

Communities, Housing and Environment Committee

20 September 2016

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

Yes

Air Quality Working Group

Final Decision-Maker	Communities, Housing and Environment Committee
Lead Head of Service	John Littlemore, Health of Housing and Community Services
Lead Officer and Report Author	Tracey Beattie, Mid Kent Environmental Health Manager
Classification	Public
Wards affected	All

This report makes the following recommendations to this Committee:

1. To establish a member working group of five members.
2. Agree three members to represent the committee on the working group.
3. Invite Strategic Planning, Sustainability and Transportation Committee to nominate two members to represent that committee on the working group.
4. That the terms of reference are agreed by the working group.

This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all – Improving Air Quality for the borough is a statutory responsibility which can be delivered through a meaningful and effective strategy on Air Quality.
- Securing a successful economy for Maidstone Borough – ensuring that future policies and actions affecting transport, procurement, planning control reflect support air quality improvement.

Timetable

Meeting	Date
Communities, Housing and Environment Committee	20 September 2016

Air Quality Working Group

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Following the Low Emissions Strategy Workshop on 18 July 2016, members expressed an interest in exploring the themes raised during the presentation by consultant Andrew Whittles in more detail. There was interest in how the themes raised within the workshop could be applied to Maidstone through the adoption of a strategy that considered realistic and achievable actions to improve air quality.
 - 1.2 The main themes for development are public health, transport, procurement, planning controls, and carbon emissions.
 - 1.3 While the themes to be covered within the working group are cross cutting the primary responsibility has been allocated by Council to this Committee. However, aspects are within the remit of the Strategic Planning, Sustainability and Transportation Committee. Due to the cross cutting nature of the subject matter it is proposed to ask the Communities, Housing and Environment Committee to approve the establishment of a working group composed of members from both committees.
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2. INTRODUCTION AND BACKGROUND

- 2.1 Currently there is no legal requirement for Maidstone to have a Low Emissions Strategy or Air Quality Strategy, but such framework documents are recognised as good practice by Defra.
- 2.2 In 2015/16 there was a review of guidance by Defra to local authorities on local air quality management which changed the requirement for an Update and Screening Assessments every three years to an Annual Status Report, within which there would be an opportunity to review the action plans associated with the air quality management areas and identify all the work undertaken by the authority to improve air quality. The completion of the Annual Status Report and the review of the action plans are a statutory requirement.
- 2.3 The workshop on the 18 July provided members with the background to how low emissions strategies have evolved and examples of authorities who have adopted such strategies to improve air quality together with the actions they have taken.
- 2.4 The key themes identified at the workshop that influence air quality were transport, planning control, procurement and licensing policy and the impact that district councils can have on air quality through the use of these tools. The workshop identified that some drivers of poor air quality fell outside the sphere of control of the district councils and lay more within areas of influence for Maidstone. There were examples of initiatives from similar district authorities that could be delivered by Maidstone B C.

- 2.5 There was a strong interest to explore how Maidstone could shape the drivers of air quality improvement within the district and influence others to make changes that would have a positive impact on the areas of poor air quality in the borough.
 - 2.6 To ensure that there is good representation from relevant committees it is proposed that the members of the working group come from the Communities, Housing and Environment and the Strategic Planning and Sustainable Transport Committees and comprises of at least five members. Other non committee members with strong interested in air quality may also need to be considered for the working group where they bring experience or expertise to the agenda.
 - 2.7 A review of the current Air Quality Action Plan is also under consideration by officers in the Environmental Protection Team. The current action plan is from 2010 and needs to be revising to reflect the progress made in delivering current actions, changes in the economic situation and technological advances. The Air Quality Action Plan is a statutory requirement for any local authority with an Air Quality Management Area.
 - 2.8 It is also proposed to review the current boundaries of the existing Air Quality Management Area to ensure that we are using focusing our resources effectively and utilising developers' resources to best effect.
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3. AVAILABLE OPTIONS

- 3.1 Establish a working group to consist of five or more members from the Communities, Housing and Environment and the Strategic Planning and Sustainable Transport committees to explore the relevant themes to improve air quality. The group will be able to inform the action plan for the proposed Low Emissions strategy and influence the actions associated with the statutory Air Quality Action Plan. The emerging low emissions strategy will also form the statutory AQAP. This work should provide clear guidance to officers on the priorities for Maidstone and a clear direction of travel for this work.
 - 3.2 To allow officers to develop a strategy and action plan based on professional decisions. This may result in limited support from other Maidstone services that can influence air quality and hamper the delivery of air quality improvements by the officers in the Environmental Protection Team. In addition the opportunity to influence outside agencies is diminished through reduced political engagement.
 - 3.3 To advise officers that no further work should be undertaken on the Low Emissions Strategy for Maidstone. That the work of the Environmental Protection Team focuses on the development of a reviewed Air Quality Action Plan as part of the new Annual Status Report to Defra in 2017. That the actions plan should be drawn up by the officers of the Environmental Protection Team without reference to the committee.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 To establish a working group to consist of five members. Three from the Communities, Housing and Environment Committee and two from the Strategic Planning, Sustainability and Transportation Committee to explore the relevant themes to improve air quality. The group will be able to inform the action plan for a proposed strategy on air quality under the themes of transport, planning controls, procurement and licensing. These actions will also inform the statutory actions plans needed for the review of the Local Air Quality Management Area. This work will provide clear guidance to officers on the priorities for Maidstone and give a clear direction of travel for air quality
- 4.2 The group will be able to inform the action plan for the proposed Low Emissions strategy and influence the actions associated with the statutory Air Quality Action Plan. Defra have indicated that the proposed merging of the two documents into one Low Emissions Strategy will be favourably received and demonstrate an effective strategic approach to air quality.
- 4.3 This option demonstrates the commitment that Maidstone gives to air quality and will provide a realistic framework for officers to deliver identified priority work for air quality with member endorsement.
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5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 5.1 The Committee should request that the Strategic Planning Sustainability and Transportation Committee nominate two members to join the working group.
- 5.2 Once membership is agreed to establish a number of working group meetings with key officers to develop deliverable actions.
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6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Keeping Maidstone Borough an attractive place for all Securing a successful economy for Maidstone Borough	Environmental Protection Team Leader
Risk Management	None identified at this time	Environmental Protection Team Leader

Financial	No financial implications at this stage.	Chief Accountant
Staffing	None identified at this stage	Environmental Protection Team Leader
Legal	None identified provided other issues are completed	Senior Lawyer Contentious
Equality Impact Needs Assessment	No detrimental impact on the protected characteristics of individuals identified at this stage.	Equalities and Corporate Policy Officer
Environmental/Sustainable Development	None identified at this stage	Environmental Protection Team Leader
Community Safety	None identified at this stage	Environmental Protection Team Leader
Human Rights Act	None identified at this stage	Environmental Protection Team Leader
Procurement	None identified at this stage	Environmental Protection Team Leader
Asset Management	None identified at this stage	Environmental Protection Team Leader

7. REPORT APPENDICES

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

- Appendix I: Proposed Working Group Work Plan

8. BACKGROUND PAPERS

Developing a Low Emissions Strategy for Maidstone Borough Council – Briefing Note for Members May 2016

Extract from Defra Air Quality – Maidstone Action Plan