

County Council – 18 October 2019

Item 10(d) - Notice of Motion by Mr Boram

Air Quality - Briefing Note

The County Council sees good air quality as an important factor in improving health and the environment in West Sussex. The motion makes a number of suggestions for addressing this matter, for which some background information is set out below.

1. Anti-idling Enforcement

The Road Traffic (Vehicle Emissions) Regulations 2002 enable local authorities in England to issue Fixed Penalty Notices (FPNs) to drivers who allow their vehicles to run unnecessarily while stationary on the road. The Regulations provide the legal framework to enforce Highway Code Rule 123.

A local authority (LA) may apply to the Secretary of State to become a designated LA for the purposes of issuing FPNs for stationary engine idling offences. A vehicle idling unnecessarily while stopped could then be given a £20 FPN, rising to £40 if unpaid. However, Department for Transport guidance is quite clear that enforcement should be a last resort to act as a deterrent and that the role of LAs is to educate drivers to facilitate behavioural change.

A few city authorities, including London, have started to do this, but it will take significant resource to do this in towns across West Sussex. There are 300 schools (discounting nurseries, children and family centres etc) and 12 hospitals (counting all the small community hospitals but excluding clinics and surgeries).

There are 33 level crossings across roads; albeit not all of them in close proximity to residences. There is potential for the generated income to part-fund the necessary additional staffing, but to do this effectively would require consistent presence of enforcement officers at the proposed sites.

Sussex-air Partnership is currently discussing future funding bids to the Department for the Environment, Food and Rural Affairs' Air Quality Fund and is considering a bid for a pilot study into school road closures.

The low number of LAs that have applied to the Secretary of State for designation accounts for the low number of FPNs issued across the country since the regulations were introduced.

2. Electric Vehicle Strategy

Under the Automated and Electric Vehicles Act 2019, the Government plans to ban new petrol and diesel cars by 2040 and the Office for Low Emission Vehicles aims for all vehicles to be low emission by 2050. To ensure that West Sussex residents are prepared for this transition, the County Council has been thinking about the County Council's long-term ambition for the county and how to achieve it.

Following a survey at the end of 2018 to seek feedback on what would help people to make the switch to electric vehicles, an internal elected members' Task and Finish Group has produced a draft Electric Vehicle (EV) Strategy which has been subject to open consultation in recent weeks. A Cabinet Member decision to adopt the strategy

is scheduled for December after the Environment, Communities and Fire Select Committee has considered it.

Once the decision is taken the focus of officers' work will move to delivery of the strategy.

3. Planning Policies

Policy W16 of the West Sussex Waste Local Plan (2014) supports development where it would have no unacceptable impacts on the intrinsic quality of air resources, and no unacceptable impacts on the management and protection of air resources, including in Air Quality Management Areas (AQMs). This is mirrored in Policy M15 of the West Sussex Joint Minerals Plan (2018) in relation to minerals development (including oil/gas).

In determining planning applications, weight is given to the impact on air quality, including cumulative impacts from other existing or proposed developments. In assessing such impacts, account is taken of specialist advice from the district and borough councils' Environmental Health Officers (EHOs).

Account is also taken of guidance prepared by the Sussex authorities - 'Air quality and emissions mitigation guidance for Sussex authorities' (updated 2014) – which sets out a common approach for planning officers, EHOs and applicants when considering and mitigating emissions to air.

Increasing use is made of conditions requiring 'air quality mitigation strategies' through which developers commit to minimising vehicle movements, using vehicles that minimise emissions, and facilitating the use of electric vehicles. It also involves controlling routing to avoid built-up areas, especially AQMs.

4. Third Party Suppliers

The County Council's procurement process includes six stages of activity throughout the procurement lifecycle and at each stage Social Value is considered and managed.

The Procurement & Contract Management team have developed a more enhanced approach to Social Value, including a new Framework that deepens consideration and application of Social Value throughout the Procurement lifecycle. Development of our new Framework is aligned to the National TOMs (Themes, Outcomes and Measures) Framework. The three themes of Social Value are Social, Economic and Environmental and as a key theme, the KPIs we have developed for consideration in relation to Environment include a measure on the use of Ultra Low Emissions Vehicles (ULEVs).

The County Council's procurement process includes six stages of activity throughout the procurement lifecycle and at each stage Social Value is considered and managed. Our role/approach in relation to Social Value outcomes is consequently becoming much more robust and provides a set of detailed KPIs that project teams/commissioners can consider and use within tenders. Once contracted these will be measured and banked. Potentially up to 10% of scoring could be against Social Value criteria.

5. The County Council's Fleet and Ultra-Low Emission Vehicles

Fleet replacement is managed through the rolling five-year Fleet Asset Management Plan and, during any procurement process, the most appropriate replacement vehicle is selected. The main considerations are vehicle emissions, vehicle suitability and value for money. Any mass switch over to EV vehicles will be undertaken in conjunction with the EV strategy outlined under (2) above to ensure sufficient charging infrastructure. In the interim, hybrid vehicles are being considered as a suitable alternative to fossil fuel vehicles.

6. Sustainable Transport Initiatives

Walking & Cycling Strategy

The West Sussex Walking and Cycling Strategy was adopted in October 2016 and covers the 10-year period to 2026. The strategy has been the catalyst for various beneficial outcomes including:

- Adoption of a corporate target for new cycling infrastructure provision (15% annual increase to 31.03.22). In 2018/19, 5.8 km of new cycle infrastructure was provided against a target of 5.75 km and the County Council is on track to achieve the 2019/20 target of 6.61 km.
- Securing 60 days of Department for Transport consultancy support time to assist a consortium of West Sussex authorities in development Local Cycling and Walking Infrastructure Plans. These are due to be published at the end of November.
- £490,000 of pooled business rates funding to support walking and cycling schemes (divided equally across the seven authorities in West Sussex).
- A £558,000 grant from the European Union to upgrade the surface on four sections of the Downs Link (totalling 7 km). This will enable all weather cycling on the treated sections.
- A £40,000 contribution from Sustrans towards the Christ's Hospital Downs Link improvement scheme
- Supporting bids to external bodies (e.g. Highways England's Designated Funds, Transport for South East's Major Road Network etc).
- Development of the West Sussex Cycling Design Guide, which was adopted at the end of August.
- Helping to identify where s106 and Community Infrastructure Levy contributions are available to be used for walking and cycling improvements.

Local Transport Plan

The Environment Act 1995 requires the County Council, as local transport authority, to work with district and borough councils to address air quality issues in Air Quality Management Areas (AQMAs), where they relate to traffic.

AQMAs are designated by district and borough councils when air quality is lower than national air quality standards. In West Sussex, there are currently ten designated AQMAs. The West Sussex Transport Plan 2011-26 (WSTP) sets out the County Council's objective to make the transport network safer and healthier to use by working with district and borough councils to develop and implement Air Quality Action Plans which include initiatives to help meet national air quality standards in AQMAs.

West Sussex Bus Strategy

The West Sussex Bus Strategy outlines the County Council's priorities to pursue with partners including bus operators, developers, the Local Enterprise Partnership, neighbouring authorities and district and borough councils to sustain and/or enhance local bus services for its residents. This includes exploration of powers in the Bus Services Act 2017 to enter into quality partnerships whereby the County Council can improve access opportunities through improved highways infrastructure and possible bus priority measures. In addition, the partners can work together to introduce fare discounts, better facilities such as Wi-Fi, more comfortable vehicles to make bus travel more attractive, reduced emissions through low or zero emission vehicles and joint promotion to reduce car use, leading to lower levels of congestion. The strategy will enable the County Council to evidence its intentions when bidding for forthcoming funds to be made available by the Government as recently announced by the Chancellor of the Exchequer.

Steve Read

Director of Environment and Public Protection