

**Agenda Item No:** 9.6 **Report No:** 121/16  
**Report Title:** Local Air Quality Management: Newhaven's Air Quality Action Plan  
**Report To:** Cabinet **Date:** 28 September 2016  
**Lead Councillor:** Cllr Paul Franklin  
**Wards Affected:** All Newhaven Wards  
**Report By:** Ian Fitzpatrick, Director of Service Delivery  
**Contact Officer:** Rebecca Wynn – Environmental Health Specialist  
01273 471600  
Rebecca.Wynn@lewes.gov.uk

---

**Purpose of Report:**

To adopt an Air Quality Action Plan for Newhaven to improve local air quality in the Lewes District.

**Officers Recommendations:**

- 1 To approve the Air Quality Action Plan for Newhaven

**Reasons for Recommendations**

- To fulfil our Local Air Quality Management duties under Part IV of the Environment Act 1995.
- To work towards improving air quality in Newhaven particularly in those areas in close proximity to the A259 ring road.
- For Lewes District Council and its partners to work together on a local level to reduce emissions of relevant pollutants and reduce the health impacts of the pollutants.

---

**1 Information**

- 1.1 Part IV of the Environment Act 1995 places a statutory duty on all local authorities to periodically review and assess the quality of air within their boundaries, both currently and for the future.
- 1.2 Lewes District Council continuously monitors air pollution against national standards. We do this in a number of locations throughout the District and the results of this monitoring are submitted to DEFRA on a regular basis.

- 1.3 Where results indicate that air quality limits are at risk of being reached or exceeded, DEFRA requires local authorities to undertake a more detailed assessment of the levels of pollution in that area.
- 1.4 The Council's air quality monitoring programme has already led to the submission of a number of detailed assessments. Analysis of Nitrogen Dioxide (NO<sub>2</sub>) diffusion tubes has shown that in two locations on the ring road in Newhaven the air quality objective for NO<sub>2</sub> has been exceeded when measured as an annual mean. The detailed assessment of Newhaven Town Centre led to the declaration of an Air Quality Management Area (AQMA) in areas adjacent to the A259 ring road in July 2014. The map in Appendix 1 defines the AQMA boundaries.
- 1.5 Following the declaration of the AQMA the Council is required to produce an Air Quality Action Plan (AQAP) outlining how it has, is and will address the issues that led to the declaration of the AQMA.
- 1.6 A draft AQAP was drawn up between June and September 2015 through a partnership approach in particular with East Sussex County Council (ESCC) (Transport and Public Health), Planning, Newhaven Town Council, Newhaven Port Authority, Southdown's National Park and Highways England.

## **2 Consultation**

- 2.1 Under Schedule 11 of the Environment Act, local authorities are required to consult on their AQAP. It is important to have involvement of all local stakeholders to ensure the success of the Action Plan. The Newhaven AQAP is intended to be an evolving plan that will develop in time and, as a result will be subject to ongoing consultation.
- 2.2 The draft AQAP was subject to consultation and engagement which was carried out through:
  - An article in 'Newhaven matters', a newsletter that is distributed to every household in Newhaven.
  - A press release to launch the consultation period accompanied by an interview of the Lead Member on Local Radio around air quality in Newhaven.
  - A public event that included an exhibition of display boards on the AQMA and draft AQAP, distribution of leaflets and questionnaires with officers from various Departments of the Council to answer questions.
  - An online survey accessible through the LDC website; this ran from mid-February to 30<sup>th</sup> April 2016
  - Paper survey forms being available for collection and return at the local Newhaven community café.

- 2.3 The survey attracted 125 responses, a number that is considered an excellent return for a survey of this type. Many people were concerned with the traffic congestion around the Ring Road e.g. 83% of respondents would be supportive of a Low Emission Zone around the Ring Road and 65% would like LDC to promote alternative modes of transport such as walking and cycling. Although not a specific question many respondents suggested alternative solutions and there was an overwhelming call for a relief road. All feasible suggestions have been summarised under 9: 'Actions requiring further research.' The summary of responses from the consultation exercise is attached as Appendix A in the AQAP.
- 2.4 Consultation has been an integral part in writing both the draft and final plan. The Newhaven Air Quality Working Group will now be set up to deliver the action plan and will include local residents, non-governmental organisations and all key stakeholders as listed in 1.6 above.

### **3 Air Quality Action Plan**

- 3.1 The AQAP provides an overview of air quality in Newhaven and places it in context of a range of European, national, regional and local policies, including the Local Transport Plan 2011-2026, Coast to Capital Local Enterprise Partnership Strategic Economic Plan, and our own Local Plan, specifically Core Policy 9 on Air Quality.
- 3.2 The Action Plan has been prepared to address the high concentrations of Nitrogen Dioxide NO<sub>2</sub> which people are exposed to alongside the busy roads in the centre of Newhaven. Road traffic is the main source of NO<sub>2</sub>, particularly diesel vehicles in stop-start traffic which makes the biggest contribution to the poor air quality.
- 3.3 The AQAP describes 7 actions that, if adopted could and can, deliver improvements in air quality. Each action has been evaluated in terms of cost, feasibility and timescale.
- 3.4 The actions are listed under the following headings:
- **Action 1: Enable the use of sustainable travel choices through the delivery of transport infrastructure and initiatives**
  - **Action 2: Actively promote low emission vehicles and supporting infrastructure.**
  - **Action 3: Use the planning system to ensure that air quality is fully considered for new development.**
  - **Action 4: Use traffic management to reduce emissions within the AQMA.**

- **Action 5: Work with Public Health colleagues to inform the public about health impacts of Air Pollution and how they can change behaviour to reduce emissions and reduce exposure.**
- **Action 6: Continue to monitor and assess air quality in line with Government guidance on Local Air Quality Management (LAQM).**
- **Action 7: Target point sources in Newhaven Town Centre**

## **4 Resources**

- 4.1 Trying to cost out a proposal is extremely difficult so we can only provide estimates of what each measure may cost. As many of the actions are likely to be delivered by ESCC, we are dependent for many options on their financial resources and prioritisation. The resources of the County are limited but by declaring the AQMA and producing this plan added weight is given to investing in improvements to air quality in Newhaven.
- 4.2 The declaration of an AQAP is, in itself, a useful tool as it promotes low pollution developments and/or funding from development contributions i.e. the Community Infrastructure Levy and increases the success of bids for funding. DEFRA have annually made funds available in their Air Quality Grant Programme for local authorities to bid for funds but they are often heavily over subscribed.
- 4.3 Crucial to delivering this plan is the amount of Officer time available. Currently the Air Quality Officer post is vacant, with a view to sharing this role with Eastbourne. The Air Quality Officer has a range of responsibilities including air quality, permitting of manufacturing processes, assessment of large planning applications, and investigation of pollution incidents together with delivering the actions of the Lewes AQAP which was declared in 2009. To deliver the AQAP for Newhaven the allocation of officer time needs to be assessed and prioritised where the demand arises. The Lewes AQAP will be reviewed in 2016 and although some of the actions have been achieved there are still exceedances of NO<sub>2</sub>, therefore the AQMA will not be revoked.

## **5 Improvements in Air Quality**

- 5.1 If this plan is fully implemented it will deliver an improvement to air quality around the ring road by reducing pollution emitted from vehicles.
- 5.2 At this stage, it has not been possible to quantify pollution reductions for specific actions. It is considered that the measure with the greatest potential to reduce NO<sub>2</sub> concentrations within the AQMA is Action 1 (traffic infrastructure and delivery) and in the longer term Actions 3 and 4, i.e. planning restrictions and traffic management will go some way to reduce emissions.

- 5.3 Increases in traffic around the Ring Road system are very likely given the planned development that is being taken forward. Any improvements resulting from this Action Plan in terms of reducing vehicle movements, or in reducing emissions directly, may therefore be counter to an increasing number of vehicles due to new developments. It is vital therefore that new planned developments make payment /contribute towards improvements in sustainable travel in the area.
- 5.4 The Council will continue to monitor air quality at several locations within the AQMA. The results of the monitoring will be made available through the annual review and assessment reports along with proxy measures for quantifying improvements.
- 5.5 Lewes District Council aims to maintain the current high profile of the Newhaven AQAP with residents and councillors; to this end the Council will hold biannual public stakeholder meetings reporting on the progress of the AQAP. Only with a unified and sustained approach can the Council lobby both ESCC and Central Government to prioritise action and funding for Newhaven.

## **6 Scrutiny Committee**

- 6.1 The AQAP was discussed at Scrutiny on 1 July 2016. The committee discussed various methods of reduction air pollution within the town including the use of NOx absorbing paint and planting small trees near areas of built up traffic i.e. roundabouts, traffic lights etc.

The committee agreed the action plan had been well researched, however, they recognised the difficulty in changing the infrastructure within Newhaven town as this fell within the remit of East Sussex County Council, as did the majority of actions contained within the Plan.

The committee requested that Natural England be included as a consultee and resolved:

- That the AQAP for Newhaven be endorsed
- That Cabinet be advised that the Committee welcome the action points as shown in para 3.4 of the report.

## **7 Financial Implications**

- 7.1 To fully implement all the actions within the AQAP is potentially very costly both on officer time, but also in capital investment. Funding can be obtained through DEFRA's air quality grant programme via a bidding process. ESCC are also bidding for funds from the Coast to Capital and the South East Local Enterprise Partnerships for inclusion in their Local Growth Fund Round 3 submissions in July 2016.

## **8 Legal implications**

- 8.1 Following declaration of an AQMA in Newhaven, the Council are statutorily obliged to produce an AQAP following guidance and direction from DEFRA.

## **9 Equalities implications**

- 9.1 On 16 June an Equality Analysis was undertaken on the Newhaven AQAP. Due regard was given to the general equalities duties and to the likely impact of the Action Plan on people with protected characteristics, as set out in the Equality Act 2010. The AQAP was found to have positive outcomes, namely an improvement to air quality will enhance the quality of life for people with disabilities arising from respiratory problems (e.g. asthma, COPD).

## **10 Risk Management**

9.1 I have completed the risk assessment checklist (LDC58469) and have identified the following risks:-

- Failure to declare to produce an AQAP after declaring an AQMA would be a breach of the Council's Statutory duty
- Failure to tackle air pollution effectively will affect the health of residents and reduce the attractiveness of the town as a place to live and work

These risks can be minimised implementing this plan via partnership work.

### **1. Background Papers**

Local Air Quality Management Detailed Assessment of Air Quality in Newhaven 2012, Part IV of the Environment Act 1995

### **2. Appendices**

1. Map of the AQMA
2. Newhaven Air Quality Action Plan

## **Appendix 1**

**Map on following page.**

