularly review and assess air quality in their areas, and to determine whether the air quality objectives for different pollutants are likely to be achieved. The Department for Environment, Food & Rural Affairs (DEFRA) require Annual Reporting which goes through an approval process with them.
3. Air quality objectives have been set for seven pollutants, but only particulates (PM10 – particles less than 10 microns in diameter) and Nitrogen Dioxide (NO<sub>2</sub>) are seen as a potential problem in most locations in the U.K.
4. Where it is likely that air quality levels are such that certain pollutants are above specified levels the Local Authority must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives.

#### AIR QUALITY MANAGEMENT AREAS

5. Between 1998 and 2001, Fareham Borough Council undertook its first round of review and assessments of air quality. Following subsequent monitoring and progress reports the results showed that the NO<sub>2</sub> annual mean objective would be exceeded both in 2005 and 2010 in Gosport Road at the junction with Newgate Lane and Redlands Lane, and therefore Fareham Borough Council were required to declare an AQMA in the area. The Fareham AQMA was declared in April 2006 and the Council installed a continuous analyser in Gosport Road to measure traffic related NO<sub>2</sub> concentrations.

6. Following the 2006 Updating Screening Assessment the Portland Street AQMA was declared on 1 December 2007 for nitrogen dioxide from vehicle exhaust emissions.
7. In 2008 Fareham Borough Council published its Air Quality Action Plan which contained 48 measures aimed at reducing NO<sub>2</sub> concentrations.
8. In 2012 the Council installed a continuous analyser Portland Street to measure traffic related NO<sub>2</sub> concentrations.
9. Following the introduction of the environmental Health Partnership with Gosport, since 2016 Fareham and Gosport Borough Councils have been submitting joint Annual Status Reports (ASR) reports to Defra for review.
10. In 2017 following a detailed assessment within the 2016 ASR, both the Fareham AQMA's were extended due to predicted exceedances of the NO<sub>2</sub> annual mean air quality objective (AQS) outside the original AQMA boundaries. Maps of the current AQMA's can be seen as part of the proposed revocation order at Appendix A .
11. The 2018 data did not show any exceedances of the NO<sub>2</sub> annual mean air quality objective (AQS) within the new AQMA boundaries.
12. The review of the 2019 ASR by Defra commented that there had been no exceedances within the AQMA's since 2015 and agreed that Fareham Borough Council would retain the AQMA's and continue to monitor at the existing locations.
13. The 2022 ASR proposed to revoke the AQMA's based on continual compliance once the impacts of COVID-19 were better understood. The review of the report by Defra agreed that annual mean concentrations have been below the air quality objective and agreed with the proposal to revoke the AQMA's the following year.
14. The LAQM Technical Guidance 2022 states "there should not be any declared AQMAs for which compliance with the relevant objective has been achieved for a consecutive five-year period".
15. No major development, which is considered likely to generate additional nitrogen dioxide, is proposed in the area and therefore it is not expected that pollution levels will significantly increase in future years.
16. Following discussion and review of the 2023 data with Defra, Fareham Borough Council are instructed to revoke both AQMA'S in early 2024. This would be achieved by the Executive approving the order shown at Appendix A. If approved there will then be no AQMA's in Fareham.
17. As per the Environment Act 2021, Fareham Borough Council will move forward with producing its new Air Quality Strategy to replace the existing Air Quality Action Plan ensuring continued air quality improvements beyond statutory designations.

#### **NATIONAL NO<sub>2</sub> PROGRAMME**

18. In 2017 the Government published its revised National Action Plan and subsequently issued a Ministerial Direction to Fareham to formulate separate additional plans (as part

of the National NO<sub>2</sub> Programme) to address a perceived issue at Eastern Way Fareham. Those plans were accepted and measures to improve air quality at that location introduced. Work is ongoing to demonstrate compliance to the Joint Air Quality Unit to enable Fareham to Exit the National NO<sub>2</sub> Programme as well.

## **RISK ASSESSMENT**

19. There is a risk of reputational damage and further Directions from DEFRA is Fareham does not revoke its AQMA's.

## **CONCLUSION**

20. Monitoring has shown that the air quality objective for nitrogen dioxide in the Fareham AQMA and Portland Street AQMA is not currently exceeded. Assessment indicates it is not likely to be exceeded in the future, and as such both should be revoked by order.

### **Appendix A: Order Revoking the Air Quality Management Areas**

**Background papers:** Fareham and Gosport Borough Council's Annual Status Report 2023 Bureau Veritas June 2023

#### **Reference Papers:**

Fareham and Gosport Borough Council's Annual Status Report 2023 Bureau Veritas June 2023

2022 Air Quality Annual Status Report (ASR) In fulfilment of Part IV of the Environment Act 1995 Local Air Quality Management Date: June, 2022

Fareham Borough Council Local Air Quality Management Updating and Screening Assessment Ref: BV/AQ/AGGX0567/EC/2420 June 2006

Fareham and Gosport Environmental Health Partnership Annual Status Report 2016 Bureau Veritas January 2017

LAQM Technical Guidance 2022

#### **Enquiries:**

For further information on this report please contact Ian Rickman 01329 824773

**Fareham Borough Council Order 2024  
Environment Act 1995 Part IV Section 83(2)(b)  
Order Revoking an Air Quality Management Area**

Fareham Borough Council, in exercise of the powers conferred on it by Section 83(2)(b) of the Environment Act 1995 Hereby makes the following order:-

1. This Order shall revoke the Order known as the “Fareham Air Quality Management Area” (as shown in figure one on the map) declared for the nitrogen dioxide (NO<sub>2</sub>) annual mean.
2. This Order shall revoke the Order known as the “Portland Street Air Quality Management Area” (as shown in figure two on the map) declared for the nitrogen dioxide (NO<sub>2</sub>) annual mean.
3. This Order shall come into force on the date of sealing.

Dated this            day of            2024

The Common Seal of Fareham Borough Council was affixed in the presence of:

.....  
Authorised Officer

.....  
Authorised Officer

Dated:  
.....

Figure One – Fareham AQMA – An area encompassing the junction of Gosport, Redlands Lane and Newgate Lane Fareham and the surrounding area up to the Quay Street roundabout Fareham.

AIR QUALITY MANAGEMENT AREA 2017 (A)  
GOSPORT ROAD FAREHAM

**FAREHAM**  
BOROUGH COUNCIL

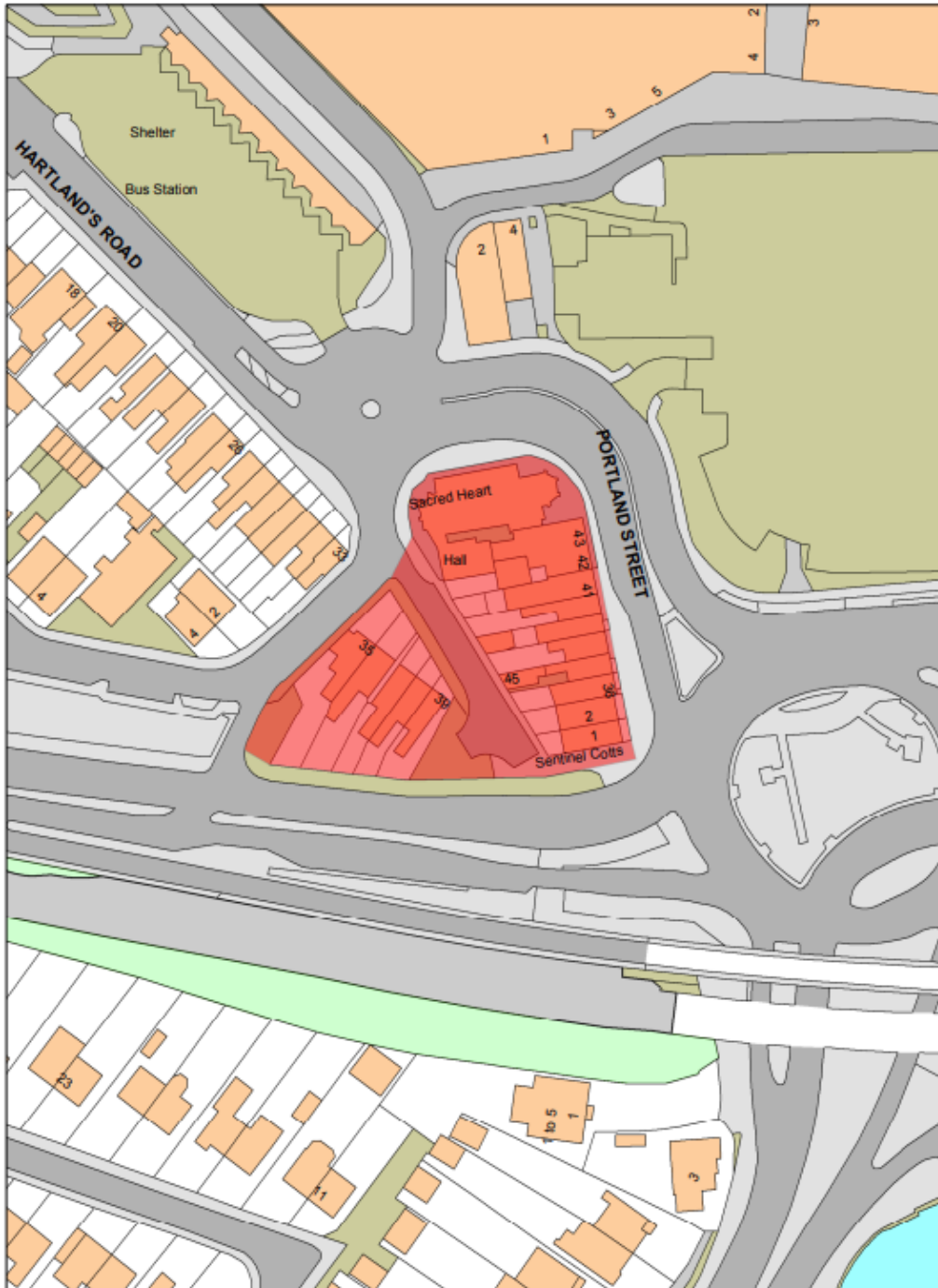


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Figure Two – Portland Street AQMA – An area encompassing residential properties and the Sacred Heart Catholic Church on Portland Street and the southern end of Hartland Road Fareham.

AIR QUALITY MANAGEMENT AREA 2017 (B)  
PORTLAND STREET FAREHAM

**FAREHAM**  
BOROUGH COUNCIL



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