

MAIDSTONE BOROUGH COUNCIL

CABINET MEMBER FOR ENVIRONMENT

REPORT OF THE ASSISTANT DIRECTOR OF ENVIRONMENTAL SERVICES

Report prepared by: John Newington

Date Issued: 15 April 2010

1. Approval of (Draft) Air Quality Action Plan for submission to Defra and Public Consultation.

1.1 Key Issue for Decision

- 1.1.1 To consider and approve the draft air quality action plan for public consultation and submission to Defra in accordance with the statutory responsibility placed on the Council.

1.2 Recommendation of the Assistant Director of Environmental Services

- 1.2.1 That the draft Air Quality Action Plan 2010 presented in Appendix A is approved for public consultation and submission to Defra.

1.3 Reasons for Recommendation

- 1.3.1 Maidstone Borough Council has a statutory duty to periodically review air quality within its area – a process known as Local Air Quality Management (LAQM). This process involves the assessment of both current, monitored air quality levels and future predicted air quality levels. To date, LAQM has identified the main source of air pollution in the borough is attributable to road traffic emissions due to traffic flows and congestion on key areas within the local road network, notably the M2, M20, A20, A229, A249, A26 and A274. To date 5 hotspot areas have been confirmed as exceeding the NO₂ annual mean air quality objective. In 2001 a single hotspot area along the M20 was identified, a further hotspot in and around the town centre was identified in 2005. Since then a further three hotspots have been confirmed at the Well Road/Boxley Junction, the Fountain Lane/Tonbridge road junction and the Loose road/Sutton Road (Wheatsheaf) junction.
- 1.3.2 To address the issues related to these five confirmed areas of exceedence an Air Quality management Area (AQMA) was declared in August 2008. Since then the Further Assessment (FA), which is the technical support for the Air Quality Action Plan, has been undertaken and submitted to Defra. An Update and Screening Assessment and a

progress report have also been produced and submitted to Defra. Both the FA and USA have been used to help develop the air quality action plan (the subject of this report) which identifies measures and actions required to manage air quality within the AQMA and specifically the hotspot areas.

1.3.3 In order to reduce pollutant levels below the Air Quality Objective levels required by European legislation, areas like Upper Stone Street requires an 88% reduction in NO₂ concentrations and the Loose road/ Sutton Road junction requires a 51% reduction, whereas some junctions like the Tonbridge Road and Fountain Lane junction only require a 4.8% reduction in NO₂ concentrations to fall below the acceptable annual mean level for NO₂.

1.3.4 The Maidstone Air Quality Action Plan (AQAP) sets out a series of measures which target hotspot areas in order to reduce NO₂ emissions by the required amount. However, the Council is not in a position to address these issues as many of the contributing factors are managed and influenced by other agencies. Since the declaration of the AQMA in August 2008 the Council has continued to work in partnership with internal and external stakeholders through the Air Quality and Transport Steering group. This has enabled the Council to produce annual progress reports to Defra. The proposed draft action plan incorporates all of the schemes that are already underway and has identified new partnerships and new opportunities.

The AQAP sets out which external partners (stakeholders) are involved in the delivery of each measure and provides indicators for assessing progress in achieving the Air Quality Objectives and reporting progress annually (to both Defra and internally). As well as setting out measures specific to the AQMA, the AQAP also sets out measures for Borough wide air pollutant emissions reductions in line with the Council's sustainability aims outlined in the Sustainable Community Strategy and in support of the Council's carbon emissions reduction targets.

1.3.5 The Maidstone Air Quality Action Plan (Appendix A) has been written with the support of the Maidstone Air Quality and Transport Steering group, many of whom are key stakeholders and partners who will need to take action to deliver this challenging programme of measures.

1.3.6 The (draft) Air Quality Action Plan also supports the Council's Carbon aspirations and statutory responsibilities as many measures to reduce air quality pollutants, also reduce carbon emissions.

1.3.7 The Council also has a statutory duty to carry out public consultation of the AQAP prior to finalisation to Defra. This will be carried out

through an online consultation process, questionnaire and leafleting of key hotspot areas.

1.4 Alternative Action and why not Recommended

1.4.1 To refuse the approval of the draft Air Quality. This is not recommended as a draft Air Quality Action Plan is due for submission to Defra by the end of April and any refusal would delay this submission which would need to be explained to Defra.

1.4.2 The Cabinet Member could propose a different set of actions at this stage, however this is not recommended as this version has been agreed with all the key stakeholders.

1.4.3 Once this draft Air Quality Action has been submitted to Defra, the finalised action plan (following public and statutory consultation) must then be submitted within 6 months. This means that any changes to the draft Air Quality Action Plan can be incorporated at any time in the proceeding 6 months and should not be a reason for delaying the submission of the Draft Action plan.

1.5 Impact on Corporate Objectives

1.5.1 The development and implementation of the air quality action plan is an action under the key objective (2010/11): reduce carbon emissions across the borough and improve air quality.

1.6 Risk Management

1.6.1 If the Air Quality Action Plan is not approved and submitted on time there could be reputational damage to the Council from Defra and key stakeholders.

1.6.2 The public consultation may not support the plan and create delays in publishing the final plan.

1.7 Other Implications

1.7.1

1.	Financial	X
2.	Staffing	X
3.	Legal	
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	X

6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

1.7.2 Financial

The budget for Air Quality work within Environmental Health needs to remain at present levels in order to carry out the measures proposed in the Action Plan and to enable the LAQM statutory function to continue to be carried out. However, the majority of actions within the plan are for key stakeholders to undertake. Should any specific elements of the plan require additional funding then a separate report will be made to the cabinet member.

1.7.3 Staffing

Staffing resources required for implementing the action plan will be managed within current staffing levels.

1.7.4 Environmental/Sustainable

The Action Plan will help reduce air pollutant concentrations in key hotspot areas and will also play an important role in reducing air pollutant emissions across the Borough. It is an action within the Strategic plan and also compliments the carbon emissions reduction targets.

1.8 Conclusions

- 1.8.1 The production of an Air Quality Action Plan which has been through public consultation is a statutory requirement. This draft version has been produced in close consultation and agreement with both internal and external stakeholders. This draft version should be submitted to Defra and, following public consultation, be finalised within 6 months of that submission.

1.9 Background Documents

Maidstone Borough Council Further Assessment (the technical support to the Air Quality Action Plan).

Update and Screening Assessment (report assessing any changes within the Borough that may require investigation).

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes ☒ No ☐

If yes, when did it appear in the Forward Plan?

Is this an Urgent Key Decision? Yes ☒ No ☐

Reason for Urgency

unplanned entry to key decision process at consultation stage

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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