

# COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE

16 June 2015

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

## Low Emission Strategy

<b>Final Decision-Maker</b>	Communities, Housing & Environment Committee
<b>Lead Director or Head of Service</b>	John Littlemore Head of Housing & Community Services
<b>Lead Officer and Report Author</b>	Dr Stuart Maxwell
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

### **This report makes the following recommendations to the final decision-maker:**

1. The Committee agrees the proposed themes and action plan for the Low Emission Strategy attached as Appendix A for consultation with stakeholders and members of the public.
2. That the Committee instructs the Head of Housing & Community Services to report back to the Committee with the result of the consultation and the draft Low Emission Strategy for approval by the Committee no later than December 2015.
3. The Committee notes that the Carbon Management Plan 2009 is being reviewed and updated, and a report on progress is being prepared. The committee agrees that an updated Carbon Management Plan will be prepared and incorporated into Low Emission Strategy.

### **This report relates to the following corporate priorities:**

- Great Place

<b>Timetable</b>	
<b><i>Meeting</i></b>	<b><i>Date</i></b>
Corporate Leadership Team	2 June 2015
Policy and Resources Committee	
Council	
Other Committee	

# Low Emission Strategy

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Maidstone Borough Council is developing a Low Emission Strategy. The purpose of this report is to explain the rationale behind the Low Emission Strategy, the issues driving its development, and its main aims.
  - 1.2 The Low Emission Strategy will enable the council to develop a new action plan that is more aligned to the council's responsibilities, available resources and to reflect the latest Strategic Plan.
  - 1.3 It is intended that the Low Emission Strategy will evolve to encompass the relevant parts of the Carbon Management Plan, which is over 6 years old and in need of refreshing. This will ensure that the key actions from both documents have a synergy that is tailored to what can be reasonably expected of a district council to deliver.
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## 2. INTRODUCTION AND BACKGROUND

- 2.1 The Council is developing a Low Emission Strategy in response to high levels of air pollution in specific parts of the Town. The Council has designated an Air Quality Management Area (AQMA) covering the whole urban area due to elevated concentrations of Nitrogen Dioxide (NO<sub>2</sub>) near residential properties in six areas of the Borough. NO<sub>2</sub> levels at key locations near to major roads and junctions remain above the EU Limit Value with no discernible downward trend.
- 2.2 The predominant source of these elevated levels is the emissions of oxides of nitrogen (NO<sub>x</sub>) from road transport vehicles. Road transport vehicles are also a significant source of fine particulate concentrations in Maidstone.
- 2.3 Two issues are driving the development of the Low Emission Strategy, namely:-
  - The UK is now in breach of the EU Air Quality Directive and infraction proceedings have commenced. The level of fines could reach 400 million Euros and under the reserve powers of the Part 2 of the Localism Act 2011, these fines can be passed on to any public authority whose act or omission has contributed to these breaches. It is therefore important that Maidstone Borough Council is seen to be taking the necessary steps to ensure that the EU limit values are met.
  - From a Public Health point of view, It is estimated that approximately 5.1% of deaths in Maidstone (72 deaths per annum) are attributable to fine particulate concentrations (less than 2.5 microns in size). Poor air quality affects children and the elderly disproportionately and results in increased hospital admissions.

- 2.4 The Maidstone Carbon Management Plan states that 35% of all Carbon Dioxide (CO<sub>2</sub>) emissions caused by Maidstone Borough Council are due to fleet operations and business travel with little progress made in reducing these emissions over the period of the Plan. The Council considered introducing a Low Emission Zone for the urban area; however, analysis showed that the costs would outweigh the potential benefits in the exceedance areas. Therefore, the Low Emission Strategy (LES) which is being developed, will not only help improve health and the environment but will align better with the resources and direct influence that the council can bring to tackling the global issues.
- 2.5 The aims of the Low Emission Strategy are as follows:-
- a) To achieve a higher standard of air quality across Maidstone.
  - b) To embed an innovative approach to vehicle emission reduction through integrated policy development and implementation in Maidstone and across the region
  - c) To improve the emissions of the vehicle fleet in Maidstone beyond the 'business as usual' projection, through the promotion and uptake of low and ultra low emission vehicles
  - d) To reduce emissions through an integrated approach covering all appropriate municipal policy areas. Under each area, specific actions aimed at reducing emissions will be included.
- 2.6 The key areas on which the council proposes to consult are covered in Appendix A of this report.
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### **3. AVAILABLE OPTIONS**

- 3.1 The council could choose to consult on and adopt a new Low Emission Strategy, incorporating an updated Carbon Management Plan, in order to provide an improved approach to tackling poor air quality within the Borough. This would enable the council to take an approach that is balanced against the resources available and pitched at a level commensurate with a district council.
- 3.2 The council could decide to do nothing but the UK is now in breach of the EU Air Quality Directive and infraction proceedings have commenced. The level of fines could reach 400 million Euros and under the reserve powers of the Part 2 of the Localism Act 2011, can be passed on to Local Authorities. By not having a plan or strategy in place the council is more vulnerable to being made a party to these fines, as they can be passed on to any public authority whose act or omission has contributed to these breaches.
- 3.3 The council could retain the existing Carbon Management Plan; however, many of the projects contained in it have been completed, so it is now in need of a thorough overhaul. It is suggested that a better approach would be to review the Carbon Management Plan, and henceforth deal with Carbon Management

actions under the Low Emission Strategy, as this better focuses the Council on what is achievable.

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#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 The preferred option is for the Council to choose to consult on and adopt a new Low Emission Strategy, incorporating an updated Carbon Management Plan, in order to provide an up to date approach to tackling poor air quality within the Borough. The Low Emission Strategy would include actions under a wide range of areas of the Council's influence, and thus should achieve better results than a narrower plan just focussed on traffic. These areas are discussed in Appendix A.
- 4.2 The Low Emission Strategy would help Maidstone Council to demonstrate that it is taking air quality problems and their associated Public Health issues seriously, and should help to protect the Council from the imposition of any fines for breaching EU Air Quality limits.
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#### **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 It is proposed that the key themes contained within Appendix A are used as the bases for consulting with key stakeholders and members of the public, in order to develop an action plan for the strategy. Key stakeholders include internal services within the council; local businesses e.g. bus companies, taxi proprietors and haulage firms; and health colleagues. Key stakeholders will be given the opportunity to complete a questionnaire and to attend a forum on the topic.
- 5.2 Member of the public will be able to respond via the council's website where a questionnaire will be developed for their use in conjunction with the council's Communication Team.
- 5.3 The outcome of the consultation exercise will be reported back to this committee at a future date.
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#### **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 6.1 The following timetable is proposed:

<b>Action</b>	<b>Start</b>	<b>End</b>
The CH& E Committee approves the draft themes for consultation		16/06/2015
Consultation period commences	22/06/2015	25/09/2015
Report back to CH&E Committee with consultation response incorporated into draft Strategy		13/10/2015

Strategy approved, implementation commences	January 2016	March 2021
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## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	The report supports the Priority of Keeping Maidstone an Attractive Place in the draft Strategic Plan	
<b>Risk Management</b>	A failure to be able to demonstrate the council has taken reasonable steps to reduce poor air quality may leave the council open to being made party to any fine imposed on the UK Government by the European Parliament	
<b>Financial</b>	None identified at this stage	Section 151 Officer
<b>Staffing</b>	None	
<b>Legal</b>	None	
<b>Equality Impact Needs Assessment</b>	Not Applicable at this stage	
<b>Environmental/Sustainable Development</b>	Contained within the report	
<b>Community Safety</b>	None	
<b>Human Rights Act</b>	None	
<b>Procurement</b>	None	
<b>Asset Management</b>	None	

## 8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix A Low Emission Strategy; Draft Consultation Themes

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## 9. BACKGROUND PAPERS

### 9.1 Maidstone Borough Council Carbon Management Plan