

## CALL IN FORM

Once completed, please submit this form to either of the Officers shown below, cc'ing in Democratic Services.

Director of Strategy, Insight & Governance or The Chief Executive.

Please fill in the below form:

### Decision making body or individual

Executive

### Decision made (please include the date the decision was taken)

Decision:

1. That the revocation of the old Air Quality Management Area (AQMA) in Maidstone which will require an Air Quality Management Area Revocation Order to be issued, be agreed.
2. That the declaration of the proposed new AQMA in Maidstone, covering Upper Stone Street, as described in the report of the Senior Scientific Officer, which will require a new Air Quality Management Area Order to be issued, be agreed.
3. That permission be granted to hold a public consultation on the proposed actions given in the report to be included in a new Air Quality Action Plan.

### Reason for calling in the decision

The decision has been made on 2019 data. The data that has been published in the Council's Annual Status Report on air pollution provides data on 25 of the tubes shown as being in the existing AQMA. While pollution at 5 of these sites worsened in 2019, the overall reduction in NO<sub>2</sub> is just 3%, well within any reasonable level of random variation.

In addition, the report cites a potential for restricting diesel buses to Euro VI on Upper Stone Street, something that has yet to happen as data from Arriva show. Indeed the data show that Maidstone has the highest proportion of Arriva's Euro III buses in the entire country. Furthermore the Quality Bus Partnership has been inactive and its replacement, a Local Focus Group, has not been instigated. This suggests that any potential for cleaner buses is a significant way off.

The officer's preferred option (to revise the boundary) is presented as complying with current statutory guidance. However, DEFRA's guidance states that local authorities "they should have confidence that the improvements will be sustained" and that "typically this is after three years or more compliance". This guidance (p26 / 4.10 of LAQM Policy Guidance 2022) is materially different to the statement provided by the officer.

Finally, there is an assumption in the papers presented to the committee that NO2 < 40mcg/l is acceptable and does not require further focus for improvement. 90% of the sites monitored exceeded the World Health Organization's guidance of a maximum of 10mcg/l and it can therefore be assumed that these areas are contributing to the high number of deaths in the Borough which result from air pollution.

None of these points were recognised by the papers presented to the Executive committee and therefore we believe that the decision made was based on incomplete evidence and needs reviewing.

Desired Outcome

A review of the decision be the Overview and Scrutiny Committee and potential referral to full Council.

Additional Information Provided:

That parts 1 and 2 of the published decision be reversed and re-rereviewed once three full normal years of data are available per DEFRA guidance but that, on part 3, it is amended to say "That permission be granted to hold a public consultation on an enhanced and strengthened Air Quality Action Plan"

Unless this request is made by the Chairman of the Overview and Scrutiny Committee, any call-in must be supported by three Members of the Council.

Members calling in decision

Signed

1. Cllr Stuart Jeffery	1.
2. Cllr Paul Harper	2.
3. Cllr Maureen Cleator	3.

Date: 03/11/22