

## **MAIDSTONE BOROUGH COUNCIL**

### **RECORD OF DECISION OF THE CABINET MEMBER FOR ENVIRONMENT**

Decision Made: 14 October 2011

#### **REPORT OF THE ASSISTANT DIRECTOR OF ENVIRONMENT AND REGULATORY SERVICES - DEFRA AIR QUALITY GRANT 2011/2012**

##### **Issue for Decision**

To consider the Defra air quality grant proposal (2011/2012), under the DEFRA terms and conditions.

##### **Decision Made**

That the awarded DEFRA air quality grant (2011/2012) be accepted and countersigning the agreement contract, as set out at Appendix D of the report of the Assistant Director of Environmental and Regulatory Services, be agreed.

##### **Reasons for Decision**

The Maidstone Air Quality Action Plan (MAQAP) was approved by the Cabinet Member on 3rd December 2010. Part of that commitment (Measure 1 of the MAQAP) states that Maidstone Borough Council will:-

“Source funding and carry out a feasibility study investigating the potential for the use of traffic orders or Low Emission Zones for the hotspot areas.”

This grant fulfils that commitment and moves the MAQAP forward.

##### **Historical Background**

The MAQAP was developed with the involvement of the Maidstone Air Quality and Transport Steering Committee which includes relevant internal and external stakeholders.

The draft MAQAP was considered by Environment and Transportation Overview and Scrutiny Committee on 19th October 2010 and one of their recommendations was to include “the possibility for tougher actions, including the introduction of low emissions zones, traffic orders and other tools be explored alongside the potential for bids for funding of these actions”.

As a result of the consultation exercise measure 1 included the following action:

“Source funding and carry out a feasibility study investigating the potential for the use of traffic orders or Low Emission Zones for the hotspot areas”.

The final version of the action plan was approved by the Cabinet Member on 3rd December 2010, submitted to DEFRA and has since been approved by them.

In order to deliver this action MBC applied to DEFRA for an air quality grant to investigate the feasibility of low emission schemes, including low emission zones (LEZ) in key areas of the town centre (grant application included at Appendix A to the report of the Assistant Director of Environment and Regulatory Services).

### Project Output

Maidstone Borough Council has been proactive in the Local Authority Low Emission Partnership. Despite emission reduction efforts, NO<sub>2</sub> concentrations remain above the EU Limit Value in many parts of the Borough. The Air Quality Action Plan outlines a range of measures that will be investigated. Work is already being undertaken to quantify the included measures to show what air quality benefits could be realised.

This project will build on the above work and focus more specifically on the potential of low emission schemes and low emission zones in the most polluted hotspots in Maidstone. It would define the potential schemes that could be implemented (given the vast number and scope of different types of low emission zones and low emission schemes) and would provide an evidence base to assist policy makers and decision makers. It delivers against Measure 1 of the AQAP which seeks to investigate the feasibility of low emission zones and schemes in Maidstone. The scoping phase of this project will ensure that any proposals that come forward must be achievable, affordable and in accordance with the council's priorities.

The proposed project includes:

1. An inception phase: A short consultation period with the client steering group (e.g. main stakeholders including transport planners and environmental officers from the Council) to a) understand the overall emphasis or preference for either low emission zones or schemes and b) to share with them our experience and knowledge to help steer later phases of work. Stakeholder consultation should begin and continue throughout.
2. A scoping phase: Work to assess the potential benefits of several options and to prioritise them with the steering group. At this stage screening tools are appropriate and the priority is to quantify the potential emissions reductions and air quality benefits of the options. Approximate health benefits, implementation and enforcement feasibility issues could also be stated. At this stage any proposals that come forward will be screened to ensure they are achievable, and in accordance with the council's priorities. At the detailed stage the cost

/benefit analysis of these projects will be assessed to ensure that they are also affordable.

3. A detailed assessment phase: A small number of preferred options are taken forward from the scoping phase and a full analysis of each is done. A high level of quantitative detail is possible depending on the traffic and stakeholder data available.

The key benefit of this project is to provide the evidence base for local decision makers to support the aims of the MAQAP and support the developing Integrated Transport Strategy and Car Parking Strategy. It is envisaged that the key areas of focus will be in addressing bus/taxi emissions in the High Street as well as the general volume of traffic: particularly HGVs on the A229 primary route that runs north to south through the middle of the town. Measures to be considered will be set during the inception and scoping phase and may include:

- travel planning,
- HGV re-routing and
- the emissions management of buses.
- Low emission zones of many varieties, drawing on the experiences of UK towns and cities that already have low emission zones in place (eg Norwich, Cambridge, Oxford and London)
- introduction of electric vehicles,
- car share schemes.

These are all feasible in Maidstone but the impact of their introduction on emissions requires quantifying, along with the cost and benefits in monetary terms. Such robust evidence based on local data is necessary to decide on the most cost effective options to move forward into the realms of policy setting.

The Project will help to provide practical solutions with robust cost benefit analysis to use as a platform to secure future funding to assist in implementing the right scheme(s) for Maidstone. It will ensure that any proposals that come forward must be achievable, affordable and in accordance with the council's priorities.

The outcomes of this project directly deliver against Measure 1 of the MAQAP which seeks to investigate the feasibility of low emission zones and schemes in Maidstone. It will also provide a robust evidence base to assist policy makers and decision makers. It is hoped that this project can be used to support the developing Integrated Transport Strategy (in development for the Core Strategy(CS)) on its route towards adoption in the Spring 2013.

The project plan and the scoping of the objectives set out within that plan will be key to the whole enterprise and have been written to ensure that we will not be volunteering the council for any proposals which could clearly conflict with our existing policies, such as those relating to planning and regeneration, as set out at Appendix B to the report of the Assistant Director of Environment and Regulatory Services.

## DEFRA Contract Timeline

The Council were awarded the full £40K grants from DEFRA, as set out at Appendix C to the report of the Assistant Director of Environment and Regulatory Services. It was agreed that a Project Plan should be produced and submitted to DEFRA, which was sent on 12<sup>th</sup> September 2011.

DEFRA will review the project proposal and if they are satisfied with the Project Plan they will formally award the grant by sending the Council a signed terms and conditions agreement for countersigning, as set out at Appendix D to the report of the Assistant Director of Environment and Regulatory Services.

Legal Services reviewed the terms and conditions of the award contract and state that they "cannot find anything in the terms and conditions which will fetter us in our future policies, and implementation of those policies for the town" and that the "terms and conditions relate more specifically to the use of the grant, and the production of the report".

Once DEFRA return the agreement contract and it is countersigned by MBC, DEFRA will release the funds and the project can start (early part of December 2011).

### **Alternatives considered and why rejected**

Not accepting the awarded grant is not thought appropriate as it would go against the previous Cabinet Member decision and contradict the MAQAP, leaving many questions regarding the quantification of air quality improvements unanswered. This would make it difficult to identify which sustainable transport schemes will provide air quality improvements in the future.

### **Background Papers**

None

Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Head of Change and Scrutiny by: <b>21 October 2011</b>
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