

# TONBRIDGE & MALLING BOROUGH COUNCIL



## EXECUTIVE SERVICES

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### Chief Executive

Julie Beilby BSc (Hons) MBA

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Gibson Drive  
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West Malling (01732) 844522

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**NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.**

Contact: Democratic Services  
[committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk)

20 August 2021

To: MEMBERS OF THE STREET SCENE AND ENVIRONMENT SERVICES  
ADVISORY BOARD

(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Street Scene and Environment Services Advisory Board to be held in the Council Chamber, Gibson Drive, Kings Hill on Tuesday, 31st August, 2021 commencing at 7.30 pm.

Members of the Committee are required to attend in person. Other Members are encouraged to participate online via MS Teams.

Information on how to observe the meeting will be published on the Council's website.

Yours faithfully

JULIE BEILBY

Chief Executive

## A G E N D A

### PART 1 - PUBLIC

1. Apologies for absence

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*Members in any doubt about such declarations are advised to contact Legal or Democratic Services in advance of the meeting*

3. Minutes 9 - 12

To confirm as a correct record the Notes of the meeting of the Street Scene and Environment Services Advisory Board held on 8 June 2021

**Matters for recommendation to the Cabinet**

4. Tonbridge Town Centre - Residents Parking Season Ticket 13 - 26

*This report brings forward the outcome of a formal consultation on a one-year trial proposal to reduce the cost of Season tickets in Tonbridge town centre for residents.*

5. Food and Safety Service Plan 2021-24 27 - 62

*The Council is required to produce a Food & Safety Service Plan by the Food Standards Agency. The draft of the Plan is reported for the Board's consideration and comment.*

6. Updated Air Quality Action Plan 63 - 128

*The report presented an updated Air Quality Action Plan for consideration and provided details of the public consultation conducted earlier in the year.*

7. Tonbridge and Malling Borough Council - Tree Charter 129 - 136

*To seek endorsement of the Tonbridge and Malling Tree Charter*

8. Natural Flood Management Programme 137 - 146

*This report provides information on two projects in the borough that it is proposed could be supported through an agreed £20,000 allocation in the Business Rates Retention Pilot reserve earmarked for Natural Flood Management*

**Matters submitted for Information**

9. Waste Services Update 147 - 152

*This report updates on a number of issues and initiatives managed by the Waste & Street Scene Services team, including service performance, fly tipping & enforcement, and the recycling bin pilot to flats in Tonbridge.*

10. Saturday Freighter Service 153 - 162

*This report outlines a range of issues relating to the Saturday Freighter Service and highlights that due to current national issues impacting on the delivery of the waste services contract the reintroduction of the service should not be progressed at the present time. The report highlights that the decision to reintroduce the Service will be taken by the Cabinet Member once these issues have been satisfactorily resolved by the contractor.*

11. Minutes of Climate Change Forum 163 - 170

*To provide an update on the first Climate Change Forum Meeting*

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Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

**Matters for consideration in Private**

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The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**PART 2 - PRIVATE**

14. Urgent Items 175 - 176

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

## **MEMBERSHIP**

Cllr J R S Lark (Chairman)  
Cllr S A Hudson (Vice-Chairman)

Cllr Mrs J A Anderson  
Cllr Mrs S Bell  
Cllr G C Bridge  
Cllr C Brown  
Cllr D J Cooper  
Cllr D A S Davis  
Cllr M O Davis

Cllr M A J Hood  
Cllr F A Hoskins  
Cllr A Kennedy  
Cllr B J Luker  
Cllr R V Roud  
Cllr T B Shaw  
Cllr Miss G E Thomas

Apologies for absence

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Declarations of interest

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## TONBRIDGE AND MALLING BOROUGH COUNCIL

### STREET SCENE AND ENVIRONMENT SERVICES ADVISORY BOARD

Tuesday, 8th June, 2021

**Present:** Cllr M O Davis (Chairman), Cllr R I B Cannon (Vice-Chairman), Cllr Mrs J A Anderson, Cllr G C Bridge, Cllr C Brown, Cllr D J Cooper, Cllr D A S Davis, Cllr M A J Hood, Cllr F A Hoskins, Cllr J R S Lark, Cllr B J Luker, Cllr R V Roud, Cllr J L Sergison and Cllr T B Shaw

Councillors J L Botten, M D Boughton, V M C Branson, A E Clark, M A Coffin, N J Heslop, S A Hudson, A P J Keeley, D Keers, Mrs F A Kemp, A Kennedy, D W King, W E Palmer, Mrs M Tatton, D Thornewell and M R Rhodes participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance with Council Procedure Rule No 15.21.

An apology for absence was received from Councillor Miss G E Thomas

#### PART 1 - PUBLIC

##### **SSE 21/9 DECLARATIONS OF INTEREST**

There were no declarations of interest made in accordance with the Code of Conduct.

##### **SSE 21/10 MINUTES**

**RESOLVED:** That the notes of the meeting of the Street Scene and Environment Services Advisory Board held on 9 February 2021 be approved as a correct record and signed by the Chairman.

#### MATTERS FOR RECOMMENDATION TO THE CABINET

##### **SSE 21/11 TONBRIDGE TOWN CENTRE - RESIDENTS PARKING SEASON TICKET TRIAL**

Decision Notice D210061MEM

The report of the Director for Street Scene, Leisure and Technical Services brought forward a one-year trial proposal to reduce the cost of Season tickets in Tonbridge town centre for residents. This was to help address significant parking problems in the area and generate additional income to the Council from its car parking assets.

**RECOMMENDED:** That a period of formal consultation be undertaken in respect of the proposals set out in the report for a trial Tonbridge Town

Centre Residents Season ticket with a report on the outcome of the consultation to be reported to a future meeting of the Board.

### **SSE 21/12 WASTE SERVICES UPDATE REPORT**

The report of the Director of Street Scene, Leisure and Technical Services updated on a number of issues and initiatives managed by the Waste and Street Scene Services team and made recommendations relating to fly tipping, the Saturday freighter service and the trial roll out to flats in Tonbridge. Members expressed concerns regarding the performance of the Council's waste service contractor and the long-term sustainability of the contract.

**RECOMMENDED:** That

- (1) an officer from Kent County Council's Intelligence Unit be invited to present an item on fly tipping to a future meeting of the Street Scene and Environment Services Advisory Board;
- (2) a report on the reinstatement of the Saturday freighter service be presented to the next meeting of the Street Scene and Environment Services Advisory Board; and
- (3) the roll out of recycling to flats, starting with a trial area, to commence no later than the 31 August 2021.

**\*Referred to Cabinet**

### **SSE 21/13 CLIMATE CHANGE ACTION PLAN**

Decision Notice D210062MEM

The report of the Chief Executive detailed progress against the Year 1 Climate Change Action Plan and sought endorsement for the Year 2 Action Plan. The pandemic had impacted all areas of Council activity and some targets could not be progressed as planned and would be carried forward into the Action Plan for 2021/22.

**RECOMMENDED:** That

- (1) the progress of the Climate Change Action Plan 2020-21, as set out in Annex 1 of the report, be endorsed; and
- (2) the Climate Change Action Plan 2021-22, as set out in Annex 3 of the report, be adopted.

## **SSE 21/14 CARBON REDUCTION OPTIONS**

Decision Notice D210063MEM

Consideration was given to the options set out by Laser (energy consultants appointed by the Council) to reduce the carbon footprint. The report presented a Model Output Summary, with a scenario that highlighted key points, option details and strategic and secondary actions, which supported the forecasts and planned actions and associated cashflow position charts.

**RECOMMENDED:** That

- (1) it be noted none of the proposed carbon reduction options had been factored into the Council's Medium Term Financial Strategy;
- (2) Laser's Carbon Reduction Model Output report at Annex 2 be noted; and
- (3) Management Team be asked to analyse the energy project proposals outlined in the report, along with their financial implications, and report their findings to the relevant Advisory Board.

## **MATTERS SUBMITTED FOR INFORMATION**

### **SSE 21/15 CAPITAL PROGRAMME: POST IMPLEMENTATION REVIEWS**

The report of the Director of Street Scene, Leisure and Technical Services brought forward Post Implementation Reviews for a number of completed capital schemes. Two Post Implementation reviews had been brought forward for approval and were fully detailed at Annexes 1-2.

### **SSE 21/16 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 10.15 pm

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## TONBRIDGE & MALLING BOROUGH COUNCIL

### STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

31 August 2021

#### Report of the Director of Street Scene, Leisure & Technical Services

#### Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

### **1 TONBRIDGE TOWN CENTRE - RESIDENTS PARKING SEASON TICKET**

#### Summary

**This report brings forward the outcome of a formal consultation on a one-year trial proposal to reduce the cost of Season tickets in Tonbridge town centre for residents.**

#### **1.1 Background**

- 1.1.1 At the last meeting of this Board Members considered a proposal to introduce a more affordable Residents Parking Season ticket in Tonbridge on a trial basis, available to those residents in the area shown on the attached plan at **Annex 1**. The proposal aims to address significant obstructive and unlawful parking problems in the area, improve utilisation of the Council's car parks and generate additional income.

#### **1.2 Proposal**

- 1.2.1 The proposal approved for consultation is for a more affordable season ticket priced at £350 per annum (inc. VAT). The season ticket enables parking by local residents in Sovereign Way North, Sovereign Way East and Vale Road car parks. The proposal will offer a limited number of 100 season tickets to gauge demand and the impact on the car park capacity. This could generate up to £29,000 of additional income to the Council if all the tickets were purchased. It is also based on a one-year trial.

#### **1.3 Consultation process**

- 1.3.1 Off Street parking places may be provided by the Borough Council under section 32 of the Road Traffic Regulation Act 1984. Under section 35 of the 1984 Act, the Council is further empowered to make provision for such matters as-

(i) the use of the parking place, and in particular the vehicles or class of vehicles which may be entitled to use it,

- (ii) the conditions on which it may be used,
- (iii) the charges to be paid in connection with its use

- 1.3.2 The use of parking places within these car parks is governed by an existing car parking order under the 1984 Act, namely the Tonbridge & Malling (Off Street Parking Places) Order 2021. This order provides that season tickets may currently be purchased at an annual price of £1020 (monthly cost £120), with off-peak season tickets (4pm to 9am the following day) available at an annual cost of £290. Season tickets in the Sovereign Way East & Vale Road car parks are available at the same cost, with season ticket holders in these 3 car parks (collectively known as the Sovereign Way complex) able to park in any of the 3 car parks Monday to Saturday.
- 1.3.3 To alter or introduce new charges for parking the Council must promote a revised Traffic Regulation Order or make an Amendment to its existing Orders, in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 1.3.4 In order to make these changes, the Council will be required to undertake a prescribed procedure (as set out in the 1996 regulations), including a statutory consultation and invite objections, and any objections can then be considered by Member of this Board. At the last meeting of this Board it was recognised that given that the proposal is to offer a reduced price season ticket to residents within a restricted locality, with season tickets elsewhere remaining at their existing rates i.e. the creation of a preferential parking rate, a wider consultation (i.e. over and above the minimum statutory consultation) should be undertaken. This allows Members to consider the potential impact of the proposals upon parking provision generally, and to ensure that it approaches the exercise of its parking functions fairly and consistently across the Borough.
- 1.3.5 The statutory consultation took place between 9<sup>th</sup> July and 1<sup>st</sup> August 2021 and was conducted in accordance with the usual legal principles. This included the following-
- Notices in the car parks and in local newspapers, inviting objections
  - Letters to residents that would be affected by the proposals
  - Documents placed on-deposit at Council Offices and on the Council's web pages for comment and invitation of objections

## **1.4 Outcome of consultation**

- 1.4.1 The statutory consultation and invitation of objections produced the following responses.

- 1.4.2 38 responses were received during the consultation, with the majority through the Council website's online reporting form.
- 1.4.3 Of the 38 responses, 35 were in support of the proposed changes, and 3 were objections. The details of each response (redacted of personal information) are included in **Annex 2**.
- 1.4.4 The three objections were each from residents of Tonbridge, but notably they were from addresses a considerable distance from the town centre, and none would be eligible for a town centre resident season ticket under this proposal. The details of the objections and the Council's response to those is shown in **Annex 3**.
- 1.4.5 Taking into account the outcome of the consultation it is proposed that the proposals be implemented for a one year trial from 1<sup>st</sup> October 2021.

## **1.5 Legal Implications**

- 1.5.1 As outlined in the report

## **1.6 Financial implication**

- 1.6.1 The proposal could generate up to £29,000 of additional income to the Council.

## **1.7 Risk Assessment**

- 1.7.1 The impact of the trial will be assessed after a full year to enable Members to consider whether it is appropriate to continue with the reduced charge for residents. The temporary nature of the proposal will also enable the car park to be considered as part of any future development opportunities for the town centre.

## **1.8 Equalities Impact Assessment**

- 1.8.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users. A number of positive comments were received from pensioners regarding making the season ticket affordable to them.

## **1.9 Policy considerations**

- 1.9.1 Asset Management, Community, Customer Contact, Health and Safety

## **1.10 Recommendations**

It is **Recommended to Cabinet that-**

1. the objections be noted but set aside, in light of the Council's responses to those objections,

2. the proposal for a one year trial of a Tonbridge Residents Season ticket be introduced from 1<sup>st</sup> October 2021 as advertised, and
3. a review after one year be reported to this Advisory Board.

The Director of Street Scene, Leisure & Technical Services confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Andy Bracey

Annex 1 – Plan of area covered by proposals

Annex 2 - Consultation responses

Annex 3 – Objections and the TMBC responses

Robert Styles

Director of Street Scene, Leisure & Technical Services

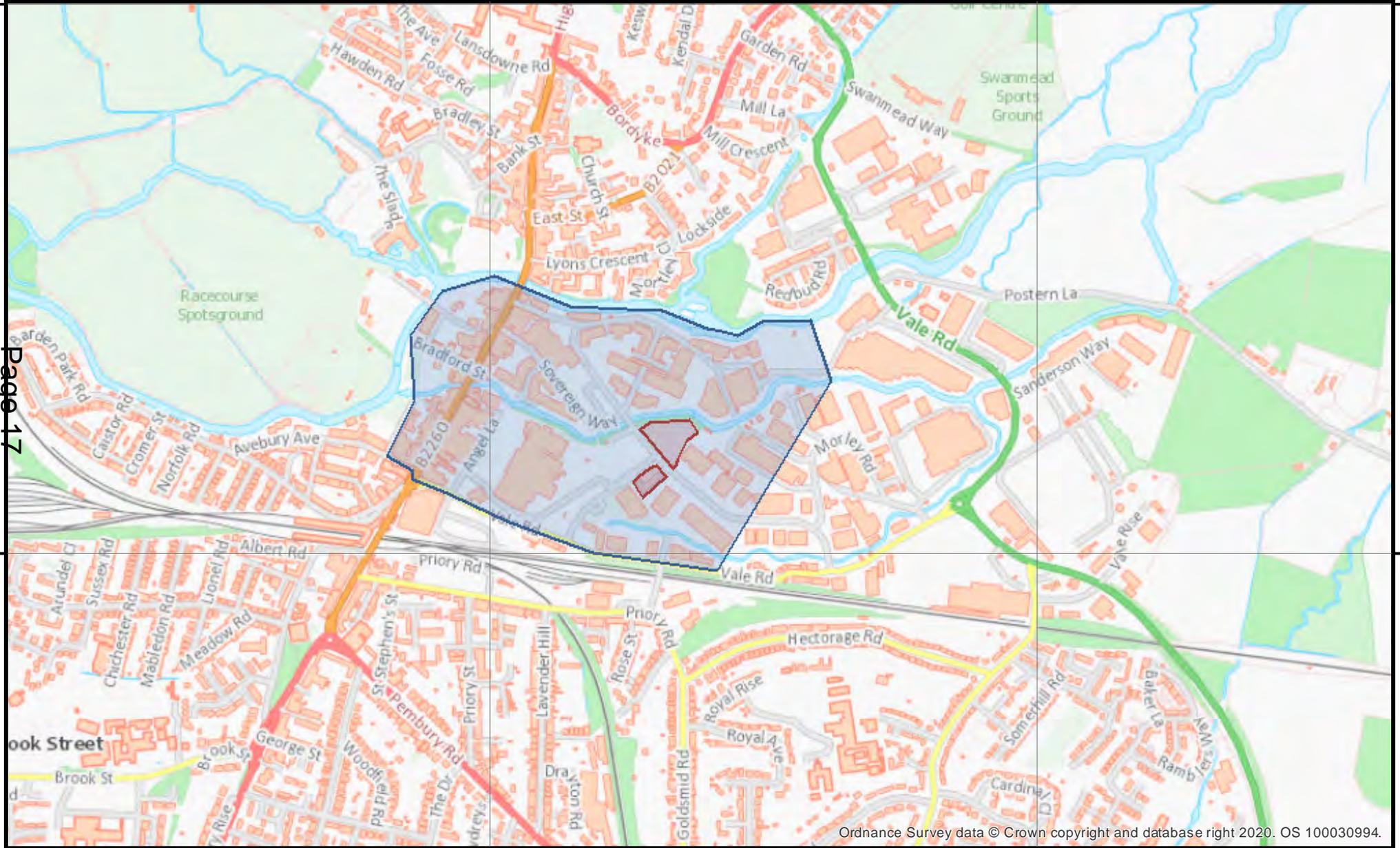
# POTENTIAL TOWN CENTRE RESIDENTS SEASON TICKET AREA

TMBC Technical Services



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Ordnance Survey data © Crown copyright and database right 2020. OS 100030994.



Scale 1:9,513

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Map Dated: 11 Feb 2021

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## Annex 2 Consultation responses

No.	Object or support	Reason	Comments
1	Object	I don't feel the proposals are necessary	This just doesn't make a lot of sense to me. If you need off road parking, don't move into a place without it? All this is now going to do is make, already heavily congested, car parks busier. The only suitable car park I can think of is the one opposite where they hold the marker now. This car park isn't really that close to any residential areas to make it worth it. Ultimately, I just don't see the point.
2	Object	Other (please elaborate)	If you are going to offer this facility it should be available to all Tonbridge residents. The price is extortionate.
3	Object	Other (please elaborate)	Has the impact on parking availability for existing or future season ticket holders working in the town been assessed? This may reduce council revenue and impact on future employment growth if insufficient spaces remain. What data exists on season tickets prior to covid and was there any spare parking capacity? If capacity limits are reached are the council taxpayers expected to subsidise these places?
Pages 19	Support	Other (please elaborate)	Helps those living in non permit areas to be able to afford the parking
	Support	The changes should improve access to and from properties	(No comments supplied)
6	Support	Other (please elaborate)	As a resident in Sovereign Way I do not have allocated parking for my flat. As a pensioner on a low fixed income I struggle to pay the annual parking and would therefore welcome a reduction in the annual fee
7	Support	Other (please elaborate)	As a resident in Sovereign Way I do not have allocated parking with my flat. Also, as a pensioner on a low fixed income, I would welcome a reduction of the annual long term parking permit, which is currently a struggle
8	Support	Other (please elaborate)	Because I do not have allocated parking at my flat and, as a pensioner on a limited fixed income, it would greatly take financial pressure off me
9	Support	The changes should improve access to and from properties	(No comments supplied)

No.	Object or support	Reason	Comments
10	Support	The changes should improve visibility and safety	(No comments supplied)
11	Support	The changes should improve access to and from properties	As a resident within the town centre It would be great to have access to a car space. At the moment alot of the nearby car parks seem fairly empty so will be great to have added use for them too! Hopefully it will also help with traffic into town.
12	Support	Other (please elaborate)	I'd like to have 12 months ticket to use car park. I don't have a car park in my block of flats
13	Support	The changes should improve access to and from properties	The change to the car park would be really beneficial to a lot of the residents within Waterside Residents due to the cost and the amount of access they would get to there property from having this option. My flat does not come with an allocated parking space therefore it is difficult to know where to park and the reduce in the cost would help out a lot. If these changes were to be made it would encourage me to stay in the property I am in now for longer.
14	Support	The changes should improve access to and from properties	(No comments supplied)
15	Support	Other (please elaborate)	<p>Firstly, this change will save me money. Being jobless but to forced to pay Â£1200 a year on parking ticket is ridiculous. It is council's basic duty to provide every household with the parking. Tmbc clearly failed in doing so. When planning permission was given to redrow, tmbc did not considered giving parking to all the households. Instead people those who had 1 bed apartment they were forced to park far away from their apartment. Which is completely unfair to those. All this action of council increases the cost of living for 1 bed apartment. They are additional burden on the households.</p> <p>I strongly support this change and I would recommend council to allocate parking in Waitrose carpark. Which is in front of the apartment and will increase the safety.</p> <p>Please can you implement this ASAP as it's getting very hard for me to afford to park in costly carpark despite I live in Tonbridge and pay the high council tax. Each year it goes up and up but still can't see much of an improvement.</p>

No.	Object or support	Reason	Comments
16	Support	The changes should improve access to and from properties	Although I do support this move, I am very disappointed that it does not cover ALL town centre residents. It stops at the river and does not include the area north of the bridge along the High Street. There is no on street parking available here nor any easy access to other car parks. I think the scheme should be available to all town centre residents.
17	Support	The changes should improve access to and from properties	I support this massively. It wont only just help with the ridiculous parking on Walter's farm road but it will help with the congestion around it too. It's much more beneficial for us as residents but the council as well.
18	Support	Other (please elaborate)	Resident that requires a permit
19	Support	Other (please elaborate)	The changes will help me out financially and allow me to enjoy other things that tonbridge has to offer
20	Support	Other (please elaborate)	This would be my only option to affordably (begrudgingly) park where I live.
21	Support	Other (please elaborate)	I support all of the statements of this proposal and look forward to the update
22	Support	Other (please elaborate)	Can I propose this being extended to business as we have no where to park unless you pay a expensive annual fee of £1200
23	Support	Other (please elaborate)	I think this is a good move and will help support people like myself who live in the town and commute daily to work but can't afford the huge parking charges to park close to home so I feel like this will really help people who live in the town
24	Support	The changes should improve visibility and safety	(No comments supplied)
25	Support	The changes should improve access to and from properties	I am a resident who lives within the town centre. I am a single mother who cannot afford to purchase a standard season ticket at 1200 a year just to park my car. I'd also like to participate within the trail if possible.

No.	Object or support	Reason	Comments
26	Support	The changes should improve visibility and safety	(No comments supplied)
27	Support	Other (please elaborate)	Should make it fair on other residents in the local area who are being forced to pay extortionate rates by landlords and should ease parking on local infrastructure
28	Support	The changes should improve access to and from properties	This would be hugely appreciated by myself and I would assume by all at Ashby's point and the surrounding area. The parking spaces we are given are privately owned and charged an extortionate amount.
29	Support	The changes should improve traffic movements	(No comments supplied)
30	Support	The changes should improve access to and from properties	This is much needed especially for residents of Cannons Wharf. It will make the road safer and allow emergency vehicles better access.
31	Support	The changes should improve access to and from properties	We can't afford the extortionate amount our landlord charges for our allocated parking space, so we have to park on street wherever we can, it's chaos and stressful. This new permit is affordable for us, will save us stress and hopefully make the roads around us more accessible for emergency vehicles.
32	Support	Other (please elaborate)	Residents at my apartments are allocated just 1 space in spite of most flats having 2 cars. This means people park inconveniently blocking in others, parking on walkways etc. This will enable managing agents to keep traffic management on the estate safe.
33	Support	Other (please elaborate)	<p>I strongly support this change as I have had to give up my car for the last year. Before Covid I was required in the office for my job but since November 2020 I have been working from home and will be doing so for the foreseeable future.</p> <p>I have had to give up my car because the parking charges are too expensive to pay each day in the surrounding car parks and there are no other options for parking in the area.</p> <p>This change will mean more than just being able to park closer to home. I will be able to get my car back and gain back some much needed freedom. I have been relying on my partner, who is a carer, to drive me places when she is not working.</p> <p>At the moment I am not paying for parking but with this Scheme I will buy a Season Ticket at the earliest opportunity.</p>

No.	Object or support	Reason	Comments
34	Support	Other (please elaborate)	I have lived in the high street of Tonbridge for 23 years. I have spent a huge amount on parking which has been so very unfair compared to other residents of the town having access to parking permits outside their home for several cars. I would be delighted to have a safe place to park my car.
35	Support	The changes should improve access to and from properties	Many people now live in flats above the shops, these residents need access to reasonably priced parking.
36	Support	The changes should improve access to and from properties	This has been long overdue, the lack of parking in the area for households with more than one car has been problematic for a while.
37	Support	The changes should improve access to and from properties	All of the reasons for supporting this. It would improve the parking situation in the vicinity, it would improve the access/road use in the area, it would help the council get more money to reroute to other areas requiring funding or improve parking needs in the area, it would lessen problem parking and improve the local people's lives, it would stop developers/housing associations charging extortionate fees or thinking about charging for parking at properties and it would make good use out of under utilised car parks and spaces.
38	Support	The changes should improve access to and from properties	Far too many local residents' cars are constantly parked illegally on the streets, making access very dangerous.

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### Annex 3 Objections and TMBC responses

No.	Objection reason	Objection comments	TMBC response
1	I don't feel the proposals are necessary	This just doesn't make a lot of sense to me. If you need off road parking, don't move into a place without it? All this is now going to do is make, already heavily congested, car parks busier. The only suitable car park I can think of is the one opposite where they hold the marker now. This car park isn't really that close to any residential areas to make it worth it. Ultimately, I just don't see the point.	The proposals are to allow the use of the Sovereign Way North and East car parks for these permits, as you suggest.  There are a number of high-density housing developments nearby, in Medway Wharf Road and Botany, where residents have requested parking facilities.
2	Other (please elaborate)	If you are going to offer this facility it should be available to all Tonbridge residents. The price is extortionate.	Other areas in Tonbridge where there are significant parking pressures are assisted by on-street permit parking schemes. Unfortunately, it is not possible to introduce on-street permit parking in the town centre area. The pricing is a significant reduction compared to the normal season ticket for commuters or against the Pay & Display price.
3	Other (please elaborate)	Has the impact on parking availability for existing or future season ticket holders working in the town been assessed? This may reduce council revenue and impact on future employment growth if insufficient spaces remain. What data exists on season tickets prior to covid and was there any spare parking capacity? If capacity limits are reached are the council taxpayers expected to subsidise these places?	The car parks that would be affected by these proposals have spare capacity for long-stay parking, but the proposal is a trial, with limited numbers and the take-up will be monitored.

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## TONBRIDGE & MALLING BOROUGH COUNCIL

### STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

31 August 2021

Report of the Director of Planning Housing and Environmental Health

#### Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

#### **1 FOOD AND SAFETY SERVICE PLAN 2021-2024**

##### **Summary**

**The Council is required to produce a Food & Safety Service Plan by the Food Standards Agency. The draft of the Plan is reported for the Board's consideration and comment.**

#### **1.1 Background**

1.1.1 The Food Standards Agency (FSA) Framework Agreement requires local authorities to produce a Service Plan. It is against this Plan that local authorities are monitored and audited by the FSA. In addition, the Health and Safety at Work etc. Act 1974 section 18 guidance to local authorities is implicit in its requirement that a Plan is produced indicating how this function is organised, resourced and delivered.

1.1.2 This Plan has been produced for a three year period, which reflects the timetable for the FSA's COVID-19 Recovery Plan, which sets out a framework for re-starting the delivery food intervention plan. Where resources allow, local authorities are expected to move at a faster pace in realigning interventions in line with the Food Law Code of Practice.

1.1.3 The Plan reflects national priorities and standards and considers:

- service aims and objectives;
- information on service delivery and work programmes;
- quality assurance;
- resource allocation; and
- performance management information.

1.1.4 A full copy of the Plan has been included at **Annex 1**.

## 1.2 Legal Implications

1.2.1 The FSA requires the Council to produce a Food Safety Service Plan.

## 1.3 Financial and Value for Money Considerations

1.3.1 The resources to implement the Plan are covered within existing budgets. However, to restore the Food and Safety service to pre-pandemic levels additional funding estimated as a maximum of £15,000 will be needed to instigate a catch-up plan.

1.3.2 It is proposed that windfall staffing funding from the Contain Outbreak Management Fund is used to cover the catch-up plan costs.

## 1.4 Risk Assessment

1.4.1 Failure to produce a Service Plan could result in criticism from the FSA and the HSE and would feature in future audit reports on the Council's performance.

1.4.2 The Plan provides key evidence that there is proper governance, resourcing and organisation of the Council's Health and Safety function.

## 1.5 Equality Impact Assessment

1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users

## 1.6 Recommendations

1.6.1 Cabinet is **RECOMMENDED** to:

- 1) **NOTE** the Food and Safety Service Plan (2021-2024); and
- 2) **AGREE** the expenditure on a catch up inspection programme to restore the Food & Safety service to pre-pandemic levels in terms of the inspection programme.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Linda Hibbs  
Melanie Henbest



Planning, Housing &  
Environmental Health  
Services

# **Food & Safety Team Service Plan 2021 – 2024**

**Gibson Building, Gibson Drive  
Kings Hill, West Malling  
Kent ME19 4LZ**

**Eleanor Hoyle  
Director of Planning, Housing  
& Environmental Health Services**

# FOOD & SAFETY TEAM SERVICE PLAN 2021-2024

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Appendix 2	FSA's COVID-19 Recovery Plan June 2021-2023/24
Appendix 3	Structure of the Food & Safety Team
Appendix 4	Food & Safety Team – Officer Roles
Appendix 5	Details of Budget Costs relating to Food Safety Function 2021/2022
Appendix 6	Review of Food and Safety Team's Performance 2020/2021

# FOOD & SAFETY TEAM SERVICE PLAN 2021-2023

## 1. Introduction

- 1.1 This Service Plan sets out how the Council intends to provide an effective food and safety service that meets the requirements of the Food Standards Agency (FSA) Framework Agreement and Section 18 of the Health and Safety at Work etc Act 1974. It covers the functions carried out by authorised officers of the Food & Safety Team under the provisions of the Food Safety Act 1990, the Food Safety & Hygiene (England) Regulations 2013, EC Regulations and Health and Safety at Work etc Act 1974 and associated regulations.
- 1.2 This Service Plan describes how Tonbridge & Malling Council intends to achieve the aims of the FSA and Health and Safety Executive (HSE), within its statutory remit and in support of local needs.
- 1.3 This Service Plan is subject to Member approval and will run for a three year period. Performance will be reported to members annually. It includes information on the following:
- service aims and objectives;
  - background information about Tonbridge & Malling Borough Council;
  - information on service delivery;
  - resourcing the food and safety function;
  - performance targets and how they will be achieved;
  - quality assurance procedures; and
  - review

## **2. Service Aims and Objectives**

### **2.1 Service Aims**

2.1.1 The overall aim of the Council's Food & Safety Team is to ensure the health and wellbeing of residents, employees and visitors in Tonbridge and Malling. This is achieved by working with businesses and consumers to ensure safe food and a safe working environment.

2.1.2 The objectives of the Council are to:

- fulfil the statutory duty imposed on the Council as "The Food Authority" and as a regulator for health and safety to ensure the effective implementation of Government strategy on food and safety issues, having regard to the official Code of Practice issued by the FSA, National Local Authority Enforcement Code for Health and Safety at Work, Local Authority Circulars issued by the HSE and guidance issued by Local Government Regulation (LGR) and the Office for Product Safety and Standards;
- protect the public by delivering a complementary programme of education and enforcement which endeavours to ensure that businesses are conversant with the law, understand the principles of hygiene and/or sensible health and safety management and are operated and maintained at a standard that complies with relevant legislation in accordance with the Service's Enforcement Policy;
- provide the resources, governance, performance management and reporting systems required to deliver an effective service and to comply with its statutory duties;
- operate systems to train, appoint, authorise, monitor, and maintain competent officers;

- work alone and in partnership with other local authorities, other regulators and stakeholders to make best use of available resources and to maximise their impact on local, regional and national priorities; and
- contribute to liaison, policy and governance arrangements at a local, regional and national level.

## **2.2 Food & Safety Function**

2.2.1 The Council's food and safety function is placed in the Food & Safety Team of the Planning, Housing and Environmental Health Service. The Food & Safety Team's Performance Plan for 2021/2022, **Appendix 1**, identifies the key standards and targets for the forthcoming year. Progress against the Performance Plan is reported to Members of the Street Scene and Environment Advisory Board annually.

## **2.3 External Influences**

2.3.1 The regulatory framework for food safety enforcement is generally governed by EC Directives transposed into UK law. The Food Law Code of Practice and Guidance were last issued in 2021 by the FSA. During the COVID pandemic the FSA adjusted its expectations of LAs in recognition of the challenges local authorities were facing in delivering their statutory food functions whilst conducting public health work. It also reflected the changing business landscape, with many businesses closing or changing operations. The FSA Board agreed in December 2020 that its guidance to local authorities in prioritising high-risk establishment should be extended until the end of June 2021. The FSA has now developed for recovery of planned interventions from 1 July 2021-2023/24 (**Appendix 2**) and it is this plan that will be implemented. It is acknowledged that where resources allow, the expectation from the FSA is to move at a faster pace to realign interventions with the Code of Practice.

2.3.2 The Health and Safety Executive and Local Authorities Enforcement Liaison Committee (HELA) produced a revised circular 'Setting Priorities and Targeting Interventions' LAC 67/2(rev 10). This document provides local authorities with guidance to target their interventions on high risk areas and on dealing with serious breaches of health and safety regulation. Officers will prioritise in line with this circular and may participate in Kent wide projects with other local authority colleagues to focus on high-risk sectors.

2.3.3 The "Local Authority Enforcement Monitoring System" (LAEMS) is an annual return of our food safety activity including numbers of interventions carried out, enforcement actions taken, food sampling and complaint numbers. Similarly, the HSE collect data annually in the form of an LAE1 return, which reports on the number of interventions carried out, notices served and accidents investigated. This compares the Council's performance against other Councils in England and Wales.

### **3. Background Information**

#### **3.1 Profile of Tonbridge & Malling Borough Council**

3.1.1 Tonbridge & Malling stretches from Snodland and Wouldham in the north to Tonbridge in the south, from Walderslade and Aylesford in the east to Borough Green and Ightham in the west. The Borough covers an area of 92 square miles and has a population of **approx. 130,000**. The Borough is mainly of a rural nature with the major areas of population being found at Tonbridge and in the conurbation surrounding the A20 in the Malling area.

3.1.2 The main Council offices are situated centrally at the Gibson Building, Kings Hill, West Malling where Environmental Health Services are based. Service users may contact the office in one of the following ways:

- by telephone (telephone number 01732 876191);
- by email on [foodandsafety@tmbc.gov.uk](mailto:foodandsafety@tmbc.gov.uk);
- via the Council website [www.tmbc.gov.uk](http://www.tmbc.gov.uk) for out-of-hours emergencies, a telephone service is available for contact with a duty officer (telephone number 01732 844522).

#### **3.2 Organisational Structure**

3.2.1 Planning, Housing & Environmental Health Services have a wide range of duties and functions covering the spectrum of public health, planning, environmental and housing functions. Through the Council's constitution and delegated functions the team has delegated responsibility for food and safety enforcement. The Director of Planning, Housing & Environmental Health has the authority to authorise legal proceedings in consultation with the Chief Solicitor.

The day to day management of the Team is the responsibility of the Food & Safety Team Manager under the management of the Head of Housing and Health.

3.2.2 The Team is responsible for a number of functions, these include:

- Food safety;
- Workplace health & safety;
- the investigation and control of infectious disease.

3.2.3 Officers are required to work across all of the team's work areas at a level appropriate to their competence and qualifications. The structure of the Food & Safety Team is detailed in **Appendix 3** and brief information on the roles played by officers working in the Food & Safety Team is provided in the table at **Appendix 4**.

3.2.4 The Council operates an emergency out-of-hours service. Specialist staff are available via an informal cascade system should the need arise.

3.2.5 Kent Scientific Services, Health Protection services of Public Health England, and the Food, Water and Environmental Microbiology Laboratory Service of Public Health England support the work of the Food & Safety Team through the provision of analytical, microbiological services and infectious disease investigation.

### **3.3 Scope of the Food & Safety Service**

The Team is responsible for undertaking the following work activities:

- programmed food hygiene inspection and re-visits;
- health and safety interventions and re-visits;
- food sampling in-accordance with national surveys organised by Public Health England or the FSA, cross regional studies and local needs.;
- investigation of complaints;
- operation of the National Food Hygiene Rating Scheme;
- investigation of cases of infectious disease and food poisoning and any associated outbreak control;
- investigation of workplace accidents and cases of ill health, adverse insurance reports;
- responding to Food Standard Agency Food Alerts;
- provision of export food certificates;
- inspection of food;
- approval of food premises;
- registration and inspection of premises offering special treatments such as tattooing and piercing;
- facilitation of advisory and training services for businesses;
- food hygiene training ;
- smokefree enforcement;
- licensing and planning consultations.

While engaged in the above activities the Team uses a variety of means to ensure that individuals and organisations meet their legal responsibilities including education,

negotiation, advice, guidance, warning letters, formal notices and prosecution. The Council believes in firm but fair regulation consistent with the Better Regulation Principles. Overall the Team seeks to work in collaboration with businesses while avoiding bureaucracy in the way it works.

3.3.2 The Environmental Health & Housing Enforcement Policy adopts the Regulators Compliance Code's five principles of good regulation, namely transparency, accountability, proportionality, consistency and targeting. This means that a graduated approach to food safety enforcement is adopted in all but the most serious of cases. The Enforcement Policy is published on the Council's website.

3.3.3 The Service is committed to the promotion of equal opportunities in all of our activities in accordance with the Council's Equal Opportunities Policy. Every effort is made to ensure that we treat everyone equitably and fairly.

#### **3.4. Demands on the Food Enforcement Service**

3.4.1 As of 1 April 2021 a total of 1156 food premises are recorded on the Uniform database in Tonbridge and Malling. The number and type of food premises are detailed in the table below.

### Number and type of food premises in the Borough

TYPE OF PREMISES	No.
Distributors/Transporters	38
Retailers	176
Manufacturers/Packers/Processors	31
Primary Producers	6
Importers/exporters	6
Restaurants and caterers	899
<b>TOTAL</b>	<b>1156</b>

3.4.2 Included in the above table are premises manufacturing or processing products of animal origin, these are approved premises under EC Regulations and include two egg packers; three dairy products producers, one meat products producer, six coldstores and two fishery premises.

3.4.3 All food premises are rated according to their level of risk, as defined by the FSA Code of Practice. The risk rating determines the frequency and nature of the interventions. The table below provides a summary:

Risk Category	Intervention Type	Frequency
A and B (High risk)	Inspection/partial inspection or audit	A - 6 months B - 12 months
C not broadly compliant (High risk)	Inspection/partial inspection or audit	C - 18 months
C broadly compliant (Medium risk)	Alternate between inspections/partial inspections or audit and other official controls	C - 18 months
D (Low risk)	Alternate between official controls and non-official controls	D - 24 months
E (Low risk)	Alternate enforcement strategy	E - 36 months
New business registrations	Inspection/partial inspection or audit	Ideally within 28 days of registration

Category E premises (low risk) are assessed either via an inspection or using self-audit questionnaires.

New business registrations will be triaged, with priority given to inspecting the highest risk businesses first.

3.4.4 The Council has a statutory duty to enforce health and safety legislation in a range of premises including offices, shops, warehouses, caterers, residential care homes and leisure activities. Premises are targeted for inspection based on the national priorities and local intelligence.

## **4. Service Delivery**

### **4.1 Delivery mechanisms**

To deliver the service as identified in section 2 of this plan we have adopted a balance of techniques and approaches, which can be summarised by considering the four main elements of our “enforcement mix”:

- **Intervention driven** – to carry out official controls and/or interventions at all commercial food premises in the borough at a frequency and intervention type determined by the FSA’s Recovery Plan and their risk rating. To carry out appropriate corrective action, including where necessary a range of enforcement options, such as the service of notices, simple cautions or prosecutions in line with our Enforcement Policy.
- **Demand driven** – to respond to all complaints relating to food and food premises, workplace safety and investigate them thoroughly; investigate cases of food related illness, food alerts, reported accidents and cases of ill health, adverse insurance reports and any other relevant matters in response to requests from stakeholders and the public.

- **Intelligence driven** – to gather appropriate information and intelligence, to address any threats to the health of members of the public/employees and target resources to areas of highest risk and where they can be most effective.
- **Education driven** – to provide advice and education to businesses and consumers within the Borough, to promote voluntary compliance and assist business operators develop an understanding of their responsibilities. This is achieved by providing access to food hygiene training, delivering low cost seminars and providing advice and coaching during visits. It is believed that supporting legal compliance in this way is as important as detecting non-compliance.

## 4.2 Interventions

4.2.1 Interventions for food premises and/or health and safety premises are outlined below:

### **FOOD SAFETY**

The intervention programme of food premises forms the core activity of the Food Safety function. The programme of interventions is based on the requirements of the Food Law Code of Practice. In addition to the programmed inspections, other visits may be made to food premises following complaints from the public or requests from businesses for information and guidance.

The range of interventions includes:

- inspections;
- monitoring;
- surveillance;
- verification;
- audit; and
- sampling where the analysis/examination is to be carried out by an official laboratory, e.g. the Food, Water and Microbiology laboratory at Collindale.

Other interventions which are not official controls include advice, education, coaching and/or information and intelligence gathering.

### **4.3 Complaints**

4.3.1 Investigations by officers following a complaint about a food or safety issue is an important function of the Team's work. Authorised officers assess all complaints upon receipt. In circumstances where a need has been identified, investigations will commence within 5 days to determine the cause of the complaint.

Officers' investigations identify whether an offence under relevant legislation has been committed and if there is a need for formal action. Consultation with the Primary Authority takes place when appropriate. Where appropriate, food complaints are referred to the originating authority – that is the local authority in whose area the food was manufactured - for further investigation.

### **4.4 Primary Authority Principle**

4.4.1 Effective support for businesses on food safety matters depends on reliable and accessible advice from local authorities. Businesses trading across a number of local authority areas should be confident that advice is consistent. The Primary Authority scheme operated under the provisions of the Government's Office for Product Safety and Standards office aims to support national progress towards this outcome.

4.4.2 Businesses will be able to form a statutory partnership with a single local authority. The guidance and advice the Primary Authority provides must be taken into consideration by officers carrying out inspections and dealing with instances of non-compliance.

4.4.3 The requirements of the Primary Authority Scheme are that officers:

- consult the Primary Authority website for details of Primary Authority partnerships and inspection plans;
- follow guidance issued by the Office for Product Safety and Standards;
- adopt any inspections plans established between a Primary Authority and a business, and
- review requests for local partnerships as a case by case basis and adopt a Primary Authority status if directed to by the Office for Product Safety and Standards.

Whilst the Council is not currently involved in any Primary Authority Partnerships the Service would be minded to establish them should the opportunity arise.

#### **4.5 Advice to Businesses and the Public**

4.5.1 The Service is committed to ensuring that advice and support is available to all businesses in the Borough when requested. An important element of the work of the Team is to plan for providing this support, by:

- continuing to provide the Chartered Institute of Environmental Health foundation food hygiene course and other bespoke courses e.g.allergen awareness.
- giving guidance on specific and topical subjects;
- responding to requests from businesses for site visits;
- providing of advice and coaching to businesses during inspections; and
- making information available to the public via the Council's website.

## **4.6 Food Inspection and Sampling**

4.6.1 Food sampling to ensure the safety of food is an important public health function. Each year a food sampling programme is produced which outlines the Council's sampling strategy and approach to specific local and national demands. Compliance with all legislation and statutory Codes of Practice is ensured when undertaking sampling of food.

4.6.2 The Kent Food Sampling Group co-ordinate the county sampling programme. Each year a plan is developed by the Group incorporating priorities identified by the Food Standards Agency. Microbiological examinations are undertaken by the Health Protection Agency – Food, Water and Environmental laboratory at Collindale.

4.6.3 **Formal samples** are taken in line with the Food Law Code of Practice and current guidance issued by PHE, or the Kent Food Sampling Sub Group.

**Informal samples** reflect the numbers of reactive samples taken as a result of complaints or where officers take samples from food businesses as part of routine surveillance activity.

## **4.7 Imported Foods**

4.7.1 The Service is committed to ensuring that any illegally imported food found during a food inspection is sampled where necessary and dealt with properly. This will normally involve detention and seizure of foods.

## **4.8 Health certificates**

4.8.1 The Team provide attestations for goods that are exported to third countries outside the EU and will offer health certificates to businesses who wish to export to the EU. This is a discretionary and therefore chargeable service.

## **4.9 Control and Investigation of Food Poisoning Outbreaks and Food Related Infectious Disease**

4.9.1 Officers investigate food related infectious disease notifications in accordance with documented procedures. The primary objective of every investigation is to identify the cause of infection and prevent any further spread. Response times are based on a risk assessment approach and will vary from within 24 hours for high-risk infections such as E.coli O157 to 48 hours for other medium to low risk infections. Officers will liaise with the Consultants in Communicable Disease Control (CCDC), which the Council has appointed as Proper Officers under the provisions of the Public Health (Control of Diseases) Act 1984 (as amended). The CCDC's are employed by the Kent Public Health Agency. These arrangements enhance the linkage between organisations dealing with this aspect of infectious disease control. Typically there are only one or two outbreaks a year involving small numbers of cases.

Key policies in respect of food related infectious diseases are that:

- outbreaks will be responded to in accordance with the approved "Outbreak Control Plan" and in full liaison with CCDC who will lead the "Outbreak Control Team";
- serious infectious disease notifications e.g. VTEC or Clostridium botulinum, will be dealt with in consultation with the CCDC and Food Standards Agency; and
- other infectious disease investigations will be undertaken in consultation with the CCDC, and in accordance with Team Procedures.

## **4.9 Food Alerts**

4.9.1 Food alerts are issued by the FSA, they relate to national food scares or information about food being withdrawn from supply or sale and being recalled by the manufacturer or retailer. The majority of food alerts are for information only (FAFI)

4.9.2 Food alerts for action are not significant in number but have the potential to impact on programmed work, because they relate to serious public health risks requiring rapid follow-up by officers to prevent affected food from entering the food chain. Food Alert Policy details how the Food and Safety Team will respond to food alerts of all categories.

## **4.10 Liaison with other Organisations**

4.10.1 It is the Council's policy to involve stakeholders in the supply and review of its food hygiene services. The Team works increasingly in partnership to deliver services, examples of which are given below:

- participation in the Kent Environmental Health Managers/Chartered Institute of Environmental Health's (CIEH) Food Technical Group. This Group acts as a county-wide liaison group for all food safety issues and includes representatives from Public Health England, Food Standards Agency and Trading Standards as well as representation from all Kent local authorities
- Kent & Medway Food Technical Group
- Kent & Medway Food Sampling Group
- Kent & Medway Health and Safety Technical Group which includes HSE and Kent Fire and Rescue Service representation

- liaison with the Public Health England and Kent Scientific Services in connection with food sampling; and
- liaison with internal colleagues particularly licensing and leisure services, working with them to ensure the safety of events on council land and other privately owned sites.

#### **4.11 Promotion**

4.11.1 The Food & Safety Team continues to adopt a proactive, educational approach through a number of promotional initiatives, which include:

- participation in the FSA awareness campaigns;
- National Food Hygiene Rating Scheme;
- continuing support for businesses in implementing the Safer Food Better Business Pack during inspections.

### **HEALTH & SAFETY**

#### **4.12 Health & Safety Interventions**

4.12.1 Resources will concentrate on investigating complaints and accidents and inspections in line with national priorities.

#### **4.12 Accident Investigations**

4.13.1 All accident or injury notifications are evaluated in accordance with LAC 22/13 Incident Selection Criteria Guidance. Where appropriate, investigations are carried out in accordance with the Service Enforcement Policy and the Food and Safety Team's Accident Investigation Procedure, focussing on priority areas.

#### **4.14. Complaints about the Service**

4.14.1 The Council has a corporate policy on the investigation of complaints about its staff and the services which it provides. Further details on the Council's complaints procedure can be found on the website.

## **5. Resources**

### **5.1 Financial Allocation**

5.1.1 The Council's budget for 2021/2022 identifies a budget heading dealing specifically with costs relating to the Food & Safety function **Appendix 5**. The separation of costs associated with Food & Safety functions allows managers to monitor spending and income trends in this area.

### **5.2 Staffing Allocation**

5.2.1 The structure of the Food & Safety Team is shown in **Appendix 3**. Detailed below in **Table 1** are details of staff working on food and safety enforcement and related matters expressed in Full Time Equivalents (FTEs).

#### **Table 1**

<b>Role</b>	<b>FTE 2021/2022</b>	<b>FTE 2021/2022 Spent on food safety work</b>	<b>FTE 2021/2022 Spent on health and safety work</b>
<b>Head of Housing and Health</b> -responsible for the management of the Environmental Health & Housing Service	<b>0.3</b>	<b>0.2</b>	<b>0.1</b>
<b>Team Manager</b> – responsible for the day to day management of the food safety function and monitoring performance.	<b>0.8</b>	<b>0.6</b>	<b>0.2</b>
<b>Environmental Health Officers</b> – responsible for interventions, enforcement in all food premises and other related activities.	<b>1.3</b>	<b>1.2</b>	<b>0.1</b>
<b>Food &amp; Safety Officer</b> – responsible for interventions and enforcement in medium and low risk food premises and other related activities.	<b>1.4</b>	<b>1.3</b>	<b>0.1</b>
<b>Admin Support</b> – functional support to the Team.	<b>0.1</b>	<b>0.05</b>	<b>0.05</b>
<b>Total FTE</b>	<b>3.9</b>	<b>3.35</b>	<b>0.55</b>
<b>FTE spent by officers on food &amp; safety work</b>	<b>3.5</b>	<b>3.1</b>	<b>0.4</b>

### 5.3 Estimation of Staff Resources Required for 2021/22

5.3.1 The following estimation of resources allocated to specific work activities has been based on time recording results, experience, projected inspection figures for 2021/22 and the Team performance Plan for the year. All calculations assume 1FTE = 220 working days. Estimates include revisits and travelling.

Food Hygiene & H&S Interventions	2.0 FTE
Complaints and service requests	0.2 FTE

Formal action	0.1 FTE
Advice and enquiries	0.1 FTE
Sampling	0.2 FTE
Infectious Disease	0.1 FTE
Food Safety Incidents/Hazard Warnings	0.05 FTE
Health Promotion/Campaigns	0.05 FTE
Delivering Training	0.1 FTE
Primary Authority	0.05 FTE
Officer Training	0.1 FTE
Team management	0.5 FTE
<b>Total</b>	<b>3.5 FTE</b>

#### **5.4 Staff Development Plan**

5.4.1 . During annual appraisals, training and development needs are identified for all employees. Priority is given to the need to ensure continuing professional competence in technical and professional areas of work. The Service will ensure that officers receive regular training to maintain and improve their competency. During 2021/22 all officers involved in food interventions will receive a minimum of 20 hours continuing professional development as required by the FSA Code of Practice.

5.4.2 The Food & Safety Team has a programme of in-house staff training sessions delivered as necessary to the team. In addition monthly Team Briefings disseminate information to ensure team awareness of issues relating to enforcement, progress with team targets and customer related issues e.g. results of monthly monitoring and a short technical briefing is usually delivered at these briefings.

5.4.3 The Kent & Medway Food Group often provides useful low-cost training in association with LGR and the Food Standards Agency.

5.4.4 Enforcement officers are encouraged to join a relevant professional body, the fees of which are reimbursed by the Council.

## **6. Quality Assessment**

6.1 The Food & Safety Team has reviewed its Quality Assurance system covering its enforcement activities in Food & Safety. The Quality Assurance system defines what work the team will undertake, how the work will be done and the nature and timing of management monitoring. The documented system covers critical areas of work and has regard to LGR and FSA guidance and Statutory Codes of Practice and Section 18 of the Health and Safety at Work etc. Act 1974.

6.2 The specific areas covered by the quality assurance system are:

- food inspections;
- health and safety inspections and re-visits;
- accident investigations;
- institution of formal enforcement action;
- food poisoning investigations;
- food sampling;
- food hazard warnings/incidents;
- food complaints; and
- administration of the National Food Hygiene Rating Scheme.

- 6.3 The Food & Safety Team Manager is responsible for maintaining the quality assurance system and monitoring compliance with procedures. This role aims to ensure that uniformity of approach to enforcement work is adopted in the team. The Head of Housing and Health and the Food & Safety Team Manager have regular meetings to review systems and team performance, the results of which are fed into monthly team briefings.
- 6.4 Performance monitoring is supported by the use of the Services computer software system “Uniform”. This database contains details of all commercial premises and records actions taken during visits. Management reports showing progress towards meeting team targets are an essential part of the team’s quality assurance system and are generated on a monthly or ad hoc basis. The maintenance of an accurate database is key to the efficient operation of the Service. The Food & Safety Team’s Quality Monitoring Procedure includes details of how the database is updated, which includes:
- information from programmed inspections;
  - officer knowledge of changes in their district;
  - collecting information from lists of planning applications;
  - checking the “closed” premises database;
  - an annual random selection and audit of a specified number of premises from the database;
  - information from the registering and licensing of new premises;
  - liaison with other statutory agencies; and
  - undertaking premises surveys.
- 6.4 It is intended to participate as appropriate in bench marking, peer review and inter-authority auditing with the Kent Technical Groups as opportunities arise.

## **7. Review**

### **7.1 Review against the Service Plan**

A review of this Plan and the Food & Safety Team's Performance Plan will be undertaken annually in April. Details of the Team's performance against the targets set in the Food & Safety Team's 2020/21 Performance Plan can be found at **Appendix 5**.

### **7.2 Areas for Improvement**

A number of improvement actions have been identified in the Food & Safety Team's 2021/22 Performance Plan (**Appendix 1**), which will be carried out during the year.

Achievement of these improvements will be monitored by Service Managers and where there are significant deviations from targets; reports will be made to the Advisory Board and Cabinet.

7.3 The food safety inspection function is subject to internal audits and any recommendations are acted on accordingly.

## FOOD AND SAFETY TEAM PERFORMANCE PLAN 2021/22

Activity	Description	Target
<p>A. Undertake inspections of commercial premises, for which the local authority is the enforcing authority, and institute informal and/or legal action in accordance with the Service's Enforcement Policy.</p>	<ol style="list-style-type: none"> <li>1. Review and develop as appropriate the team's quality assurance procedures to reflect changes in legislation and guidance from FSA, HSE, using a risk assessment approach.</li> <li>2. Continue to develop and deliver initiatives such inspections, seminars and coaching visits to ensure effective and efficient enforcement.</li> <li>3. Inspect all 'high risk' (categories A, B and non-broadly compliant Category C) food premises for hygiene on schedule in accordance with FSA COVID 19 recovery plan</li> <li>4. Conduct interventions of lower risk premises in accordance with FSA COVID 19 recovery plan</li> <li>5. Assess all new food business registrations and triage, prioritising high risk new businesses for inspection.</li> <li>6. Delivery of reactive work, sampling, pro-active surveillance, prescribed official controls and official controls that support trade and enable export.</li> <li>7. Maintain competence of authorised officers in accordance with FSA/CIEH CPD requirements.</li> </ol>	<p style="text-align: center;">31/3/22</p>
<p>B. Investigate complaints about commercial premises and at the conclusion of investigations institute informal/formal legal action as appropriate.</p>	<ol style="list-style-type: none"> <li>1. Respond to each complaint in a timescale that matches the perceived risk in compliance with quality assurance procedures and in accordance with the Service standard (within 5 working days).</li> <li>2. Food and Safety Team Manager to undertake monitoring of service requests.</li> <li>3. Remedy unacceptable risks and reduce the likelihood of recurrence,</li> </ol>	<p style="text-align: center;">As per procedure</p>

	<p>securing legal compliance where appropriate.</p> <p>4. Investigate all reportable workplace accidents and ill health in line with procedures based on HSE Accident Investigation Selection Criteria.</p>	
<p>C. Facilitate provision of training services and provision of advice to local businesses to assist them to meet legislative requirements</p>	<p>1. Deliver CIEH Level 2 courses and allergen awareness courses, subject to COVID restrictions.</p> <p>2. Deliver specific training updates to businesses as required.</p>	<p>On-going</p>
<p>D. Investigate cases of infectious disease with the community</p>	<p>1. Investigate cases of infectious diseases in line with KPHE guidelines</p>	<p>On-going</p>

## APPENDIX 2 FSA COVID-19 RECOVERY PLAN

### Phase 1 (1 July 2021-30 September 2021)

Expectation
1. Official controls where nature and frequency are prescribed in specific legislation and official controls recommended by FSA undertaken to support trade and enable export
2. Reactive work including complaints and food incidents and hazards
3. Sampling to assess food business compliance and local authority sampling programme
4. Surveillance to identify newly opened businesses/ closed premises, changes of ownership or business operations
5. New business registrations assessed and prioritised for inspection
6. Planning for resumption of intervention programmes for high risk premises and non-compliant premises in Phase 2

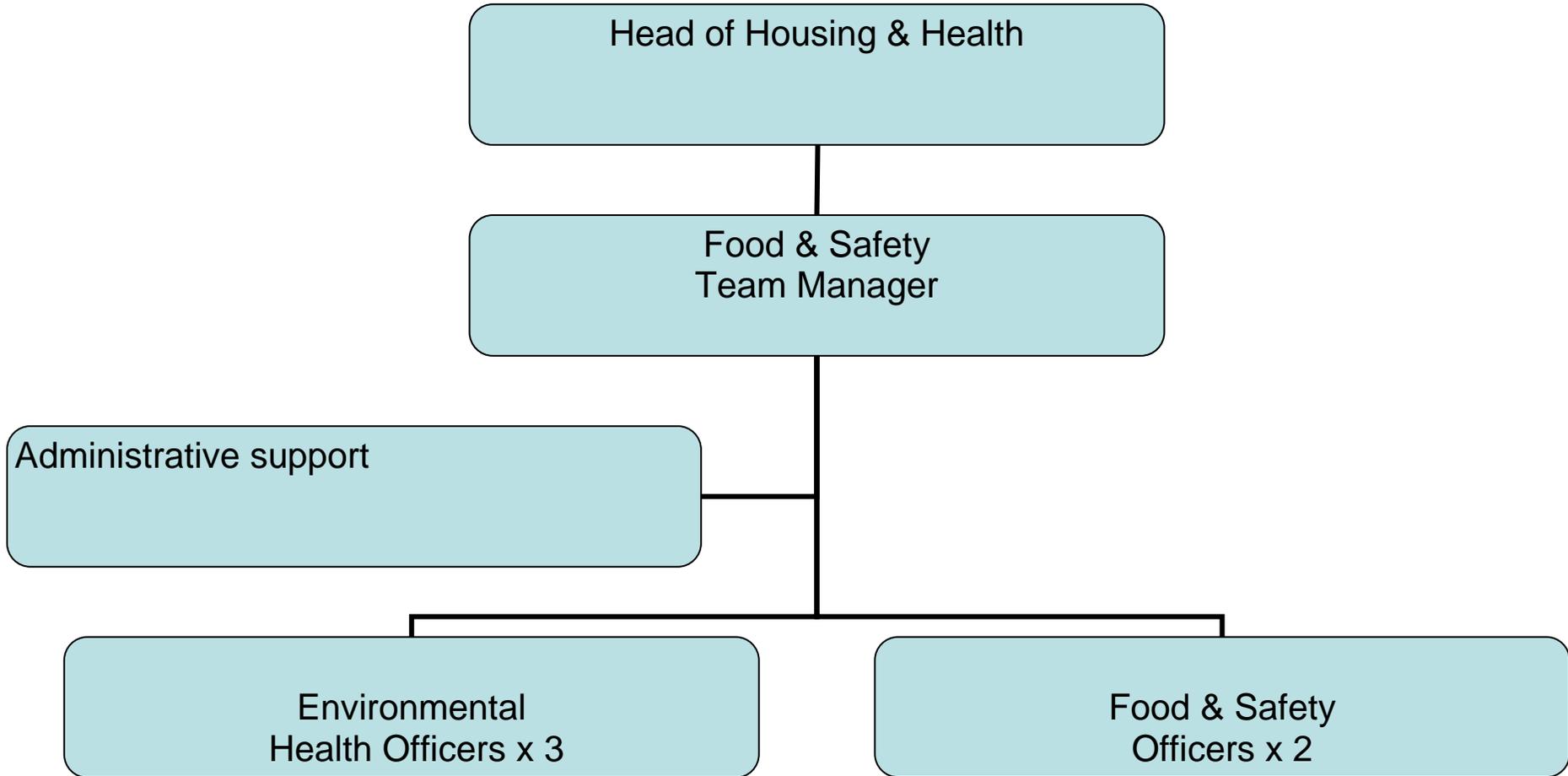
### Phase 2 (1 October 2021 to 2023/24)

As above plus

Expectation		
1. Implement the planned intervention programme for high risk category and non-compliant establishments in accordance with timeline		
Risk category/Activity	Timescale	Expectation
Category A	1 October 2021-21 March 2022	All outstanding onsite interventions to be completed and back into programme
Category B	1 October 2021-30 June 2022	All outstanding onsite interventions to be completed and back into programme
Category C - less than broadly compliant (FHRS 0,1 or 2)	1 October 2021-30 September 2022	All outstanding onsite interventions to be completed and back into programme
Category D- less than broadly compliant (FHRS 0,1 or 2)	1 October 2021-31 December 2022	All outstanding onsite interventions to be completed and back into programme
Category C - broadly compliant or better (FHRS 3,4 or 5)	1 October 2021-31 March 2023	Establishments with two consecutive ratings of 5, one may be missed and then put back into

		the system so intervention date moved forward by 18 months. For those with a rating of 3 or 4 onsite intervention and back into programme
Category D - broadly compliant or better (FHRS 3,4 or 5)	Ongoing	No intervention required during recovery period unless information suggests risks have increased/standards have fallen or the establishment is considered a priority for intervention due to the risk posed.
Category E	On-going	No intervention required during recovery period unless information suggests risks have increased/standards have fallen or the establishment is considered a priority for intervention due to the risk posed.
2. Implement intelligence/info based approach for lower risk category establishments		
3. Respond to FHRS re-visits in line with timescales specified in FHRS Brand Standard		

ORGANISATIONAL CHART FOR THE FOOD AND SAFETY TEAM



## APPENDIX 4

### Food Safety Team Qualifications and Roles

<b>Job Title</b>	<b>Qualifications</b>	<b>Role within the Food Team</b>
Head of Housing and Health V0006 (LH)	Certificate of Registration with the Environmental Health Officers Registration Board	Strategic management of the Council's food and safety enforcement responsibilities
Food & Safety Team Manager DV0101 (MH)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Diploma	Day to day management of food safety enforcement Food Safety Inspector Quality Monitoring
Environmental Health Officer DV0108 (RT)	Certificate of Registration with the Environmental Health Officers Registration Board	Food Safety Inspector
Environmental Health Officer DV0106 (SA)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Diploma	Food Safety Inspector
Environmental Health Officer DV0106 (DP)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Diploma	Food Safety Inspector Food Safety Trainer
Food & Safety Officer DV0109 (CM)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Certificate	Food Safety Inspector Food Safety Trainer
Food & Safety Officer DV0104 (KO)	Certificate of Registration with the Environmental Health Officers Registration Board	Food Safety Inspector
Administrative Manager (MCL) DV0005		Co-ordination of IT system and administrative support to the team
Admin Assistant		Team Admin support

**APPENDIX 5**

**FINANCIAL ALLOCATION OF RESOURCES TO  
THE FOOD & SAFETY FUNCTION**

<b>Budget Heading</b>	<b>2021-2022 Estimate</b>
Employees' salaries and on costs	229,900
Third party payments	200
Central Departmental and Technical support services	
• Information technology expenses	18,150
• Central salaries and administration	17,850
• Departmental Administrative expenses	142,400
• Supplies, services and other expenses	<u>3000</u>
<b>Total expenditure</b>	<u>383150</u>
<u>Income</u>	
• Court Costs	500
• Food Inspection (Condemned / Exported Food Certs)	1350
• Training Courses	3000
• FHRS re-rates	350
<b>Total income</b>	<u>2,500</u>

APPENDIX 6

FOOD AND SAFETY PERFORMANCE PLAN 2019/20 – MONITORING REPORT

STANDARD/TARGET / IMPROVEMENT ACTION	TARGET	ACHIEVEMENTS	INFORMATION SOURCE
<b>FOOD SAFETY</b>			
Inspect all A-D rated food premises for hygiene on schedule.	100%	4% of inspections due were not completed	Uniform
Carry out appropriate interventions at low risk premises for food safety	90%		Uniform
Participate in national, county and local food sampling programmes	On-going	153 samples procured	Sampling results spreadsheet
Percentage of food establishments broadly compliant with food hygiene law	95%	97.8%	Uniform
100% of responses (not simply acknowledgements) to service requests within 5 working days.	100%	100%	Uniform/Stats file
100% pass rate on level 2 food hygiene courses.	100%	100%	In house
90% pass rate on other courses.	90%	100%	In house

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## TONBRIDGE & MALLING BOROUGH COUNCIL

### STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

31 August 2021

#### Report of the Director of Planning, Housing and Environmental Health

#### Part 1- Public

#### Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

### 1 UPDATED AIR QUALITY ACTION PLAN

#### 1.1 Summary

1.1.1 With 6 declared Air Quality Management Areas (AQMAs) TMBC has a statutory duty to keep updated an Air Quality Action Plan (AQAP) to outline the actions we will take to reduce concentrations of the pollutant of concern in the AQMA's so that they can all eventually be revoked. Working with consultants Bureau Veritas we have identified actions which we propose to take up to 2026 to tackle Nitrogen Dioxide, primarily within the remaining AQMA's, but also across the Borough as a whole. A public consultation was conducted between 1<sup>st</sup> February and 30<sup>th</sup> April. The final draft AQAP is presented in **Annex 1** with relevant public comments noted in **Annex 2**.

#### 1.2 Background

1.2.1 The Council has a statutory duty under Part IV of the Environment Act 1995 to;

- Monitor air quality within its boundary,
- Declare an Air Quality Management Area (AQMA) where air quality exceeds the relevant standards laid down in law,
- Where an AQMA is declared, prepare an Air Quality Action Plan (AQAP) to demonstrate how it intends to reduce the pollutant causing the exceedance, and;
- Review AQMAs and AQAPs in response to ongoing monitoring.

1.2.2 A draft updated AQAP was approved by this board on 5 October 2020, with a view making the draft available for public consultation in early 2021.

1.2.3 The AQAP is a Statutory Document required to focus solely on actions to tackle the exceedances of air quality objectives which led to the declaration of AQMA's, ultimately as an aid for reducing the health effects of poor air quality. However,

the actions proposed will also support the recently agreed Climate Change Strategy which looks at a much broader range of actions to address the effects that all types of pollution are having on our natural environment. It will also support KCC's Energy and Low emission Strategy which looks at a much broader range of pollutants and which members of this board endorsed in December 2020.

### 1.3 Public Consultation

- 1.3.1 Public consultation was undertaken in the form of a questionnaire on our website which went live on 1<sup>st</sup> February 2021, to publicise this there were a number of social media posts with a dedicated link to the website. Neighbouring Authorities and other relevant agencies were also consulted.
- 1.3.2 Initially it was intended to leave the questionnaire online for 6 weeks. Unfortunately, initial IT issues meant some people were unable to complete the form. It was decided to leave the consultation open until 30<sup>th</sup> April and a number of additional social media posts were made to advertise this fact; with residents taking advantage of this extension.
- 1.3.3 Attached at **annex 2** to this report is a summary of the relevant responses to the consultation from members of the public and relevant public organisations from the free text box of the questionnaire and also several direct emails. In total we received 74 responses.
- 1.3.4 Whilst the number of responses is low in comparison to Borough population, those who did respond have taken the time to provide useful feedback, for which we are extremely grateful. The responses have highlighted a number of issues which have been considered to ensure they are reflected on in the AQAP.

### 1.4 Questionnaire responses

- 1.4.1 Contrary to some concerns raised, the questionnaire was not designed to rule out any action within the draft plan. The intention was to better understand residents' current trends with regards to road use which has been identified as the main factor in the declaration of the AQMA's in Tonbridge and Malling, and layman understanding of proposed actions. Unfortunately, the respondent base is not large, but there are indications that our proposed actions will make a difference if correctly implemented.
- 1.4.2 Appendix B of the AQAP document shown at **annex 1** to this report, presents in chart form responses to the questionnaire giving useful insight into factors such as;
- Air Quality awareness (less than 30% of respondents were aware we have six declared AQMA's in the Borough).

- Current car ownership (Of those responding almost 45% came from households with two cars, and just 2.7% came from a household with no cars).
- The use of those vehicles (for those respondents living and working in the Borough almost 77% use their cars to commute).
- The way children travel to school (of all respondents with children of school age, over 40% are still taken to school in cars).

## 1.5 Comments on Draft Air Quality Action Plan

1.5.1 As well as the questionnaire, respondents were given the opportunity to freely comment on the draft AQAP. A list of those responses relevant to the consultation document are shown in **annex 2**, with some of the key themes discussed below.

1.5.2 M25 J5 west facing slip:

The greatest number of responses on a single issue related to the above, where the lack of an exit slip at the M26/M25 interchange at Sevenoaks means traffic including a high proportion of HGV's travelling to the Sevenoaks area uses the A25 instead, affecting the AQMA at Borough Green and creating pollution along the whole route. Residents and local Parish Councils have been pressing for a new slip road for many years.

This issue is not a current strategic priority within the Kent and Medway Growth Infrastructure Framework. Whilst highways works are not within the direct remit of the Council, we have amended Action 7 to reflect liaison with colleagues at KCC Highways and Highways England to keep this option on the agenda and to push forward to completion where such opportunities arise.

1.5.3 Planning;

A number of respondents raise concerns over planning, including large scale residential developments both within the Borough and in neighbouring districts, and the effects these will have on air quality from commuting traffic.

Whilst it is outside of the scope of the AQAP to set targets for residential development, it does acknowledge that planning is a key consideration. As a core function of the Environmental Protection Team we already work closely with planners to ensure that air quality effects both caused by the new development, and on the new development itself are considered and that all current and relevant guidance is used in those assessments. Where developers contribute via a Section 106 agreement, Action 9 is designed to more closely consider where some of that contribution can be spent in regard to improving air quality.

#### 1.5.4 Electric vehicles:

This was another theme that featured in several responses. Most people welcomed a commitment to increase charge points across the borough and others were keen for us to explore electric buses and delivery vehicles.

Whilst electric bus and HGV technology is in its infancy Actions 1 and 3 looking at bus and freight quality partnerships respectively will help us to push this issue up the agenda and in addition we are already exploring the options for EV charge points in Council owned car parks in line with Action 10 and dedicated charging points for Taxi's in support of Action 2.

#### 1.5.5 Pedestrianisation of Tonbridge High Street:

A number of respondents wanted to see commitment to the full pedestrianisation of Tonbridge High Street.

As shown in Appendix C of the AQAP at **annex 1**, this action was considered by the steering group to be unrealistic at this time, given the very recent investment there. In addition, whilst it would improve air quality on the High Street, the traffic would not disappear and the problem would only be displaced, potentially to an area affecting many more residential properties. Whilst it is not proposed to add such an action at this time, it will be kept under periodic review potentially for inclusion in the next iteration of the AQAP.

### 1.6 Next steps

1.6.1 The final draft AQAP as shown at **annex 1** is currently undergoing statutory appraisal by DEFRA. Unfortunately, at the time of writing at print deadline, DEFRA have not formally issued the results of that appraisal although it is expected imminently.

1.6.2 To prevent further significant delay, it is recommended that members endorse the document as presented at **annex 1**. If as expected it is approved by DEFRA the document will go live and work on the actions therein can begin in earnest.

1.6.3 Should DEFRA seek amendments prior to their approval, it is considered that as they are the statutory body in this area, any changes proposed can be made in consultation with the Cabinet Member.

1.6.4 Annual updates on progress with the actions within the plan are a requirement of our Annual Status report submitted to DEFRA in June each year. These updates will also be reported to members going forward.

1.6.5 It should also be noted that there is nothing to prevent new actions which may present themselves during the life of the plan from being taken forward even though they are not specifically listed within the current document. In addition, should over

the life of the document new AQMA's be declared then it will be a statutory requirement to update the AQAP accordingly.

## **1.7 Legal Implications**

- 1.7.1 The Council has a statutory duty to monitor air quality within the Borough but specific pollutants are not described within this requirement. The Council has monitored Nitrogen Dioxide through a network of passive diffusion tubes and continuous monitors since the 1990's in line with this statutory duty.
- 1.7.2 The Council also has a statutory duty under the Environment Act 1995 to prepare and update AQAPs where AQMAs have been declared, which has occurred as detailed in this report.

## **1.8 Financial and Value for Money Considerations**

- 1.8.1 Air Quality monitoring has an annual budget which due to Covid-19 effects on budgets has been reduced by £1000 this year. However, this saving has been achieved through producing our Annual Status Report 'in house' and our other Air Quality work has not been affected. There is no budget set aside for the implementation of the Action Plan.
- 1.8.2 Each action proposed in **Annex 1** was put forward on the basis of a basic cost benefit analysis and the remaining actions were felt to be able to create a meaningful differences to levels of Nitrogen Dioxide both in the AQMA's cited and across the Borough as a whole whilst being achievable at a reasonable cost.
- 1.8.3 Although no costs have been finalised, it is anticipated that costs to the Council for implementing actions will be diverse, ranging from only officer time where actions involve the development of partnerships and policies to drive change, up to thousands of pounds where procurement may be required.
- 1.8.4 Those actions requiring Council funding which cannot be met from existing budgets, can only be funded through bids being made/grant money received. However, there are regular opportunities to bid for funding for Air Quality projects from different sources including DEFRA and every opportunity will be made to secure funding from these sources during the life of this AQAP however DEFRA require a 10% match funding contribution for each successful bid.
- 1.8.5 It is anticipated that as the aims of the AQAP accord with the aims of the Climate Change Strategy some funding from that reserve could be utilised for match funding purposes.

## **1.9 Risk Assessment**

- 1.9.1 None

**1.10 Equality Impact Assessment**

1.10.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

**1.11 Policy Considerations**

1.11.1 Planning, Air Quality and Climate Change, as detailed in the report and associated Annex.

**1.12 Recommendations**

1.12.1 That subject to any further amendments from Members and/or DEFRA, the Air Quality Action Plan as set out in full at **Annex 1, BE ENDORSED.**

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

Nil

contact: Crispin Kennard  
Linda Hibbs

Eleanor Hoyle  
Director of Planning, Housing and Environmental Health



# ***Air Quality Action Plan***

*Tonbridge and Malling Borough Council*

*June 2021*



## Document Control Sheet

Identification	
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<b>Bureau Veritas Ref No.</b>	AQAP6481565_v1.0

Contact Details		
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Configuration				
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1.0	23/06/21	P Bentley	Following consultation, pre cabinet sign off	Draft

	Name	Job Title	Signature
<b>Prepared By</b>	P Bentley	Senior Consultant	
<b>Approved By</b>	J Clayton	Technical Director	

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# Tonbridge and Malling Borough Council Air Quality Action Plan

In fulfilment of Part IV of the  
Environment Act 1995  
Local Air Quality Management

June, 2021

## Tonbridge and Malling Borough Council

Local Officer	Authority	Crispin Kennard & Steven Saxbee
Department		Environmental Protection
Address		Tonbridge & Malling Borough Council Gibson Building Gibson Drive Kings Hill West Malling ME19 4LZ
Telephone		01732 876184
E-mail		environmental.protection@tmbc.gov.uk
Report number	Reference	Tonbridge and Malling Borough Council AQAP – Final Draft
Date		June 2021

## Executive Summary

This Air Quality Action Plan (AQAP) has been produced as part of our statutory duties required by the Local Air Quality Management framework. It outlines the action we will take to improve air quality in Tonbridge and Malling Borough Council up to 2026. This action plan replaces the previous draft action plan<sup>1</sup> which ran from June 2011.

Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are also often the less affluent areas<sup>2,3</sup>.

The annual health cost to society of the impacts of particulate matter alone in the UK is estimated to be around £16 billion<sup>4</sup>. Tonbridge and Malling Borough Council are committed to reducing the exposure of people within the borough to poor air quality in order to improve health.

We have developed actions that can be considered under four broad priority topics:

- Priority 1: Transport;
- Priority 2: Planning and Infrastructure;
- Priority 3: Policy Guidance; and
- Priority 4: Public Health and Wellbeing

The primary focus of the AQAP is to implement measures which will ensure levels of NO<sub>2</sub> across the borough, and specifically within the existing AQMAs, are consistently below 10% of the annual mean NO<sub>2</sub> Air Quality Strategy (AQS) objective of 40µg/m<sup>3</sup>. For two out of the six existing Air Quality Management Areas (AQMAs), a relatively small reduction in annual mean NO<sub>2</sub> concentration is required (3µg/m<sup>3</sup> within AQMA 3 and 3.6µg/m<sup>3</sup> within AQMA 7) to reduce existing concentrations to 36µg/m<sup>3</sup> thus ensuring compliance with the annual mean objective of 40µg/m<sup>3</sup>. Where required concentration reductions are relatively low, borough-wide actions / 'soft' measures such as educational events, are more applicable within these AQMAs, compared to additional AQMA / area specific 'hard' measures such as changes in existing road layouts, that are required within the AQMAs that are current showing concentrations of NO<sub>2</sub> significantly in excess of the annual mean objective.

The priorities from the adoption of this action plan are to aid a behavioural shift within the population to promote more sustainable and less polluting methods of transport, reducing dangerous pollutant concentrations and reducing the risks of detrimental effects against health and wellbeing within the borough. In addition where transport remains a majority source of air pollution, traffic measures are to be implemented to reduce congestion and aim to reduce source emissions in areas of relevant exposure.

This AQAP outlines a plan to effectively tackle air quality issues within the Council's control. It should be noted that there are a large number of air quality policy areas that are outside of the Council's influence (such as vehicle emissions standards agreed in Europe), but for which the Council is able to provide useful evidence. The Council will therefore continue to work with regional and central government on policies and issues beyond Tonbridge and Malling's direct influence in relation to air quality.

---

<sup>1</sup> Tonbridge and Malling Borough Council (June 2011), Draft Air Quality Action Plan

<sup>2</sup> Environmental equity, air quality, socioeconomic status and respiratory health, 2010

<sup>3</sup> Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

<sup>4</sup> Defra. Abatement cost guidance for valuing changes in air quality, May 2013

## Responsibilities and Commitment

This AQAP was prepared by the Environmental Protection department within Tonbridge and Malling Borough Council with support provided by Bureau Veritas. The following departments have, and continue to provide, support and agreement to the AQAP:

- TMBC Environmental Protection;
- TMBC Planning.
- TMBC Technical Services.
- TMBC Licensing.
- KCC Sustainable Business and Communities.
- KCC Growth Environment & Transport.

This AQAP has been approved by:

<Details of high level Council members who have approved the AQAP (This could also include support from County Councils or from Highways England where appropriate) e.g. Head of Transport Planning, Head of Public Health, with e-signature>.

This AQAP will be subject to an annual review, appraisal of progress and reporting to the relevant Council Committee and Defra. Progress each year will be reported to Defra within the Annual Status Report (ASR) due for completion each year and produced by Tonbridge and Malling Borough Council, as part of our statutory LAQM duties.

If you have any comments on this AQAP please send them to the Environmental Protection department at Tonbridge and Malling Borough Council at:

Environmental Protection Team  
Tonbridge and Malling Borough Council  
Gibson Building, Gibson Drive  
Kings Hill  
West Malling  
Kent  
ME19 4LZ  
01732 876184  
environmental.protection@tmbc.gov.uk

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**Tonbridge and Malling Borough Council**

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# 1 Introduction

This Air Quality Action Plan (AQAP) outlines the actions that Tonbridge and Malling Borough Council will deliver up to 2026 in order to reduce concentrations of air pollutants (primarily nitrogen dioxide (NO<sub>2</sub>)) within the existing Air Quality Management Areas across the borough, and also across the wider borough area; thereby positively impacting on the health and quality of life of residents within, and visitors to Tonbridge and Malling.

The AQAP has been developed in recognition of the legal requirement on the local authority to work towards Air Quality Strategy (AQS) objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part and to meet the requirements of the Local Air Quality Management (LAQM) statutory process. Development of the AQAP has taken place through discussions within a Tonbridge and Malling Borough Council Steering Group led by the Environmental Protection team and supplemented by guidance from Bureau Veritas.

The document has been subjected to both internal and external consultation as an initial draft to the following parties, in line with PG(16) guidance<sup>5</sup>:

- Department of Environment, Farming and Rural Affairs (Defra);
- Tonbridge and Malling Borough Council;
- Kent County Council (KCC);
- Neighbouring local authorities;
- Residents within Tonbridge and Malling; and
- Bodies representing local business interests and other organisations as appropriate.

Once accepted by Defra and implemented by Tonbridge and Malling, this AQAP will be reviewed every five years at the latest. Details of the progress on measures set out within this AQAP will be reported on annually within the Tonbridge and Malling air quality ASR.

---

<sup>5</sup> Local Air Quality Management Policy Guidance LAQM.PG(16). April 2016. Published by Defra in partnership with the Scottish Government, Welsh Assembly Government and Department of the Environment Northern Ireland.

## 2 Summary of Current Air Quality in Tonbridge and Malling

Currently there are six Air Quality Management Areas (AQMAs) designated within Tonbridge and Malling Borough Council area. All six have been declared in response to exceedances of the NO<sub>2</sub> annual mean objective. Each of the six declared AQMAs incorporate areas that have strategic road links passing through them, with road traffic emissions having previously been identified as the major source of the elevated NO<sub>2</sub> concentrations.

The previous AQAP completed by Tonbridge and Malling<sup>6</sup>, dated June 2011, had been developed to include the initial six AQMAs declared (the designation relating to 24-hour PM<sub>10</sub> concentrations for the M20 AQMA 1 and the Ditton AQMA 2 have since been revoked). The previous AQAP had not been updated to include the declaration, and subsequent amendment of Borough Green AQMA. Therefore the measures outlined within this AQAP have been developed based upon the current designation of AQMAs.

Details of the current AQMAs are provided within Table 2.1 and boundary maps for each of the AQMAs are presented in Appendix A.

**Table 2.1 – Tonbridge and Malling Air Quality Management Areas**

AQMA Name	Date of Declaration	Location	Description of Area
<b>M20 AQMA 1</b>	May 2001	Larkfield / Ditton	An area along the M20 motorway between the points where it passes below New Hythe Lane, Larkfield to the west and where it crosses Hall Road, Aylesford to the east.
<b>Tonbridge High Street AQMA 3</b>	June 2005	Tonbridge	An area incorporating the High Street between Botany and the High Street/Vale Road roundabout, Tonbridge.
<b>Wateringbury AQMA 4</b>	June 2005	Wateringbury	An area incorporating the Red Hill/Tonbridge Road A26 crossroads in the Parish of Wateringbury.
<b>Aylesford AQMA 5</b>	October 2008 (Amended January 2020)	Aylesford	An area encompassing the junction of the A20 (London Road) with Hall Road and Mills Road.
<b>Larkfield AQMA 6</b>	October 2008 (Amended January 2020)	Larkfield	An area encompassing a section of the A20 (London Road) within Larkfield, including the junction with New Hythe Lane.
<b>Borough Green AQMA 7</b>	April 2013 (Amended January 2020)	Borough Green	An area encompassing the junction of the A25 (Sevenoaks Road) and the A227 (Western Road) within Borough Green.

Tonbridge and Malling operate a large network of passive diffusion tubes, which provide annual mean concentrations of NO<sub>2</sub> at monitoring locations across the borough. During 2018 monitoring was completed at 54 locations, with monitoring completed both within and outside the current AQMA boundaries. The diffusion tubes are exposed in 4-5 week periods, in line with the Defra LAQM Diffusion Tube Monitoring Calendar, and are processed to derive annual mean concentrations as per Defra TG(16) guidance<sup>7</sup>. In addition to the passive diffusion tube monitoring completed within the borough, the automatic monitoring of NO<sub>2</sub> has historically been completed at one location within the Tonbridge High Street AQMA (ZT5). In

<sup>6</sup> Tonbridge and Malling Borough Council, Environment Act 1995 LAQM Draft Air Quality Action Plan, June 2011

<sup>7</sup> Local Air Quality Management Technical Guidance LAQM.TG(16). April 2016. Published by Defra in partnership with the Scottish Government, Welsh Assembly Government and Department of the Environment Northern Ireland

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2018 the monitor was relocated close to the Watringbury AQMA due to the elevated concentrations reported within the AQMA.

Of the 54 NO<sub>2</sub> monitoring locations within the Council area, 21 are located within the current designated AQMAs. A summary of the recent NO<sub>2</sub> monitoring completed within each AQMA is presented in Table 2.2. Further details of all monitoring locations, and subsequent annual mean NO<sub>2</sub> concentrations are available in the latest Annual Status Report (ASR) completed and submitted to Defra each year. Access to all LAQM reports completed by Tonbridge and Malling are available through the Tonbridge and Malling Borough Council website<sup>8</sup>.

**Table 2.2 – Tonbridge and Malling AQMA NO<sub>2</sub> Monitoring**

Site ID	Site Type	Monitoring Type	Annual Mean NO <sub>2</sub> Concentration (µg/m <sup>3</sup> )				
			2014	2015	2016	2017	2018
<b>M20 AQMA 1</b>							
<b>TN5</b>	Roadside	Diffusion Tube	-	-	38.1	38.8	34.9
<b>TN7b</b>	Roadside	Diffusion Tube	-	-	38.0	36.7	31.5
<b>TN80a</b>	Roadside	Diffusion Tube	38.8	35.1	34.4	35.4	30.2
<b>TN5a</b>	Roadside	Diffusion Tube	37.1	35.5	34.5	34.1	30.1
<b>TN30</b>	Roadside	Diffusion Tube	28.3	29.3	29.7	26.7	25.5
<b>TN29a</b>	Roadside	Diffusion Tube	24.9	25.4	28.0	25.2	24.1
<b>Tonbridge High Street AQMA 3</b>							
<b>TN35</b>	Urban Centre	Diffusion Tube	<b>43.2</b>	36.7	34.6	37.5	36.4
<b>TN44</b>	Urban Centre	Diffusion Tube	<b>42.0</b>	<b>40.1</b>	<b>40.5</b>	38.4	35.2
<b>ZT5</b>	Urban Centre	Automatic Analyser	<b>46.6</b>	<b>45.8</b>	<b>46.8</b>	<b>49.6</b>	34.9
<b>TN45, 74, 75</b>	Urban Centre	Diffusion Tube	<b>42.7</b>	<b>41.6</b>	<b>40.5</b>	<b>42.3</b>	39.0
<b>TN110</b>	Roadside	Diffusion Tube	-	-	30.1	32.8	28.4
<b>Watringbury AQMA 4</b>							
<b>TN33</b>	Roadside	Diffusion Tube	<b>52.7</b>	<b>51.9</b>	<b>56.4</b>	<b>53.6</b>	<b>51.9</b>
<b>TN43</b>	Roadside	Diffusion Tube	38.2	38.2	39.1	38.7	35.7
<b>TN42, 76, 77</b>	Roadside	Diffusion Tube	<b>64.8</b>	<b>63.5</b>	<b>64.8</b>	<b>61.3</b>	<b>58.1</b>
<b>Aylesford AQMA 5</b>							
<b>TN68</b>	Roadside	Diffusion Tube	31.9	30.8	30.8	31.4	28.3
<b>TN60, 62, 63</b>	Roadside	Diffusion Tube	<b>45.3</b>	<b>44.1</b>	<b>44.8</b>	<b>44.8</b>	<b>41.7</b>
<b>DF1, 2, 3</b>	Roadside	Diffusion Tube	-	<b>42.6</b>	<b>44.3</b>	<b>44.1</b>	<b>40.1</b>
<b>Larkfield AQMA 6</b>							
<b>TN57, 58, 59</b>	Roadside	Diffusion Tube	36.5	34.0	33.7	31.4	32.2
<b>DF7, 8, 9</b>	Roadside	Diffusion Tube	-	35.2	<b>41.8</b>	35.0	32.8
<b>TN106</b>	Roadside	Diffusion Tube	-	-	<b>43.9</b>	<b>43.2</b>	<b>42.0</b>
<b>Borough Green AQMA 7</b>							
<b>TN70, 72, 73</b>	Roadside	Diffusion Tube	<b>42.2</b>	<b>42.1</b>	<b>45.6</b>	<b>43.0</b>	39.6
Notes:							
<ul style="list-style-type: none"> <li>- Exceedances of the NO<sub>2</sub> annual mean objective are presented in <b>Bold</b></li> <li>- The automatic monitor ZT5 was relocated part way through 2018</li> <li>- The modelling completed to inform the AQAP was completed for a baseline year of 2018, monitoring data post 2018 is available through the most recent ASR</li> </ul>							

<sup>8</sup> Tonbridge and Malling Borough Council Air Quality – <https://www.tmbc.gov.uk/services/environment-and-planning/pollution/air-quality>

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It can be seen by the monitoring results presented within Table 2.2 that the number of monitored exceedances of the NO<sub>2</sub> annual mean objective across all current AQMAs has reduced between 2014 (eight) and 2018 (five). In addition, detailed within the latest ASR at the time of writing, during 2018, as has been apparent since 2014, there have not been any monitored exceedances outside of the declared AQMAs. Although there has been a visible decline in concentrations, aside from within the M20 AQMA there remains one monitoring location reporting an NO<sub>2</sub> annual mean greater than, or within 10% of the annual mean objective (36.0µg/m<sup>3</sup>).

Annual mean concentrations have remained at their highest within the Watlington AQMA, with the triplicate diffusion tube monitoring location TN42, 76, 77 reporting the highest concentration within the borough every year since 2014 (58.1µg/m<sup>3</sup> in 2018). As can be seen within Figure A.3, the Watlington AQMA consists of a single cross junction between the A26 (Tonbridge Road), Red Hill and Bow Road. The junction is traffic light controlled and congestion is experienced throughout the day due to the A26 linking Maidstone with Tonbridge and also Royal Tunbridge Wells.

There have not been any monitored exceedances of the NO<sub>2</sub> annual mean objective within the M20 AQMA during the previous five years. The maximum monitored concentration recorded during this period was 38.8µg/m<sup>3</sup> recorded at both TN5 in 2017 and TN80a in 2014. Although there has not been any monitored exceedances, the detailed modelling completed as part of the AQMA review<sup>9</sup>, predicted that a number of properties located to the north and south of the M20 motorway experience NO<sub>2</sub> annual mean concentrations greater than 36.0µg/m<sup>3</sup>. Due to the layout of the M20 motorway, and the adjoining local roads, it has not always been possible to locate diffusion tubes in locations of relevant exposure, e.g. gardens of residential properties at their closest point to the M20 motorway.

In addition to future years monitoring results, any changes made to the existing monitoring network within the borough will be detailed and justified within subsequent ASRs. The monitoring network serves as an ongoing indicator for changing NO<sub>2</sub> trends within the borough and will be essential for the assessment of implementation for the measures detailed within this AQAP. The monitoring network also provides an initial evidence base for consideration of the requirement to revoke, amend or declare any AQMAs.

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<sup>9</sup> Bureau Veritas (November 2019), Tonbridge and Malling Borough Council Air Quality Management Area Review

## 3 Tonbridge and Malling's Air Quality Priorities

This chapter presents the main drivers, and the approach taken by Tonbridge and Malling for the development and subsequent selection of measures that have been included within this AQAP. Included within this section of the AQAP are descriptions of the existing strategies and policies that relate to air quality within the borough.

A source apportionment study has been completed across the borough, focusing on each of the existing six AQMAs and surrounding area. The source apportionment study has allowed the most significant vehicular NO<sub>x</sub> contributors to be identified, and in conjunction with the strategies and policies that are currently in place, the conclusions have been used to identify and prioritise the action measures presented within Section 5.

### 3.1 Public Health Context

Scientific evidence has continued to show the scale of the negative impact of poor ambient air quality on health. Although the links between air pollution as a direct cause of death are still the subject of much debate, poor air quality is considered to be a significant contributory factor to the loss of life, with an average estimation of lives being shortened by five months. The Committee on the Medical Effects of Air Pollution (COMEAP)<sup>10</sup> provides advice to Government on the setting of air quality standards, and increasingly has sought to consolidate evidence on the health burden and impacts of various pollutants, both in single occurrence and pollutants in combination. In terms of NO<sub>2</sub>, COMEAP provide a current range of estimate for annual mortality burden for human-made air pollution in the UK is estimated to be between 28,000 and 36,000 deaths and an associated loss of population life of 328,000 and 416,000 life years lost<sup>11</sup>.

Local authorities across England have a central role in achieving improvements in air quality, and have a range of powers which can effectively help to improve air quality. The involvement of public health officials is crucial in playing a role to assess the public health impacts and providing advice and guidance on taking appropriate action to reduce exposure and improve the health of everyone in Tonbridge and Malling.

The online Public Health Outcomes Framework (England) tool<sup>12</sup> provides further impetus to join up action between the various local authority departments that all contribute towards the delivery of air quality improvements. There is extensive evidence about the health impacts of air pollution, growing media and public interest and an indicator on mortality attributed to airborne particulate matter in the Public Health Outcomes Framework. The Public Health briefing document published by Defra and Public Health England (PHE)<sup>13</sup> provides guidance as to the latest information to consider in terms of the health response to air pollution, guiding local authorities to use existing tools to appraise the scale of the air pollution issue in its area. The briefing document, as part of a resource pack for public health teams, advises local authorities how to appropriately prioritise air quality alongside other public health priorities to ensure that it is provided relevant exposure within local agenda.

The briefing document comprises the following key guides:

- Getting to grips with air pollution – the latest evidence and techniques;

<sup>10</sup> The Committee on the Medical Effects of Air Pollution – <https://www.gov.uk/government/groups/committee-on-the-medical-effects-of-air-pollutants-comeap>

<sup>11</sup> The Committee on the Medical Effects of Air Pollution (2018), Associates of long-term average concentrations of nitrogen dioxide with mortality

<sup>12</sup> Public Health England, Public Health Outcomes Framework – <https://fingertips.phe.org.uk/profile/public-health-outcomes-framework>

<sup>13</sup> Department for Environment, Food and Rural Affairs and Public Health England (March 2017), Air Quality: A Briefing for Directors of Public Health

- Understanding air pollution in your area;
- Engaging local decision-makers about air pollution;
- Communicating with the public during air pollution episodes;
- Communicating with the public on the long-term impacts of air pollution; and
- Air Pollution: an emerging public health issue: Briefing for elected members.

As stated above, the Public Health Outcomes Framework tool includes an indicator on mortality attributed to airborne particulate matter. It should be noted that the indicator only accounts for one pollutant (particulate matter with an aerodynamic diameter of 2.5µm or less – PM<sub>2.5</sub>) for which stronger scientific evidence on links with detrimental health effects and mortality exist, and not for NO<sub>2</sub>, for which the six current AQMAs within Tonbridge and Malling are declared. For PM<sub>2.5</sub> evidence continues to show that there is no real safe threshold for this pollutant and UK government should achieve reductions in levels of PM<sub>2.5</sub> as low as reasonably practicable below the current air quality standard.

For Tonbridge and Malling in 2017, the fraction of mortality attributable to particulate PM<sub>2.5</sub> air pollution is 5.7%, which is higher than the national average of 5.1%. The borough is currently under no obligation to monitor PM<sub>2.5</sub>, which is a focus at national level, but anticipates that some of the measures implemented within this action plan for the achievement of reductions in NO<sub>2</sub>, will have co-benefits in additionally reducing concentrations of particulate matter. Furthermore, following on from a review of research into the death burden associated with the air pollution mixture rather than single pollutants acting independently, COMEAP are currently reviewing the ability to link deaths to one specific pollutant.

At a County level the Kent Joint Health and Wellbeing Strategy<sup>14</sup>, which has been extended to 2021 provides strategic direction to address the numerous health and wellbeing issues facing the population within Kent. It is identified within the strategy that a number of factors affecting short and long term physical and mental health such as air quality need to be considered. Through an integrated approach, with continual links with local authorities feeding into the strategy, the overall vision of improving health and wellbeing outcomes.

The Kent Public Health Observatory last provided an update in terms of mortality rates attributable to air pollution in April 2018<sup>15</sup>. Within which air pollution (particulate matter) is a contributory factor in fewer deaths per year in the population (under 75) in Kent than cancer and cardiovascular disease, however it is linked with a similar number of deaths as is attributed to respiratory disease and liver disease.

### 3.2 Planning and Policy Context

This Action Plan outlines the Council's plan to effectively tackle air quality issues within its control; however, it is recognised there are numerous existing, and also impending policies and strategies adopted at local, regional and national level that can exert significant effects, both positive and negative, on air quality across Tonbridge and Malling. It is important that these plans and strategies are identified, and taken into consideration at an early stage of the development of the plan. These will aid the establishment of the context in which specific options for improving air quality can be implemented.

Whilst certain policies and / or strategies may be outside of the influence of Tonbridge Malling, there are a number of related policies and strategies at local and regional levels that can be tied directly with the aims of this AQAP. Some of these are directly focused on air quality improvements within Tonbridge and Malling, whilst others relate to transportation issues and therefore are likely to help contribute to overall improvements in air quality across Tonbridge and Malling.

<sup>14</sup> Kent County Council (2013), Kent Joint Health and Wellbeing Strategy: Outcomes for Kent

<sup>15</sup> Kent Public Health Observatory (April 2018), Air Quality

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The review of these strategies and policies also assist in not duplicating the work within the AQAP, but instead focus on direct measures outside those considered within the already developed strategies and policies, but that still contribute toward their overall aims. This section outlines the strategies and policies that have the most significant potential to impact on pollutant concentrations within Tonbridge and Malling. Given their importance, the majority of measures listed below have been included as action measures within this Action Plan.

The most relevant policies and strategic documents are detailed below.

### 3.2.1 Clean Air Strategy 2019

The Clean Air Strategy<sup>16</sup> has been published to set out the case for action at a national level, identifying a number of sources of air pollution within the UK including road transportation, that is relevant in terms of the AQMAs currently present within Tonbridge and Malling, and sets out the actions required to reduce the impact upon air quality from these sources. It has been developed in conjunction with three other UK Government Strategies; the Industrial Strategy, the Clean Growth Strategy, and the 25 Year Environment Plan

Key actions that are detailed within the strategy aimed at reducing emissions from transportation sources include the following:

- The publication of the Road to Zero strategy which sets out plans to end the sale of new conventional petrol and diesel cars and vans by 2040;
- New legislation to compel vehicle manufacturers to recall vehicles and non-road mobile machinery for any failures in emission control systems, and to take effective action against tampering with vehicle emissions control systems;
- Develop new standards for tyres and brakes to reduce toxic non-exhaust particulate emissions from vehicles;
- The encouragement of the cleanest modes of transport for freight and passengers; and
- Permitting approaches for the reduction of emissions from non-road mobile machinery, especially in urban areas.

### 3.2.2 UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations

Published in July 2017, the UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations (Detailed Plan)<sup>17</sup> is the UK governments plan for bringing concentrations of NO<sub>2</sub> within statutory limits within the shortest possible time. It is identified that the most immediate air quality challenge within the UK is tackling the issue of NO<sub>2</sub> concentrations close to roads, especially within towns and cities. The plan identifies a number of local authorities that were required to complete feasibility studies to define NO<sub>2</sub> concentrations on road links identified by the national Pollutant Climate Mapping (PCM) model as being in exceedance of the NO<sub>2</sub> annual mean AQS objective.

Tonbridge and Malling were not one of these authorities identified, but regardless the UK Plan provides a high level of detail on possible solutions, and their implementation, to reduce NO<sub>x</sub> emissions from vehicles, and therefore lower NO<sub>2</sub> concentrations. The actions detailed within the UK Plan include the following:

- Implementation of Clean Air Zones (CAZs);

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<sup>16</sup> Department for Environment, Food and Rural Affairs (2019), Clean Air Strategy

<sup>17</sup> Department for Environment, Food and Rural Affairs, Department for Transport (2017), UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations (Detailed Plan)

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- New real world driving emissions requirements for light passenger and commercial vehicles;
- Additional funding to accelerate the uptake of low emissions buses and also for the retrofitting of older buses;
- Additional funding to accelerate the uptake of hydrogen vehicles and associated infrastructure;
- New mandatory emissions standards for non-road mobile machinery; and
- Local cycling and walking investment plans.

### 3.2.3 Kent Environment Strategy / Energy and Low Emission Strategy

The Kent Environment Strategy (KES)<sup>18</sup> that was adopted in 2016, and the newly adopted Energy and Low Emission Strategy (ELES)<sup>19</sup>, which is a sub strategy of the KES, have been developed to address the challenges posed across Kent through the growth and change that is predicted to occur across the County over the coming years / decades. Economic growth is welcomed within the County, but this should be realised without impacting the health and wellbeing of its residents, and also without impacting the diverse landscape across the County that is valued by residents, businesses and visitors alike.

Air quality is identified within the KES as a key issue within the County, the unique position of Kent between London and the continent leads to challenges with emissions from cross-channel freight and traffic leading to the declaration of over 40 AQMAs. Transport is identified as a majority emission source leading to associated risks for air quality, with sustainability and a shift to active travel detailed as a requirement for transport growth. In a wider sense the KES has three core themes that are applicable to the strategy and also are drawn down into the ELES:

- Theme One: Building the Foundations for Delivery;
- Theme Two: Making best use of existing resources, avoiding or minimising negative impacts; and
- Theme Three: Toward a sustainable future.

The purpose of the ELES is to identify an approach to deliver clean growth, by reducing emissions from housing, industry and transport to lead to improvements in air quality across the County to a point where no deaths are associated with poor air quality. The challenge of tackling the AQMA hot-spots of poor air quality is outlined as a major challenge to be overcome at a County level, and also at a local authority level due to the majority of declared AQMAs being designated on County highway controlled road links located within local authority jurisdiction. In terms of vehicle emissions, growth without gridlock is promoted to deliver safe and effective transport, ensuring that communities and businesses benefit, the environment is enhanced and economic growth is supported.

A drive towards a low carbon economy is included within the ELES, with a number of potential technological project model interventions contained within five identified themes:

- Low Carbon Heating;
- Energy Saving and Efficiency;
- Renewable Generation;
- Smart Energy System; and

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<sup>18</sup> Kent County Council (March 2016), Kent Environment Strategy: A Strategy for Environment, Health and Economy

<sup>19</sup> Kent County Council (June 2020), Kent and Medway Energy and Low Emissions Strategy: Meeting the Climate Change Challenge

- Transport Revolution.

All of the above have the potential to help lower pollutant concentrations across Tonbridge and Malling, and the wider County. Of significant importance, relating to the designation of the AQMAs across Tonbridge and Malling, is the Transport Revolution which promotes EV charging and a hydrogen fuelling infrastructure, compressed natural gas (CNG) fuelling and the modernisation of the energy infrastructure within ports.

### 3.2.4 Local Plan

The new Tonbridge and Malling Local Plan<sup>20</sup> has recently been consulted upon and underwent public examination in October 2020. The examining Inspectors unfortunately concluded that in their opinion, the Council had failed the legal compliance and in particular the Duty to Co-operate regarding unmet housing need in the neighbouring district of Sevenoaks and recommended that the plan was not adopted. The Council has since taken the decision to withdraw the draft Local Plan, although at the time of writing, this has not occurred. Moving forward, the Council intends to recommence plan making by refreshing its evidence, rebasing the plan timeline and resubmit the plan for examination. It is hoped to have this submitted for examination by Inspectors by the end of 2023.

Due to the advanced stage of the draft Local Plan and the fact the Inspectors have only cited the failure of the Duty to Cooperate as the reason why the plan should not proceed, the policies held within the plan have been detailed within this AQAP, if the relevant policies change significantly prior to the adoption of the refreshed plan the AQAP will be updated to reflect these.

A large number of documents have been used to shape the Local Plan, one of which was an Air Quality Assessment<sup>21</sup> that was completed to provide an evidence base for the potential air quality impacts of the Local Plan upon human health receptors (residential properties, hospitals and schools). Given the rejection of the current draft this evidence base will also be updated. The update, when updated, will be able to provide analysis and comparison in regards to the baseline modelling completed as part of this AQAP and the potential impact of AQAP measures that have been taken forward following the adoption of the AQAP.

It is most likely that the new plan will have a similar structure to the present draft and will continue to have similar policies on air quality and sustainable travel. For reference the current draft Local Plan includes a suite of policies with the purpose to manage and facilitate sustainable development across the borough. In addition, there are areas within the borough that are identified in terms of future housing allocations (LP25: Housing Allocations). The areas that are identified within the housing allocations are important as these may be close to areas of poor air quality, or will have the potential to impact upon existing air quality conditions.

In terms of air quality and future development, compliance with LP20: Air Quality within the application is required, with the identification of detailed mitigation measures to be included with the Environmental Health department having regard to the relevant air quality standards at a national level. Policy LP20: Air Quality states the following:

1. Development, either individually or cumulatively with other proposals or existing uses in the vicinity, that could directly or indirectly result in material additional air pollutants and a significant worsening of levels of air quality within the area surrounding the development site will not be permitted unless evidenced, specifically identified and detailed measures to offset or mitigate those impacts are introduced as part of the proposal.

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<sup>20</sup> Tonbridge and Malling Borough Council (January 2019), Local Plan – Regulation 22 Submission

<sup>21</sup> Mott MacDonald (June 2018), Tonbridge and Malling Borough Council Local Plan Air Quality Evidence Base

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2. Development that would introduce new receptors into an area of poor air quality will not be permitted unless the proposals incorporate acceptable measures to ensure receptors would not be subject to unacceptable risk as a result of poor air quality.

In addition to policy LP20, there are several policies within the Local Plan that are aimed at mitigating the impacts of developments upon air quality. These include LP23: Sustainable Transport, and the policies for strategic sites which seek to maximise opportunities for additional cycling and walking routes. A number of identified Strategic Sites (LP28: South Aylesford, LP29: Borough Green, LP31: South-West Tonbridge) bring opportunities to improve the air quality of the nearby AQMAs through the development of relief roads alleviating the traffic flow through the areas of concern. But this earmarked development also brings a risk of detrimental effects upon air quality with the increase of traffic flow in the immediate and surrounding area. Throughout the development of any of the Strategic Sites, or any other development within the borough the Environmental Protection team will review applications received to ensure that all applications are completed in accordance with LP20.

### 3.2.5 Local Transport Plan

The Kent County Council Local Transport Plan<sup>22</sup> was approved in 2016 setting out a vision for transport over a 15 year timeframe and has the ambition to deliver safe and effective transport, ensuring that all of Kent's communities and businesses benefit, the environment is enhanced and economic growth is supported. This ambition is to be achieved through five overarching policies, of which three have immediate relevance to improving air quality conditions:

- Outcome 3: Safer travel;
- Outcome 4: Enhanced environment; and
- Outcome 5: Better health and wellbeing.

When assessing any transport schemes air quality impacts are to be taken into account in addition to the consideration of the relocation of traffic, ranging from a strong negative impact to a strong positive impact. It is identified that the reduction of vehicle numbers will lead to a positive effect upon local air quality, with Active Travel methods such as walking or cycling promoted as a means of transport rather than just for leisure purposes. Through this links are made to the Active Travel Strategy and Cycling Strategies.

The transport priorities detailed within the Transport Plan that are relevant to Tonbridge and Malling are as follows:

- M20 Junctions 3 – 5 'smart' (managed) motorway system;
- A20 corridor improvements between A228 and M20 Junction 5;
- A228 corridor improvements;
- Borough Green Relief Road;
- Wateringbury A26 / B2015 junction improvements;
- Implementation of the Tonbridge and Malling Cycling Strategy; and
- Improvements within Tonbridge:
  - Tackling congestion in Tonbridge town;
  - Tonbridge town centre regeneration; and
  - Potential for Urban Traffic Control (traffic signal coordination) in Tonbridge to help alleviate congestion and improve air quality.

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<sup>22</sup> Kent County Council, Local Transport Plan 4: Delivering Growth without Gridlock 2016-2031

All of the above have the potential to impact air quality conditions within the existing AQMAs, and across the wider borough. The Environmental Protection team at Tonbridge and Malling will continue to the work in unison with our colleagues in the Highway teams at both Tonbridge and Malling and Kent County Council to ensure that the impacts upon air quality due to the implementation of any highways scheme is quantified in terms of pollutant emissions, and that our expertise within the field is sought when future schemes are developed within Tonbridge and Malling.

### 3.2.6 Freight Action Plan

The Kent County Council Freight Action Plan for Kent<sup>23</sup> identifies that when road freight vehicles travel on the local road network they can have an adverse impact on local communities in a number of ways, one of which being the impact upon local air quality conditions. It is a supporting policy to the Local Transport Plan detailed above and has three core actions detailed within. In terms of air quality issues have been identified in a number of areas:

- Direct tailpipe emissions from the freight passing through the County and also from increased congestion due to Operation Stack whereby vehicles are diverted from the M20 to the A20 when congestion for the Euro Tunnel and Port of Dover reach certain levels;
- Refrigeration and in-cab heaters running when freight are parked through the night, contributing to air pollution within the local area; and
- Implementation of vehicle restrictions within Towns and Villages to restrict the type and / or the number of vehicles that are allowed to pass through certain settlements.

Initiatives such as an ECO Stars scheme can be set up to improve efficiency within a fleet of freight vehicles, this is realised through improvements in fuel consumption and reducing any possible impacts upon local air quality conditions.

### 3.2.7 Climate Change Strategy

As a local authority, Tonbridge and Malling Borough Council has an important leadership role to play in responding to the challenges posed by climate change, particularly relating to the delivery of our key services and our partnership work with other agencies. In July 2019 the Council set out the "aspiration for Tonbridge and Malling to be carbon neutral by 2030". The Tonbridge and Malling Climate Change Strategy (2020 – 2030)<sup>24</sup> sets out the commitment to local action of climate change and the commitment to biodiversity protection.

The Council has a key role in supporting and promoting local actions, and recognise that they don't solely have all the required powers and resources to do this. Only by working in partnership can we help to influence the effects of climate change now and for generations to come. The core themes of the strategy, as detailed below, are to be implemented through the development of a Climate Change Action Plan:

- Adapting to Climate Change;
- Sustainable Development;
- Transport;
- Air Quality;
- Habitats and Biodiversity;
- Housing and Energy Conservation;

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<sup>23</sup> Kent County Council, Freight Action Plan for Kent

<sup>24</sup> Tonbridge and Malling Borough Council (2020), Tonbridge and Malling Climate Change Strategy

- Waste Minimisation and Recycling; and
- Community and Business Engagement

In terms of air quality, it was identified that there are synergies between the statutory duties for the betterment of public health and the aims of the Climate Change Strategy. A key focus is identified between air quality and climate change pollutants emitted from transportation sources. Working to reduce the reliance upon personal travel and vehicle trips has two-fold benefits in reducing both local air pollutants and climate pollutants.

Further to the above a climate emergency has been declared by Tonbridge and Malling Borough Council with an aspiration for the borough to become carbon neutral by 2030, 20 years sooner than what Kent County Council have initially agreed to. As part of the declaration a drive for electric vehicle charging points is identified, this is to ensure that Tonbridge and Malling is one of the most welcoming places in the country for driving electric and hybrid vehicles.

### 3.2.8 Cycling Strategy

The Tonbridge and Malling Cycling Strategy (2014 – 2019)<sup>25</sup> provided a core collection of principals and actions to promote cycling and the development of cycling facilities across the borough. It was identified that an increase in cycling has a number of positive benefits, with one of which being an improvement in air quality within urban areas through a reduction in traffic congestion.

The aim of the Cycling Strategy was to increase the number people in within Tonbridge and Malling using cycling as a frequently used travel option. The strategy considered improvements to the network in terms of new cycle routes, improved infrastructure and also influencing attitudes to cycling to shift behavioural responses. The key features to deliver step change are associated with improving and expanding the existing cycling infrastructure, providing cycle safety training within schools and the workplace, promoting and marketing cycle usage and running events to raise cycling profile.

The development of a revised strategy, an Active Travel Strategy has begun and is currently in its early inception stage. Officers from the Environmental Health team will engage with the transportation team throughout the development of the new strategy. This is to ensure air quality is included as a material consideration and to identify the synergies between the strategy and this AQAP.

An increase in cycling and active travel will ultimately help achieve Tonbridge and Malling's vision for improved air quality conditions by reducing congestion on the roads, therefore reducing NO<sub>x</sub> vehicle emissions and subsequent NO<sub>2</sub> concentrations.

## 3.3 Source Apportionment

Source apportionment is the process by which different pollutant sources to relation to existing ambient concentrations are quantified. The AQAP measures presented within this Plan are intended to be targeted towards the predominant sources of emissions within Tonbridge and Malling.

The source apportionment process has been completed in order to:

- Quantify the proportions of NO<sub>x</sub> that are attributable to both background emissions and to local road emissions;

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<sup>25</sup> Kent County Council, Sustrans and Tonbridge and Malling Borough Council (2014), Tonbridge and Malling Cycling Strategy 2014 – 2019

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- Determination of the relative contributions from different vehicle types (cars, Heavy Good Vehicles (HGVs), Light Goods Vehicles (LGVs), buses and coaches, and motorcycles); and
- Identification of whether action plan measures would need to be on a local / regional / national scale to have a significant impact upon reducing NO<sub>x</sub> emissions within the existing AQMA areas.

A source apportionment exercise has been carried out using the ADMS-roads (Version 4.1.1) dispersion model to identify and assess the emission profile of vehicles within Tonbridge and Malling based upon the traffic data and receptors detailed within the AQMA review<sup>9</sup>. To complete this exercise, NO<sub>x</sub> and NO<sub>2</sub> concentrations have been predicted at a number of receptor locations within, and close to each AQMA. The source apportionment studies have been undertaken to identify which vehicle type(s) represent the most significant source of NO<sub>x</sub> pollution within all existing AQMA's, in addition to a borough wide exercise that encompasses all of the existing AQMAs.

Emission sources of NO<sub>2</sub> are dominated by a combination of direct NO<sub>2</sub> (f-NO<sub>2</sub>) and oxides of nitrogen (NO<sub>x</sub>), the latter of which is chemically unstable and rapidly oxidised upon release to form NO<sub>2</sub>. The NO<sub>x</sub>, once emitted from vehicles undergoes a number of chemical reactions and disperses to form the NO<sub>2</sub> concentrations that are measured at roadside monitoring locations. Reducing levels of NO<sub>x</sub> emissions therefore reduces levels of NO<sub>2</sub>. As a consequence, the source apportionment study has considered the emissions of NO<sub>x</sub> which are assumed to be representative of the main sources of NO<sub>2</sub>.

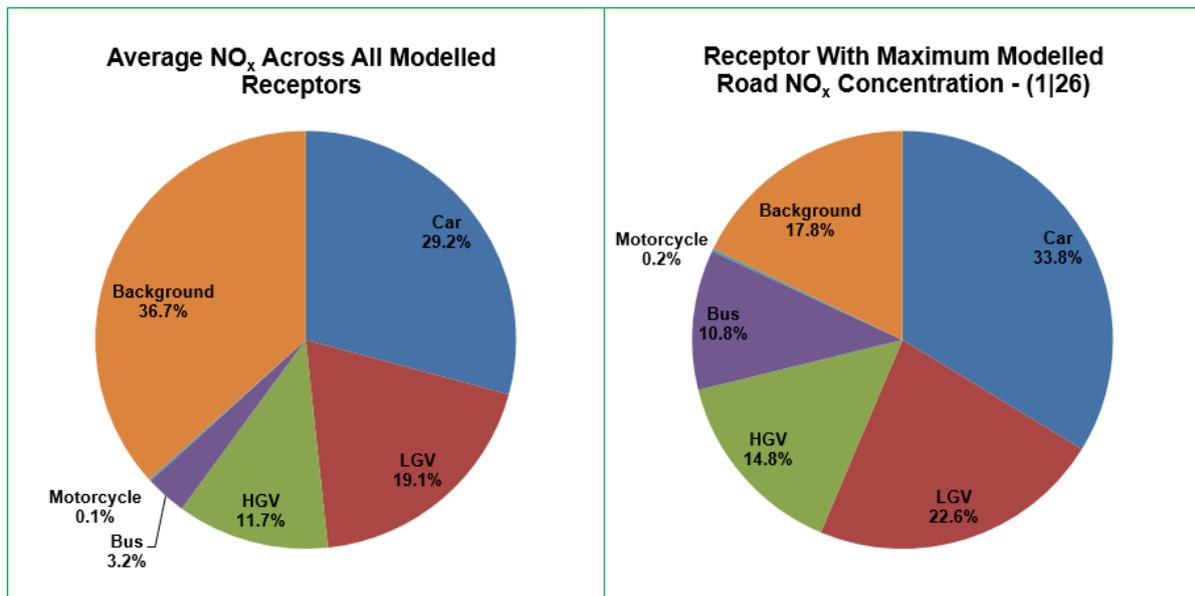
### 3.3.1 M20 Air Quality Management Area (1)

For the M20 AQMA, of the 39 modelled receptor locations, exceedances of the annual mean NO<sub>2</sub> objective have been predicted at nine receptors, and one further receptor had an annual mean predicted to be within 10% of the objective. As detailed below in Table 3.1 and Figure 3.1, the results of the source apportionment exercise present that across all modelled receptors the vehicular proportion of NO<sub>x</sub> concentration is 63.3%, and this increases to 82.2% at the receptor with the maximum modelled concentration. Across both source apportionment scenarios, the proportion of vehicular sources ranks high to low through cars, LGVs, HGVs, bus and coaches, and motorcycles.

**Table 3.1 – Source Apportionment: M20 Air Quality Management Area**

Metric	All Vehicles	Car	LGV	HGV	Bus & Coach	Motorcycle	Background
<b>Average Across All Modelled Receptors</b>							
<b>NO<sub>x</sub> Concentration (µg/m<sup>3</sup>)</b>	37.2	17.2	11.2	6.9	1.9	0.1	21.5
<b>Percentage of Total NO<sub>x</sub></b>	63.3%	29.2%	19.1%	11.7%	3.2%	0.1%	36.7%
<b>Percentage Contribution to Road NO<sub>x</sub></b>	100.0%	46.1%	30.1%	18.5%	5.0%	0.2%	-
<b>Receptor With Maximum Modelled Road NO<sub>x</sub> Concentration (1 26)</b>							
<b>NO<sub>x</sub> Concentration (µg/m<sup>3</sup>)</b>	102.2	42.0	28.1	18.4	13.5	0.3	22.2
<b>Percentage of Total NO<sub>x</sub></b>	82.2%	33.8%	22.6%	14.8%	10.8%	0.2%	17.8%
<b>Percentage Contribution to Road NO<sub>x</sub></b>	100.0%	41.1%	27.5%	18.0%	13.2%	0.3%	-

Figure 3.1 – Source Apportionment: M20 Air Quality Management Area



### 3.3.2 Tonbridge High Street Air Quality Management Area (3)

For the Tonbridge High Street AQMA, of the 28 modelled receptors there were no exceedances of the annual mean NO<sub>2</sub> objective predicted within the AQMA, however the most recent monitoring concentrations published within the 2018 ASR presented locations with annual means within 10% of the objective. As detailed below in Table 3.2 and Figure 3.2, the results of the source apportionment exercise present that across all modelled receptors the vehicular proportion of NO<sub>x</sub> concentration is 67.0%, and this increases to 80.3% at the receptor with the maximum modelled concentration. Across both source apportionment scenarios, the proportion of vehicular sources ranks high to low through cars, LGVs, bus and coaches, HGVs, and motorcycles.

There is less of a proportion of HGVs compared to buses and coaches across both assessment scenarios. Tonbridge High Street would not be a through-fare route taken by HGVs, only service vehicles requiring to enter this area would travel along the High Street. In contrast there are a number of bus stops located along the length of the High Street with a number of different services travelling along this stretch.

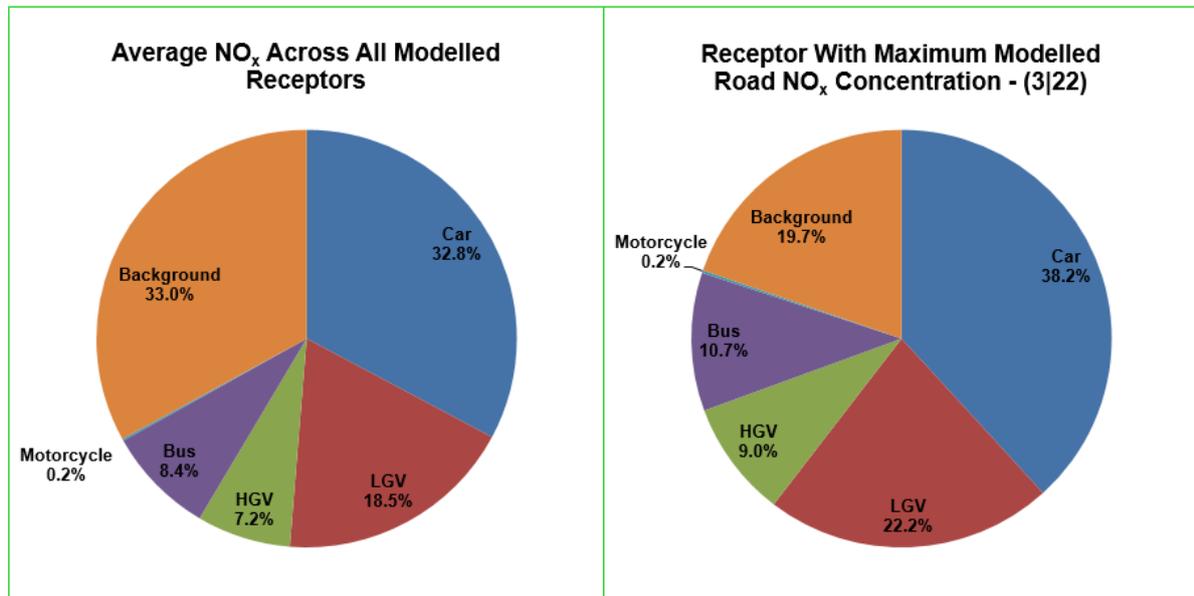
Table 3.2 – Source Apportionment: Tonbridge High Street Air Quality Management Area

Metric	All Vehicles	Car	LGV	HGV	Bus & Coach	Motorcycle	Background
<b>Average Across All Modelled Receptors</b>							
NO <sub>x</sub> Concentration (µg/m <sup>3</sup> )	32.2	15.8	8.9	3.5	4.0	0.1	15.9
Percentage of Total NO <sub>x</sub>	67.0%	32.8%	18.5%	7.2%	8.4%	0.2%	33.0%
Percentage Contribution to Road NO <sub>x</sub>	100.0%	49.0%	27.5%	10.8%	12.5%	0.2%	-
<b>Receptor With Maximum Modelled Road NO<sub>x</sub> Concentration (3 22)</b>							
NO <sub>x</sub> Concentration (µg/m <sup>3</sup> )	62.4	29.7	17.2	7.0	8.3	0.2	15.3

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<b>Percentage of Total NO<sub>x</sub></b>	80.3%	38.2%	22.2%	9.0%	10.7%	0.2%	19.7%
<b>Percentage Contribution to Road NO<sub>x</sub></b>	100.0%	47.6%	27.6%	11.2%	13.3%	0.3%	-

**Figure 3.2 – Source Apportionment: Tonbridge High Street Air Quality Management Area**



### 3.3.3 Watringbury Air Quality Management Area (4)

For the Watringbury AQMA, of the 23 modelled receptor locations, an exceedance of the annual mean NO<sub>2</sub> objective has been predicted at one receptor within the existing AQMA, and a further receptor located close to the boundary of the AQMA had annual mean concentration predicted to be within 10% of the objective. As detailed below in Table 3.3 and Figure 3.3, the results of the source apportionment exercise present that across all modelled receptors the vehicular proportion of NO<sub>x</sub> concentration is 65.9%, and this increases to 86.4% at the receptor with the maximum modelled concentration. For the average of all modelled receptors, the proportion of vehicular sources ranks high to low through cars, LGVs, HGVs, bus and coaches, and motorcycles. But for the maximum NO<sub>x</sub> concentration receptor the proportion from buses and coaches is greater than for HGVs.

Both the highest monitored and highest modelled concentrations are within the Watringbury AQMA. The AQMA is very small in size and is due to traffic congestion at a single cross-junction at the centre of Watringbury. This can be seen with the high proportion of NO<sub>x</sub> concentration from cars (41.3% at the receptor with the maximum NO<sub>x</sub> concentration), this is the highest singular vehicle proportion across all existing AQMAs.

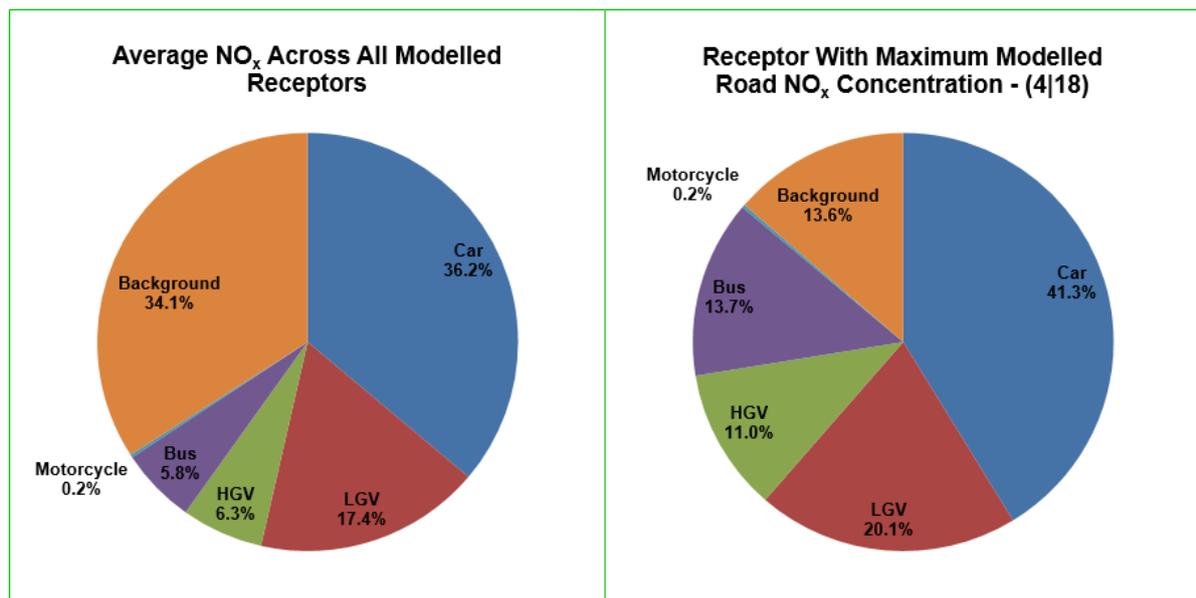
**Table 3.3 – Source Apportionment: Watringbury Air Quality Management Area**

Metric	All Vehicles	Car	LGV	HGV	Bus & Coach	Motorcycle	Background
<b>Average Across All Modelled Receptors</b>							
<b>NO<sub>x</sub> Concentration (µg/m<sup>3</sup>)</b>	27.3	15.0	7.2	2.6	2.4	0.1	14.1
<b>Percentage of Total NO<sub>x</sub></b>	65.9%	36.2%	17.4%	6.3%	5.8%	0.2%	34.1%

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<b>Percentage Contribution to Road NO<sub>x</sub></b>	100.0%	54.9%	26.4%	9.5%	8.9%	0.3%	-
<b>Receptor With Maximum Modelled Road NO<sub>x</sub> Concentration (4 18)</b>							
<b>NO<sub>x</sub> Concentration (µg/m<sup>3</sup>)</b>	89.9	43.0	21.0	11.5	14.3	0.2	14.2
<b>Percentage of Total NO<sub>x</sub></b>	86.4%	41.3%	20.1%	11.0%	13.7%	0.2%	13.6%
<b>Percentage Contribution to Road NO<sub>x</sub></b>	100.0%	47.8%	23.3%	12.8%	15.9%	0.3%	-

**Figure 3.3 – Source Apportionment: Watringbury Air Quality Management Area**



### 3.3.4 Aylesford Air Quality Management Area (5)

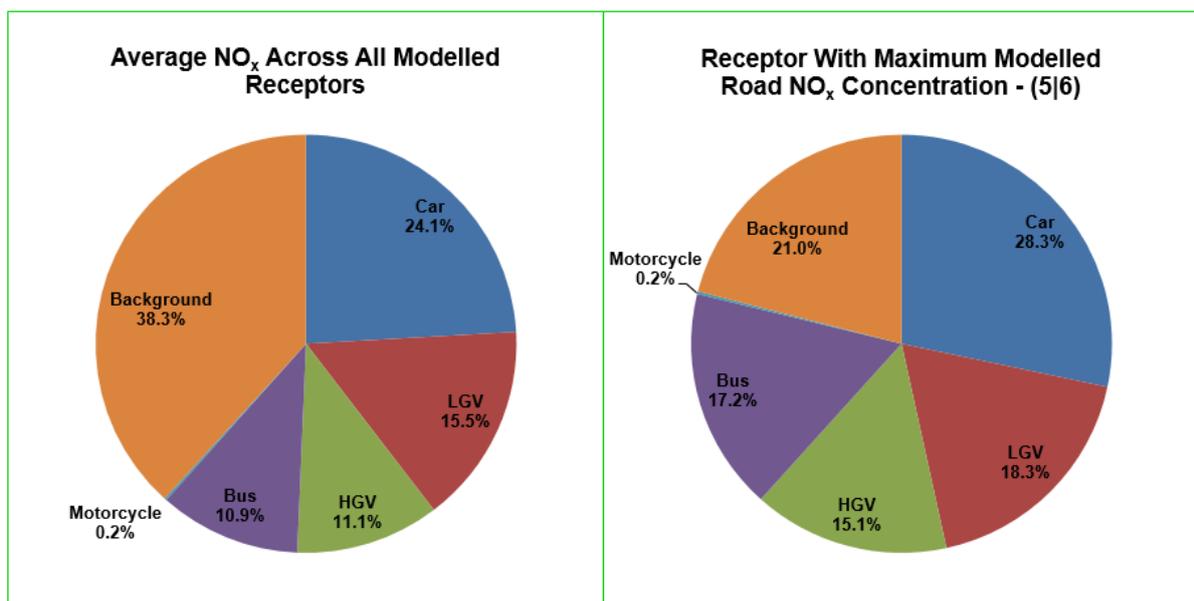
For the Aylesford AQMA, of the 16 modelled receptor locations, there was one predicted exceedance of the annual mean NO<sub>2</sub> objective, and one additional receptor predicted to be within 10% of the objective. As detailed below in Table 3.4 and Figure 3.4, the results of the source apportionment exercise present that across all modelled receptors the vehicular proportion of NO<sub>x</sub> concentration is 61.7%, and this increases to 79.0% at the receptor with the maximum modelled concentration. For the average of all modelled receptors, the proportion of vehicular sources ranks high to low through cars, LGVs, HGVs, bus and coaches, and motorcycles. But for the maximum NO<sub>x</sub> concentration receptor the proportion from buses and coaches is greater than for HGVs.

**Table 3.4 – Source Apportionment: Aylesford Air Quality Management Area**

Metric	All Vehicles	Car	LGV	HGV	Bus & Coach	Motorcycle	Background
<b>Average Across All Modelled Receptors</b>							
<b>NO<sub>x</sub> Concentration (µg/m<sup>3</sup>)</b>	31.3	12.2	7.9	5.6	5.5	0.1	19.4
<b>Percentage of Total NO<sub>x</sub></b>	61.7%	24.1%	15.5%	11.1%	10.9%	0.2%	38.3%
<b>Percentage Contribution</b>	100.0%	39.0%	25.1%	17.9%	17.6%	0.3%	-

to Road NO <sub>x</sub>							
<b>Receptor With Maximum Modelled Road NO<sub>x</sub> Concentration (5 6)</b>							
<b>NO<sub>x</sub> Concentration (µg/m<sup>3</sup>)</b>	72.6	26.0	16.8	13.9	15.8	0.2	19.3
<b>Percentage of Total NO<sub>x</sub></b>	79.0%	28.3%	18.3%	15.1%	17.2%	0.2%	21.0%
<b>Percentage Contribution to Road NO<sub>x</sub></b>	100.0%	35.8%	23.1%	19.1%	21.7%	0.3%	-

**Figure 3.4 – Source Apportionment: Aylesford Air Quality Management Area**



### 3.3.5 Larkfield Air Quality Management Area (6)

For the Larkfield AQMA, there continues to be a monitoring location (TN106) that exceeds the NO<sub>2</sub> annual mean objective but there were no receptor locations predicted to exceed the objective. As detailed below in Table 3.5 and Figure 3.5, the results of the source apportionment exercise present that across all modelled receptors the vehicular proportion of NO<sub>x</sub> concentration is 51.0%, and this increases to 67.8% at the receptor with the maximum modelled concentration. Across both source apportionment scenarios, the proportion of vehicular sources ranks high to low through cars, LGVs, HGVs, bus and coaches, and motorcycles.

The proportion of NO<sub>x</sub> concentration from background sources is higher within the Larkfield AQMA than for any other AQMA across both source apportionment scenarios. For all modelled receptors the proportions of vehicular sources and background sources are almost even (51.0% and 49.0%), background sources reduce to 32.2% at the maximum NO<sub>x</sub> concentration receptor but this remains the highest proportion of background for these scenario across all of the AQMAs.

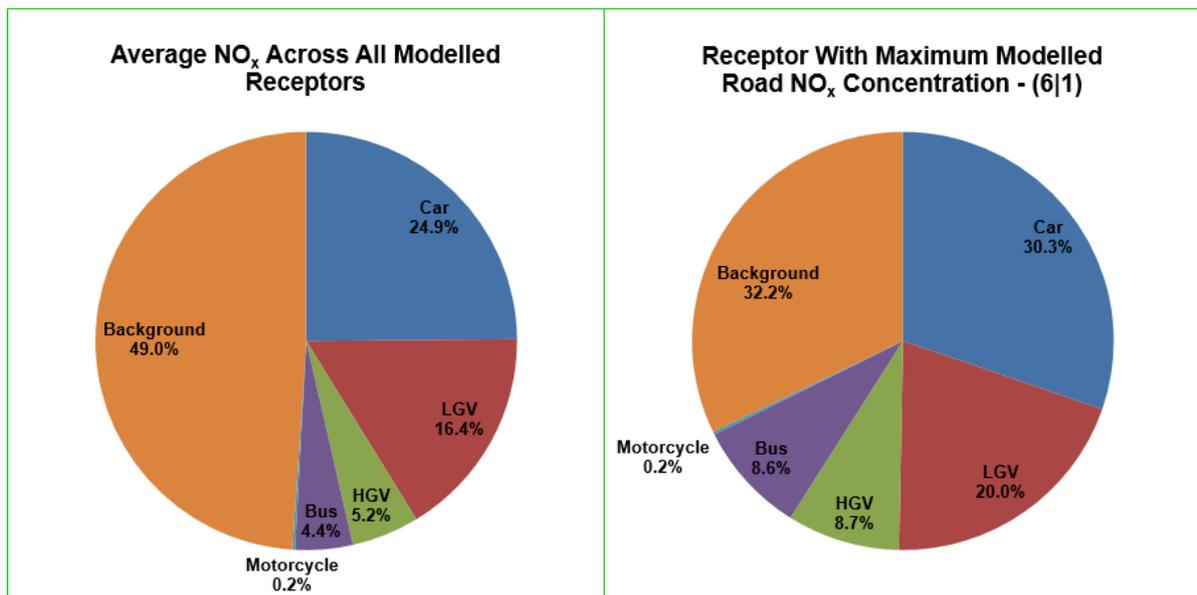
**Table 3.5 – Source Apportionment: Larkfield Air Quality Management Area**

Metric	All Vehicles	Car	LGV	HGV	Bus & Coach	Motorcycle	Background
<b>Average Across All Modelled Receptors</b>							
<b>NO<sub>x</sub> Concentration</b>	20.8	10.1	6.7	2.1	1.8	0.1	19.9

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( $\mu\text{g}/\text{m}^3$ )							
<b>Percentage of Total NO<sub>x</sub></b>	51.0%	24.9%	16.4%	5.2%	4.4%	0.2%	49.0%
<b>Percentage Contribution to Road NO<sub>x</sub></b>	100.0%	48.7%	32.1%	10.2%	8.6%	0.4%	-
<b>Receptor With Maximum Modelled Road NO<sub>x</sub> Concentration (6 1)</b>							
<b>NO<sub>x</sub> Concentration (<math>\mu\text{g}/\text{m}^3</math>)</b>	41.6	18.6	12.3	5.3	5.3	0.1	19.7
<b>Percentage of Total NO<sub>x</sub></b>	67.8%	30.3%	20.0%	8.7%	8.6%	0.2%	32.2%
<b>Percentage Contribution to Road NO<sub>x</sub></b>	100.0%	44.7%	29.5%	12.8%	12.7%	0.3%	-

**Figure 3.5 – Source Apportionment: Larkfield Air Quality Management Area**



### 3.3.6 Borough Green Air Quality Management Area (7)

For the Borough Green AQMA, of the 49 modelled receptor locations, all receptor locations were predicted to be in compliance with the annual mean NO<sub>2</sub> objective, but there was one receptor predicted to have an annual mean to be within 10% of the objective. As detailed below in Table 3.6 and Figure 3.6, the results of the source apportionment exercise present that across all modelled receptors the vehicular proportion of NO<sub>x</sub> concentration is 60.8%, and this increases to 76.1% at the receptor with the maximum modelled concentration. Across both source apportionment scenarios, the proportion of vehicular sources ranks high to low through cars, LGVs, HGVs, bus and coaches, and motorcycles.

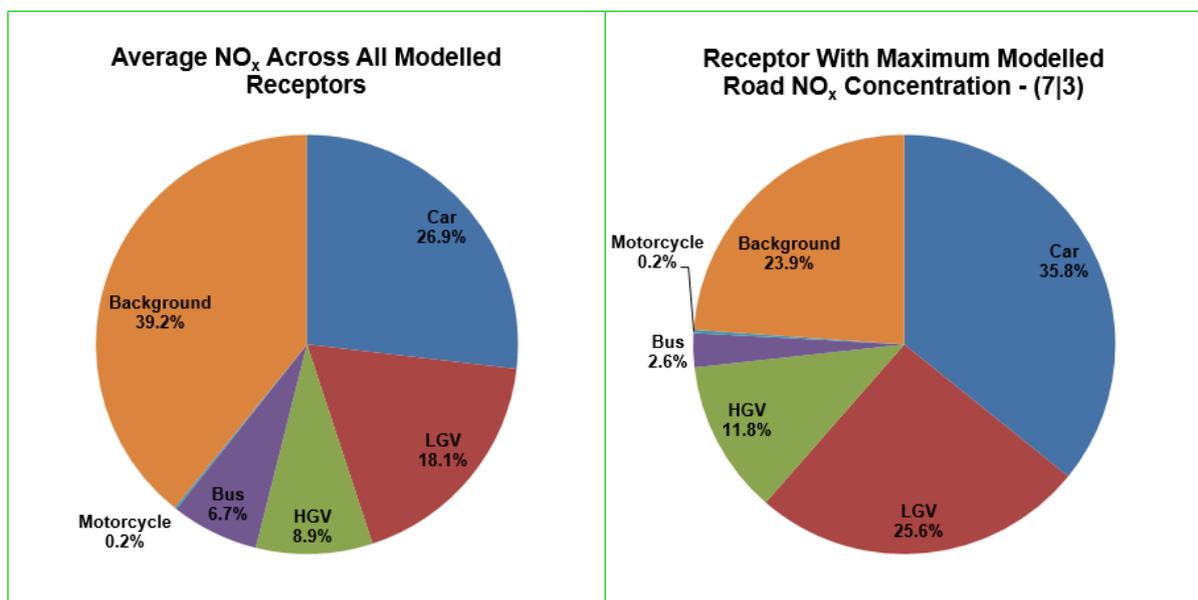
**Table 3.6 – Source Apportionment: Borough Green Air Quality Management Area**

Metric	All Vehicles	Car	LGV	HGV	Bus & Coach	Motorcycle	Background
<b>Average Across All Modelled Receptors</b>							
<b>NO<sub>x</sub> Concentration (<math>\mu\text{g}/\text{m}^3</math>)</b>	26.4	11.7	7.9	3.9	2.9	0.1	17.1

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Percentage of Total NO <sub>x</sub>	60.8%	26.9%	18.1%	8.9%	6.7%	0.2%	39.2%
Percentage Contribution to Road NO <sub>x</sub>	100.0%	44.2%	29.8%	14.7%	11.1%	0.3%	-
<b>Receptor With Maximum Modelled Road NO<sub>x</sub> Concentration (7 3)</b>							
NO <sub>x</sub> Concentration (µg/m <sup>3</sup> )	53.6	25.3	18.0	8.3	1.9	0.2	16.8
Percentage of Total NO <sub>x</sub>	76.1%	35.8%	25.6%	11.8%	2.6%	0.2%	23.9%
Percentage Contribution to Road NO <sub>x</sub>	100.0%	47.1%	33.6%	15.6%	3.5%	0.3%	-

**Figure 3.6 – Source Apportionment: Borough Green Air Quality Management Area**



### 3.3.7 All Air Quality Management Areas

In addition to the source apportionment that has been completed within each of the six AQMAs, an assessment across all AQMAs has been compiled to better assess the source contributions of NO<sub>x</sub> across the borough as a whole. As would be expected, due to the assessment of each AQMA, out of the vehicular sources it is the car proportion that is the highest, this is true both in terms of the average across all modelled receptors and for the average across receptors with a predicted NO<sub>2</sub> concentration greater than 40µg/m<sup>3</sup>.

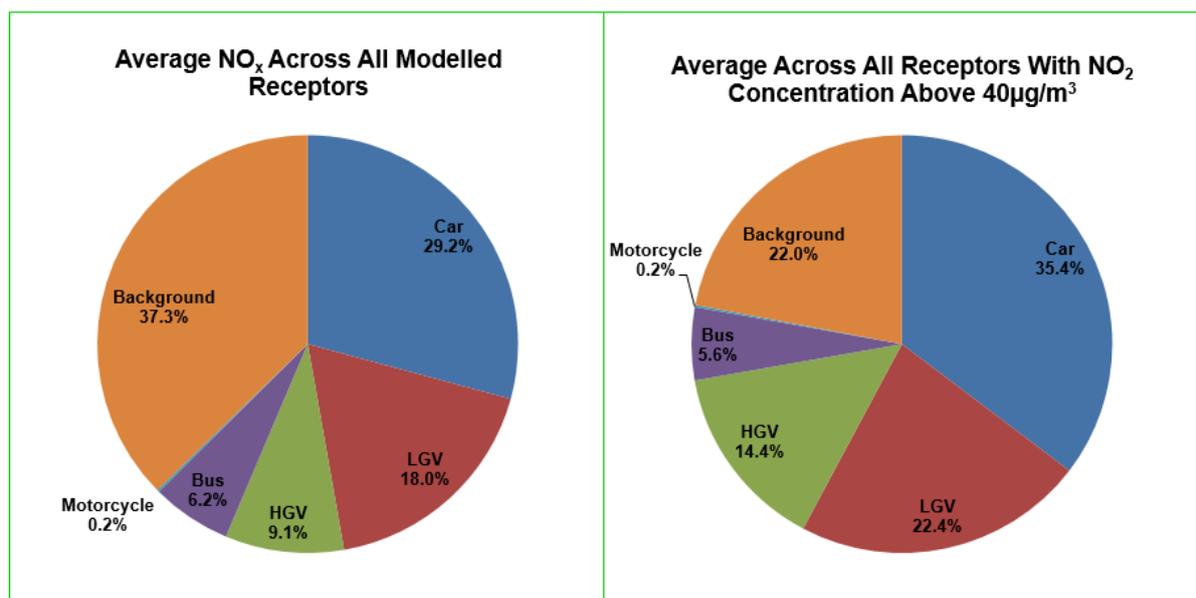
When comparing all receptors to those with NO<sub>2</sub> concentrations greater than 40µg/m<sup>3</sup> it can be seen that there is much less of a contribution from background, 37.3% compared to 22.0%. At the receptors that have been predicted to be in exceedance of the AQS annual mean objective close to 80% of the NO<sub>x</sub> contribution is predicted to be from vehicular sources, with the highest proportion of the vehicular source to be from cars (35.4%).

The above emphasises that localised road traffic is contributing to the elevated concentrations recorded within the AQMAs, background pollutant concentrations within the AQMAs are exacerbated by road traffic emissions. It can be seen that cars and LGVs are contributing the most to NO<sub>x</sub> concentrations, therefore there has been an emphasis upon these vehicular groups within the development of the action plan measures.

Table 3.7 – Source Apportionment: All Air Quality Management Areas

Metric	All Vehicles	Car	LGV	HGV	Bus	Motorcycle	Background
<b>Average Across All Modelled Receptors</b>							
<b>NO<sub>x</sub> Concentration (µg/m<sup>3</sup>)</b>	30.1	14.0	8.6	4.4	3.0	0.1	17.9
<b>Percentage of Total NO<sub>x</sub></b>	62.7%	29.2%	18.0%	9.1%	6.2%	0.2%	37.3%
<b>Percentage Contribution to Road NO<sub>x</sub></b>	100.0%	46.6%	28.7%	14.5%	9.8%	0.3%	-
<b>Average Across All Receptors With NO<sub>2</sub> Concentration Greater Than 40µg/m<sup>3</sup></b>							
<b>NO<sub>x</sub> Concentration (µg/m<sup>3</sup>)</b>	71.5	32.4	20.5	13.2	5.2	0.2	20.1
<b>Percentage of Total NO<sub>x</sub></b>	78.0%	35.4%	22.4%	14.4%	5.6%	0.2%	22.0%
<b>Percentage Contribution to Road NO<sub>x</sub></b>	100.0%	45.3%	28.7%	18.5%	7.2%	0.2%	-

Figure 3.7 – Source Apportionment: All Air Quality Management Areas



### 3.3.8 Summary

The source apportionment assessment, completed individually in relation to each of the six designated AQMAs and in combination, has confirmed that the dominant source in regards to NO<sub>x</sub> emissions across all of the designated AQMAs is from local road transport sources. In terms of the different vehicles that contribute to the overall vehicle NO<sub>x</sub> source, although the specific percentages vary between each AQMA there is a clear trend for cars and LGVs contributing the highest proportion of NO<sub>x</sub> emissions and motorbikes contributing the lowest. In terms of the car and LGV contribution, the majority of NO<sub>x</sub> emissions are from diesel fuelled vehicles due to NO<sub>x</sub> emissions being on average ten times higher from a diesel vehicle rather than a petrol vehicle. The proportion of HGVs and Buses and Coaches varies between AQMAs with HGVs provided a higher proportion within the M20 AQMA, and in

contrast Buses and Coaches providing a higher proportion within the Tonbridge High Street AQMA.

Based upon the findings from the source apportionment exercise, and from the nature of the existing AQMAs (designated to include / located close to strategic road links and / or traffic junctions), local traffic management and sustainable transport action plan measures may assist in reducing NO<sub>x</sub> emissions, and subsequently NO<sub>2</sub> concentrations within the designated AQMAs and across the borough as a whole.

### 3.4 Required Reduction in Emissions

In line with the methodology presented in Box 7.6 of TG(16)<sup>7</sup>, the necessary reduction in Road NO<sub>x</sub> emissions required to bring the each current AQMA into compliance is calculated below, as shown in Table 3.8. This has been completed at the maximum annual mean concentration location, either monitored or modelled, for each existing AQMA. The TG(16) procedure calculates the required reduction of road NO<sub>x</sub> to achieve a total NO<sub>2</sub> concentration of 40µg/m<sup>3</sup>. To take into account possible uncertainties with dispersion modelling, and also the degree of potential inaccuracy with diffusion tube monitoring a figure of 36µg/m<sup>3</sup> for total NO<sub>2</sub> concentration has been used instead (10% lower than the annual mean AQS objective). This has been used as a conservative conservation target to ensure that an AQMA is only revoked once NO<sub>2</sub> concentrations are confirmed to be below the AQS objective.

**Table 3.8 – NO<sub>x</sub> Reduction Required Within Each Air Quality Management Area**

Metric	Air Quality Management Area					
	1	3	4	5	6	7
Maximum monitored/modelled NO <sub>2</sub> concentration (µg/m <sup>3</sup> )	51.6	39.0	58.1	46.5	42.0	39.6
Road NO <sub>x</sub> Concentration (µg/m <sup>3</sup> )	83.2	57.9	110.2	45.9	59.4	57.7
Required Road NO <sub>x</sub> Reduction (µg/m <sup>3</sup> )	38.6 (46.4%)	7.1 (12.2%)	64.3 (58.4%)	25.4 (35.6%)	14.2 (23.9%)	8.5 (14.7%)

### 3.5 Key Priorities

Based on the information presented with Section 3, and the conclusions drawn from this, there are a number of separate area of action than can be defined.

#### 3.5.1 Priority 1: Transport

The main source of air pollution that has caused the declaration of the AQMAs across Tonbridge and Malling is associated with road transport emissions. Therefore, reducing transport emissions through the measures contained within the AQAP are a key priority. The approach taken focuses on areas where the Tonbridge and Malling has direct control (e.g. planning and procurement of out sourced functions), or areas where measures can be implemented via a partnership e.g. with Highways England (in terms of the M20 AQMA) and / or Kent County Council.

#### 3.5.2 Priority 2: Planning and Infrastructure

The new Local Plan, through LP:20 and subsequent policies sets out the considerations that will be applied by Tonbridge and Malling Borough Council when considering all development proposals. The Council will work with developers and partner organisations to ensure the delivery of infrastructure, services and community facilities necessary to develop and

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maintain sustainable communities, this is not just in terms of air quality but all relevant environmental aspects. Further Section 106 agreements are to be sought through developments to allow aspects of funding to be secured for future mitigation measures to be developed and implemented.

### **3.5.3 Priority 3: Policy Guidance**

The existing strategies and policies currently adopted by Tonbridge and Malling Borough Council and by Kent County Council are key mechanisms for reducing emissions across the borough, most prevalent in terms of transport that has been identified as the main source of NO<sub>x</sub> emissions and therefore NO<sub>2</sub> concentrations within the existing AQMAs. For effective reductions in NO<sub>x</sub> emissions to be realised, in addition to the implementation of the measures outlined within the AQAP future revisions of Transport Plans, Freight Strategies, Climate Change Strategies, Cycle Strategies etc should all be completed with potential air quality impacts taken into account.

### **3.5.4 Priority 4: Public Health and Wellbeing**

As discussed in further detail within Section 3.1, the impact of air pollution on public health is detrimental therefore improving air quality within the borough is a key priority. The main sources of air pollution in areas of public exposure within Tonbridge and Malling are from vehicle emissions from vehicles travelling on the road network within the borough. Aside from restricting vehicle usage through measures such as Clean Air Zones / Low Emission Zones, the most effective way to achieve a reduction in vehicle numbers is to change the attitudes / behaviour of the population towards travel. Tonbridge and Malling Borough Council are responsible for encouragement and facilitation of these changes through education and awareness as well as through schemes which incentivise change. Improving air pollution to ensure the health of the public is maintained requires a wide-reaching perspective and will therefore not be specific to the AQMA but instead aim to have a wider impact across the borough.

### **3.5.5 Priority 5: Air Quality Monitoring**

Currently, NO<sub>2</sub> is monitored across Tonbridge and Malling using passive diffusion tubes and a continuous monitoring station. Air quality monitoring is a useful way to continually assess the extent of the air pollution problem within Tonbridge and Malling. It also assists in quantifying the improvements that have materialised as a consequence of implementing measures to reduce emissions, and as an evidence base for AQMAs to be revoked.

## 4 Development and Implementation of Tonbridge and Malling’s AQAP

### 4.1 Steering Group

A steering group was established at the start of the update process to drive forward the development of the new AQAP. The core aim of the steering group was to identify measures for inclusion within the AQAP that would be both effective in terms of reducing NO<sub>2</sub> concentrations and also would be feasible in terms of implementation and delivery.

The steering group is composed mainly of Tonbridge and Malling Council officers from those Services with an interest or potential impact on air quality and who may have an influence on the action measures being considered. Members included officers from Environmental Protection, Planning Services, Environmental Health, Housing Services and also representatives from Kent County Council in terms of Highways and an external consultant Bureau Veritas. The officers have and continue to provide guidance in their respective areas of expertise to ensure selection, and continual evaluation of the most appropriate measures. Environmental Protection have taken the lead responsibility for the production, and any subsequent updates of the plan.

The first steering group meeting was held in December 2018 with subsequent meetings carried forward through 2019, 2020 and into 2021 to finalise the AQAP. The meetings included presentations and agendas covering an overview of the action planning process, the identification of the existing issues, with an assessment of the existing AQMAs and source apportionment exercise to inform all officers, followed by a period whereby the refinement of possible action measures was completed to those contained within the AQAP which have been agreed upon in terms of the most effective, feasible and cost-effective measures for Tonbridge and Malling Borough Council to pursue. In addition to the steering group meetings, separate individual meetings between Environmental Protection and officers from each department were also conducted in order to discuss measures in more depth.

It is thought that the steering group will continue to meet at regular intervals following the adoption of the AQAP. This is essential to provide progress reports on individual actions in relation to the AQAP measures, discuss any key lessons learnt from the continual implementation of the measures and to continue to discuss any new ideas in terms of future measures and actions within the borough.

### 4.2 Consultation and Stakeholder Engagement

In developing this AQAP, we have worked with other local authorities, agencies, businesses and the local community to improve local air quality. Schedule 11 of the Environment Act 1995 requires local authorities to consult the bodies listed in Table 4.1.

**Table 4.1 – Consultation Undertaken**

Yes/No	Consultee
Yes	Tonbridge and Malling Borough Council – all relevant departments
Yes	Kent County Council
Yes	Neighbouring Local Authorities

Yes	Local residents
Yes	Bodies representing local business interests and other organisations as appropriate

The public consultation completed on the draft AQAP was undertaken between 1<sup>st</sup> February and 30<sup>th</sup> April 2021 via an online questionnaire and email responses. The questionnaire consisted of sixteen questions relating to air quality within Tonbridge and Malling, and also to transportation choices for individuals. The survey was promoted on the Tonbridge and Malling website and via a press release arranged by the Councils communications team. Interested parties were also able to email views on the draft AQAP directly to the Council.

#### **4.2.1 Consultation Outcomes**

The results of the consultation were largely positive, with the generally feeling being that air quality issues within Tonbridge and Malling are very important. The confidence in the AQAP measures, in relation to additional ideas put forward, was mostly positive with a high number of the comments provided in-line with the AQAP measures to be taken forward to implementation.

A common theme in the responses received was the recommendation for the development of Junction 5 on the M25/M26 Motorway at Sevenoaks to include an off slip for M26 westbound traffic. Due to the limited availability of slip roads off the M25 in this area a large number of HGVs currently travel along the A25 rather than the M26, passing through Borough Green. It is acknowledged that this is a positive measure and the Council are committed to working with all relevant stakeholders (neighbouring local authorities, Kent County Council and engaging with Highways England) to raise the profile of this option and push for its implementation where possible.

Additionally, there were a number of responses that related to the possibility of changes to access rights to Tonbridge High Street, e.g. pedestrianisation, restriction of vehicle types, implementation of a one-way system. A number of these recommendations were explored during the measure appraisal stage by the steering group. Unfortunately, it was deemed that there was not enough political support and funding to initiate a major highways scheme such as this. Whilst these possible measures were excluded from this plan, they can be taken into consideration at a later date.

An analysis of the consultation responses and the comments provided through the consultation engagement are presented in Appendix B.

## 5 AQAP Measures

Throughout the development of the AQAP, a wide range of measures aimed at improving air quality within the six existing AQMAs and the wider borough have been considered. TG(16)<sup>7</sup> states that AQAPs should be adapted to every local situation and most importantly are seen as part of an integrated package of measures, particularly in relation to linking with other key policy areas.

An evaluation of all possible measures was initially undertaken by the Environmental Protection team and other offices within the steering group to complete the refinement of measures, taking into consideration their local knowledge, the source apportionment results and existing local council policies. There were a number of measures that were considered, but not included within the AQAP. These measures, along with the reasons for non-inclusion within the AQAP are detailed within Appendix C.

Having undertaken this evaluation process, the resultant action measures contained within this AQAP are considered the most effective, feasible and cost-effective to pursue in terms of potential air quality improvements within the AQMAs and the wider borough. Given that road traffic has been identified as the principal source of NO<sub>x</sub> emissions and therefore NO<sub>2</sub> concentrations within the AQMAs, the measures presented below focus on the promotion of low / zero emission transport, traffic management improvements and improved community awareness.

Table 5.1 presents the Tonbridge and Malling Borough Council AQAP measures, it contains the following:

- a list of the actions that form part of the plan;
- the responsible individual and departments/organisations who will deliver this action;
- estimated cost of implementing each action (overall cost and cost to the local authority);
- expected benefit in terms of pollutant emission and/or concentration reduction;
- the timescale for implementation; and
- how progress will be monitored.

The progress of the implementation of each measure, as per TG(16)<sup>7</sup> will be reviewed annually, with details provided within subsequent ASRs completed following the implementation of the AQAP.

Table 5.1 – Air Quality Action Plan Measures

Measure Number	Measure	EU Category	EU Classification	Lead Authority	Lead officer	AQMA Covered	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
<b>Transport</b>											
1	Formation of an Enhanced Bus Partnership to help upgrade Bus Fleet	Vehicle Fleet Efficiency	Promoting Low Emission Public Transport	TMBC	Bartholomew Wren / Steven Saxbee (TMBC)	Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	KPI measured via the % of buses meeting a set EURO standard.	In areas of high bus usage, such as within the Tonbridge High Street AQMA an NO <sub>2</sub> in conjunction with other measures a reduction of between 1 – 3µg/m <sup>3</sup> is to be aimed for.		2021-2022	<p>Establish or extend neighbouring QBP(s) to help drive up the quality and emissions performance of the local bus fleet.</p> <p>KCC have begun works relating to the National Bus Strategy and have set out a response to this to be followed by an implementation plan.</p> <p>Pursue funding opportunities from DfT, Defra and elsewhere as appropriate.</p> <p>To make sure cleaner buses are used on all routes, especially those operating through AQMAs.</p>
2	Review Taxi/Private Hire Vehicle Policy and license fees, implement a strategy to encourage a switch to low emission vehicles	Vehicle Fleet Efficiency	Fleet Efficiency and Recognition Schemes	TMBC	Katie Shipman / Anthony Garnet (TMBC)	M20, Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	KPI measured via the % of taxis and private hire vehicles meeting a set EURO standard and to have the review completed by a set date.	To be confirmed once full fleet information is available – use of the Emissions Factor Toolkit (EFT) to define NO <sub>x</sub> emission reductions for changes within the fleet per annum.		2025-2030	<p>Support the review of taxi licensing policy to include options to reduce the age of vehicles in use, and to complete a review of licensing fees to work towards increasing the uptake of ULEVs.</p> <p>All vehicles to be petrol hybrid Euro 5 or petrol and diesel euro 6 by 2025.</p> <p>By 2030 all vehicles to be zero or ultra low emissions such as electric or liquid petroleum gas</p>
3	Reduce emissions from local delivery HGV's/LGV's through the development of a Freight Quality Partnership	Freight and Delivery Management	Freight Partnerships for Town Centre Deliveries	TMBC	Steven Saxbee / Jeremy Whittaker (TMBC)	M20, Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	KPI measured via the % vehicles meeting a set EURO standard, and/or by the % of business participation in recognition schemes.	To be confirmed once fleet information is available – use of the EFT to define NO <sub>x</sub> emission reductions for changes within a fleet.		2022	<p>Opportunities for sustainable urban freight deliveries at existing locations and for new developments, can also help promote recognition schemes such as ECO Stars. Through Kent Invicta Chamber of Commerce etc and on media / website</p> <p>If LoCASE is extended past March 2020 then businesses can get grant from KCC up to 40% of costs towards low carbon and greener fuels projects (max £20,000) Advertise this on media / website</p>

Measure Number	Measure	EU Category	EU Classification	Lead Authority	Lead officer	AQMA Covered	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
4	Develop and implement a borough-wide school transport scheme	Promoting Travel Alternatives	School Travel Plans	KCC	Relevant KCC officer/team to lead, Contact at TMBC to be Tamsin Ritchie	Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	KPIs to include the following: % reduction of children travelling to school in cars % of children cycling or walking to school. Number of schools implementing individual school travel plans.	Measure has the potential to have a medium to high impact upon short term NO <sub>2</sub> concentrations close to schools depending on the uptake of the schemes across the borough. On a borough wide scale a lesser impact upon on concentrations would be realised.		2021-2022	Walking buses, action to focus on school run drop offs, feasibility of school start time variations.  Work closely with KCC in developing these travel plans and feasibility studies.  Bike Smart (Tonbridge) Tonbridge schools (secondary)  Anti-idling outside school gates. Signs Banners etc  Walk to school needs to start organising in Jan for sept role out.  Bike to school. Bike Week? dates?
5	Create Anti-idling zone at Tonbridge taxi rank  Develop and enforce a borough wide anti-idling campaign	Traffic Management	Anti-Idling Enforcement	TMBC to lead but working closely with KCC Highways team where they have input	At TMBC, Katie Shipman / Anthony Garnet (Tonbridge taxi rank) Steven Saxbee (borough wide)	Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	KPI measured via an annual review of the number of fixed penalty fines and number of complaints received. After an initial year of results the % change in penalty fines and complaints can be quantified.	Measure is more an awareness raising tool, however it is also a useful measure to prevent vehicles idling and causing congestion in specific locations, which is a significant cause of emissions.		2022	Borough-wide anti idling enforcement at taxi ranks, bus stops, and outside schools etc.  Social Media posts to encourage behavioural change.  School case study to be chosen
6	Pilot a Car Club within the Council for individuals use in local communities	Promoting Travel Alternatives	Workplace Travel Planning	TMBC	Steven Saxbee / Jeremy Whittaker (TMBC)	Wateringbury, Aylesford, Larkfield	The introduction of pool cars can result in a reduction of approximately 20% in business mileage. KPI relating to usage at the Council can be measurements of reduction in annual mileage undertaken per team.	NO <sub>x</sub> emission reduction achieved by the Council will be able to be calculated annually.		2022	Tunbridge Wells Borough Council operate a successful car club, to be contacted for information.  Car club campaigns, possibility to include advertising and sponsorship opportunities.  Contact Liberty at Kings Hill for setting up round the estate  Also advertise Kent Journey share (when COVID-19 restrictions lifted)
7	Continue to explore traffic improvement options on various roads including Wateringbury crossroads, and the A25 at Borough Green emphasis on looking at capacity and flow	Traffic Management	Strategic highway improvements, Re-prioritising road space away from cars, including Access management, Selective vehicle priority, bus priority, high vehicle occupancy lane	KCC/Highways England	Tim Middleton at KCC (with possible assistance from TMBC Technical Services)	Wateringbury, Borough Green	KPI to be formulated once option has been developed, to be based around vehicle turning counts and/or queuing statistics.	An improvement to the Wateringbury crossroads would aim to reduce NO <sub>2</sub> concentrations by between 1 – 5µg/m <sup>3</sup> . Similarly the building of a westbound slip on the M26 at Sevenoaks could create similar improvements in the Borough Green AQMA		2026	Following the completion of a feasibility study a preferred option will be taken forward within Wateringbury. Continue to work with Highways England for improvements to J5 M25/M26 to include new slip road allow through traffic to favour M26 rather than A25
8	Encourage companies to continue to promote home working where possible	Other	Via the internet and other mechanisms	TMBC	Jeremy Whittaker / Steven Saxbee (TMBC)	M20, Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	Yearly surveys to companies for numbers of staff and number of days a week staff work at home	Small impact upon NO <sub>2</sub> concentrations from measure individually, estimated to be less than 5µg/m <sup>3</sup> . Based on small uptake		To start in 2021 and be ongoing	To promote on website multimedia and targeted adds campaigns to local office-based companies using momentum from for home working from COVID-19 restrictions
<b>Planning and Infrastructure</b>											

Measure Number	Measure	EU Category	EU Classification	Lead Authority	Lead officer	AQMA Covered	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
9	Explore the process for standardising Section 106 agreement funding from development for AQ improvements	Policy Guidance and Development Control	Other Policy	TMBC	Steven Saxbee / Emma Keefe (TMBC)	Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	KPI may be the total number of Section 106 agreements secure in terms of AQ funding per annum, or the total amount of funding secured per annum.	N/A		Ongoing	Standardising the process for securing S106 agreements for AQ to be linked with planning department to ensure harmonious implementation.  Conditions to be more specific in planning decisions regarding green energy, low emission vehicle and EV parking (policy compliant).
10	Installation of electric charging points within Council car parks throughout the borough	Promoting Low Emission Transport	Procuring alternative Refuelling infrastructure to promote Low Emission Vehicles, EV recharging, Gas fuel recharging	TMBC to lead with input from KCC	Andrew Young (TMBC)	M20, Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	KPI should include the number of EV charging points installed within the borough from a baseline year, and the number and % increase per annum.	Small impact upon NO <sub>2</sub> concentrations from measure individually, estimated to be less than 1µg/m <sup>3</sup> based upon a low to medium uptake.		2025	Council car parks, TMBC funded with possible assistance from KCC  Applications to be made through OZEV schemes: Workplace Charging Scheme: WCS On-Street Residential Chargepoint Scheme: ORCS Electric Vehicle Homecharge Scheme: EVHS
11	Installation of green walls and increased vegetation across the borough	Other	Other	TMBC	Tamsin Ritchie /Steven Saxbee (TMBC)	Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	The number of green walls / vegetation installed within the borough per annum.	N/A		2024	Investigate areas like Wateringbury where results are close to hourly mean or increasing vegetation can made a difference  Look into if grant funding is available  To be installed as a physical barrier to increase distances between the road and pedestrians.  See if can be done through planning applications
<b>Public Information, Strategies and Policy Guidance</b>											
12	Raise public awareness through the launch of a Travel Choices Campaign	Promoting Travel Alternatives	Intensive active travel campaign & infrastructure	TMBC to lead with assistance from KCC (see comments)	Tamsin Ritchie / Steven Saxbee (TMBC)	M20, Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	Usage statistics for public transport across the borough per annum.	Small impact upon NO <sub>2</sub> concentrations from measure individually, estimated to be less than 1µg/m <sup>3</sup> .		2022	Possibility of partnership with 'Step Ahead of the Rest' KCC Active travel programme.  Social Media advertising.  Community projects
13	Prepare a new Local Cycling and Walking Infrastructure plan (LCWIP)	Promoting Low Emission Transport	Promotion of cycling	TMBC working closely with KCC	Bartholomew Wren (TMBC)	Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	Usage statistics for healthy travel across the borough per annum.	Identify infrastructure improvements to support existing and new communities to walk and cycle more frequently, through the provision of a more joined up route network.  Work with partners including KCC Highways and Public Rights of Way.		2022	Identify if there any specific routes that can be improved upon or require the introduction of new routes.

Measure Number	Measure	EU Category	EU Classification	Lead Authority	Lead officer	AQMA Covered	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
13b	Delivery of identified cycling and walking schemes	Promoting Low Emission Transport	Promotion of cycling	KCC	Relevant KCC officer/team	M20, Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	KPIs to include: Usage of rental schemes. Numbers of cycle to work schemes Implementation of new routes per annum. Obtain figures from use of new cycle hub and Tonbridge station	Small impact upon NO <sub>2</sub> concentrations from measure individually, estimated to be less than 1µg/m <sup>3</sup> based upon a low to medium uptake.		2021-2030	Following the completion of the LCWIP, the identified cycling and walking routes will be improved / new routes are to be introduced.  In addition cycle to work schemes are to be encouraged and supported through local campaigns, events and planning negotiations.  Active travel to be promoted in partnership with KCC – Kent Connected. Tie in with 11.  Bike Smart Tonbridge, Bike Smart Malling (Wrotham School). Tie in with 11
14	Education and encouragement in terms of air quality across the borough: public workshops, leaflet campaigns, advertising, approaching schools, businesses, community centres	Public Information	Via leaflets and other mechanisms	TMBC	Tamsin Ritchie (TMBC)	M20, Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	Usage statistics for public transport and zero emission transport options (walking and cycling) across the borough per annum. Most of the individual parts to this measure can be developed immediately, again it may be beneficial to have a KPI relating to implementation time.	Small impact upon NO <sub>2</sub> concentrations from measure individually, estimated to be less than 1µg/m <sup>3</sup> .		2022	Available AQ information, current issues, what the council is doing paired with what the public can do as a bottom up approach.  Provision of workshops, physical and digital leaflets, drop-in sessions, dedicated phone-line etc.  Social media visibility is a key element with potential to link to other KES/ELES communications.  Community Champions / case studies
15	Implement an improved public transport information platform	Public Information	Via the internet and other mechanisms	KCC	TBC	M20, Tonbridge, Wateringbury, Aylesford, Larkfield, Borough Green	Usage statistics for public transport across the borough per annum.	Small impact upon NO <sub>2</sub> concentrations from measure individually, estimated to be less than 1µg/m <sup>3</sup> .		2022	To include links to Kent Connected and options to download it on website.  To include the provision of high-quality accessible information on sustainable travel, also the promotion of public transport use to incentivise usage.  All available information to be linked to 'smarter cities' initiative.

# Appendix A: Maps of Current Air Quality Management Areas

Figure A.1 – M20 Air Quality Management Area

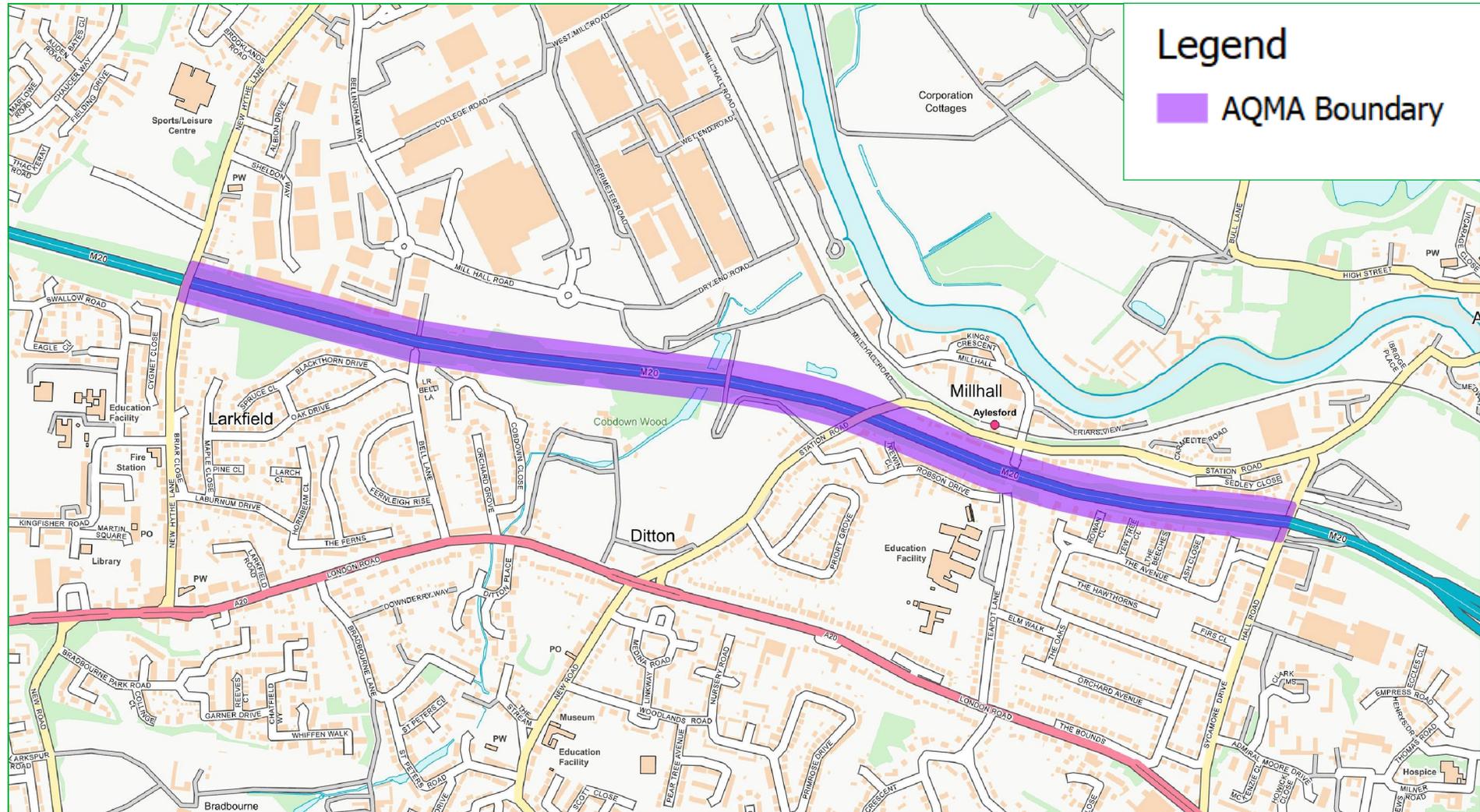


Figure A.2 – Tonbridge High Street Air Quality Management Area

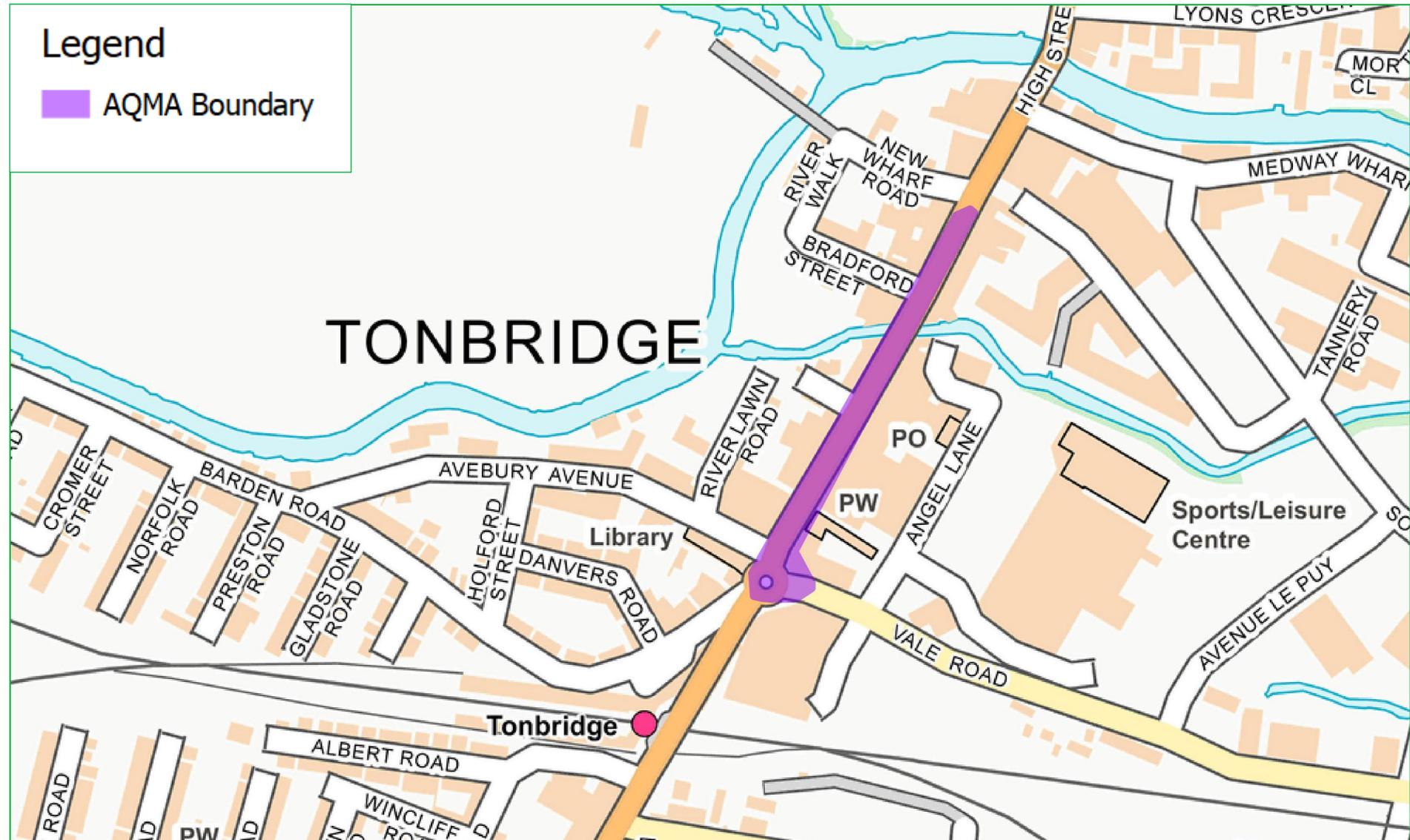


Figure A.3 – Watringbury Air Quality Management Area

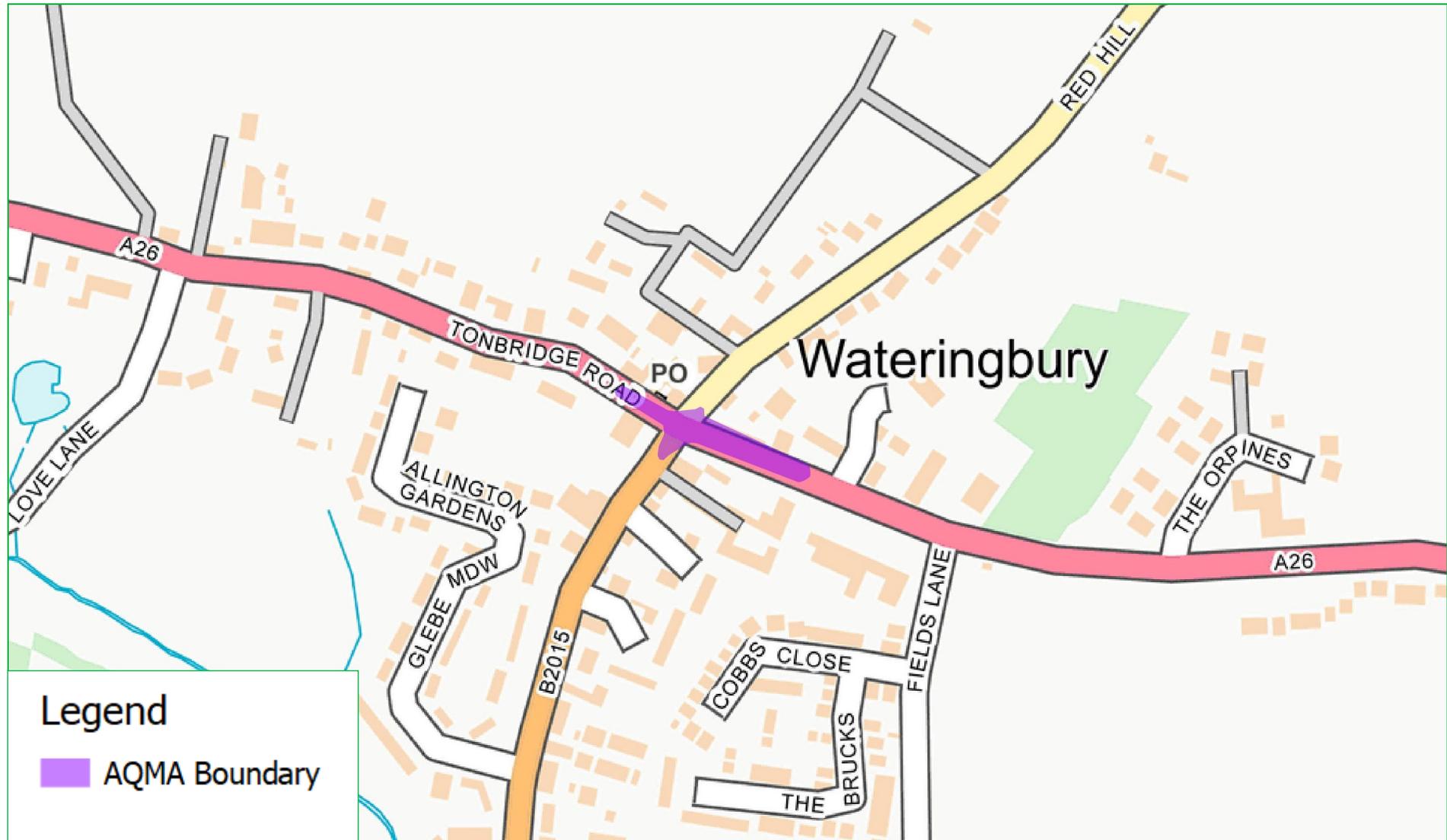


Figure A.4 – Aylesford Air Quality Management Area (Amended)

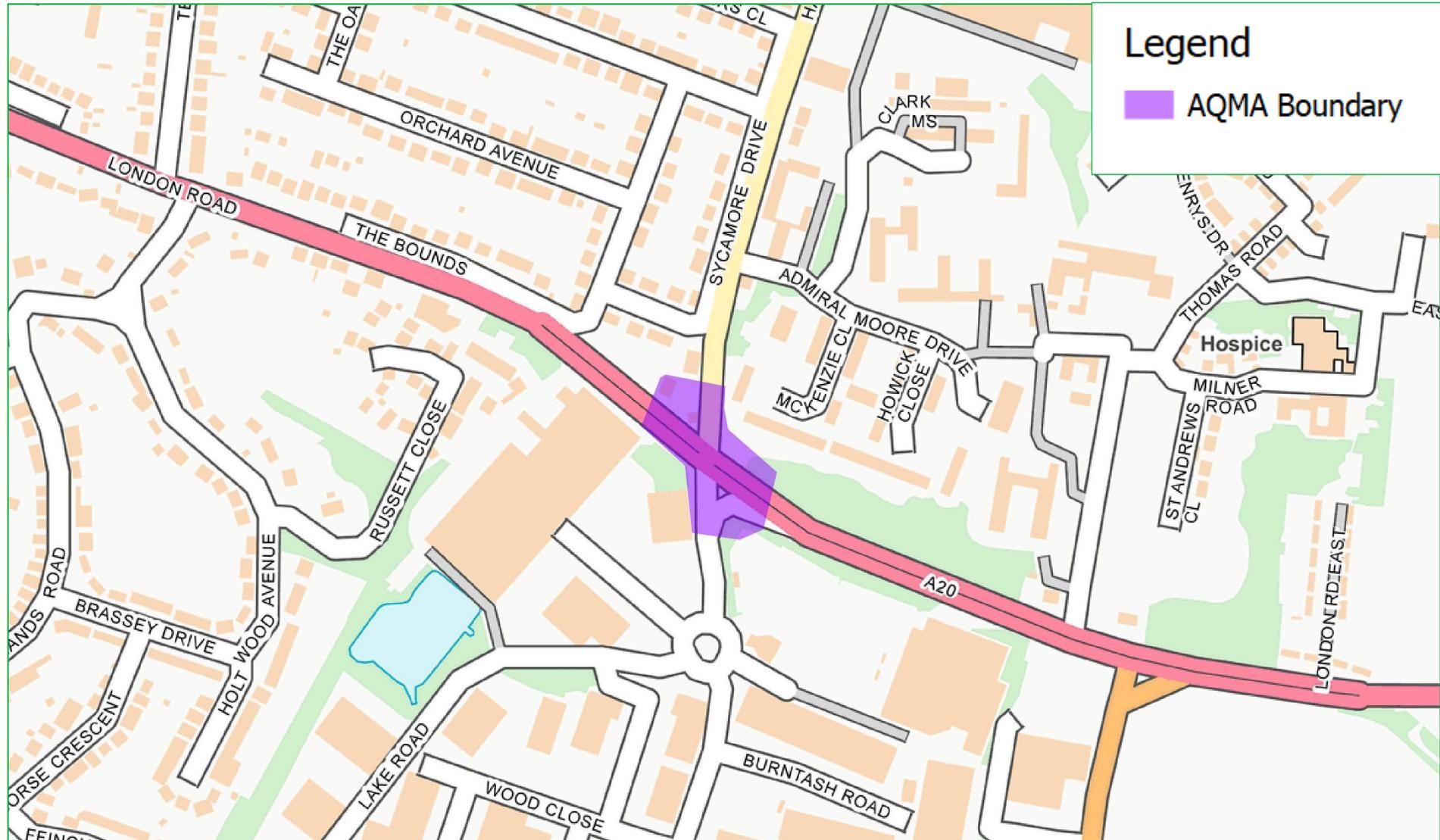


Figure A.5 – Larkfield Air Quality Management Area (Amended)

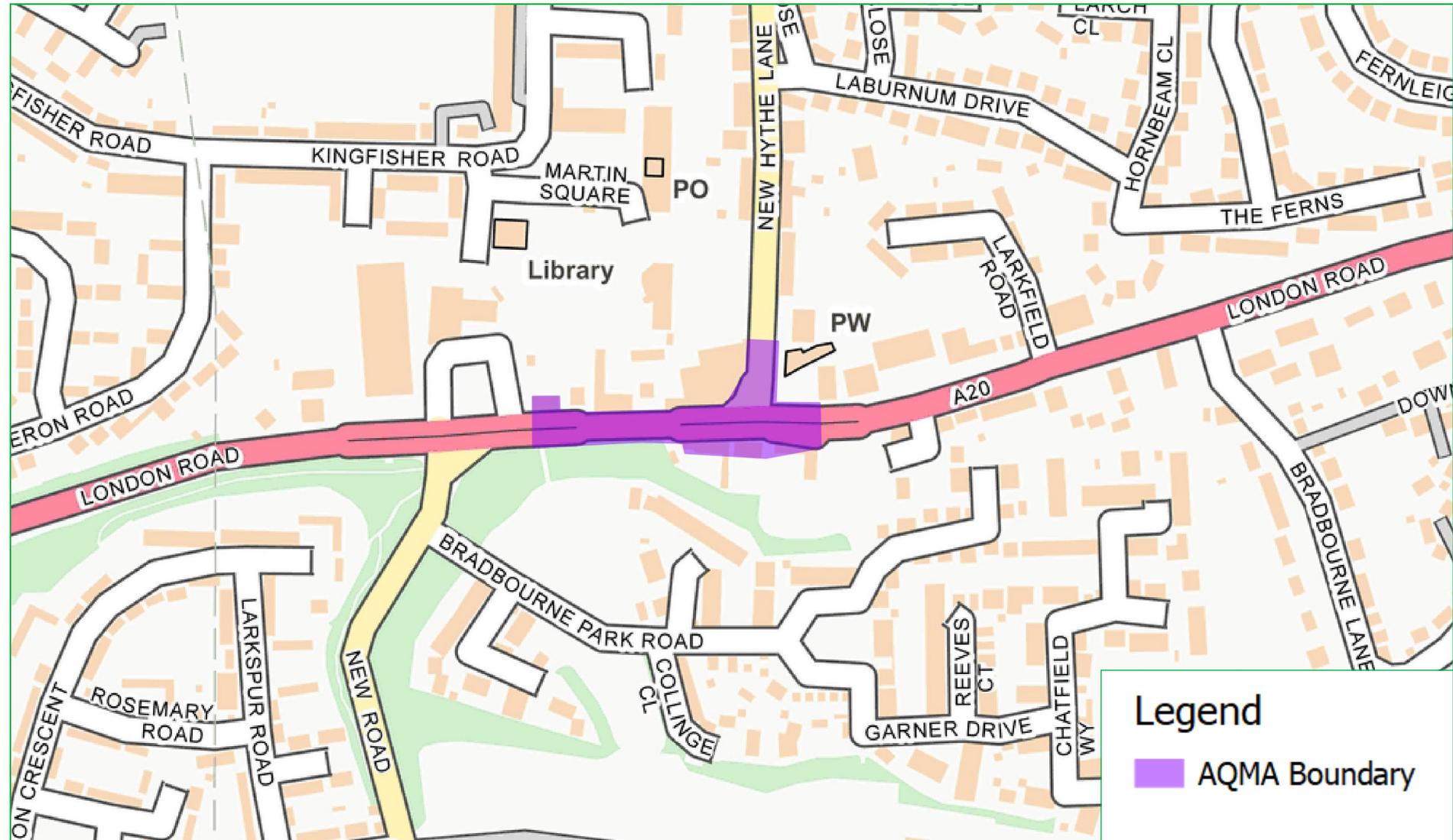
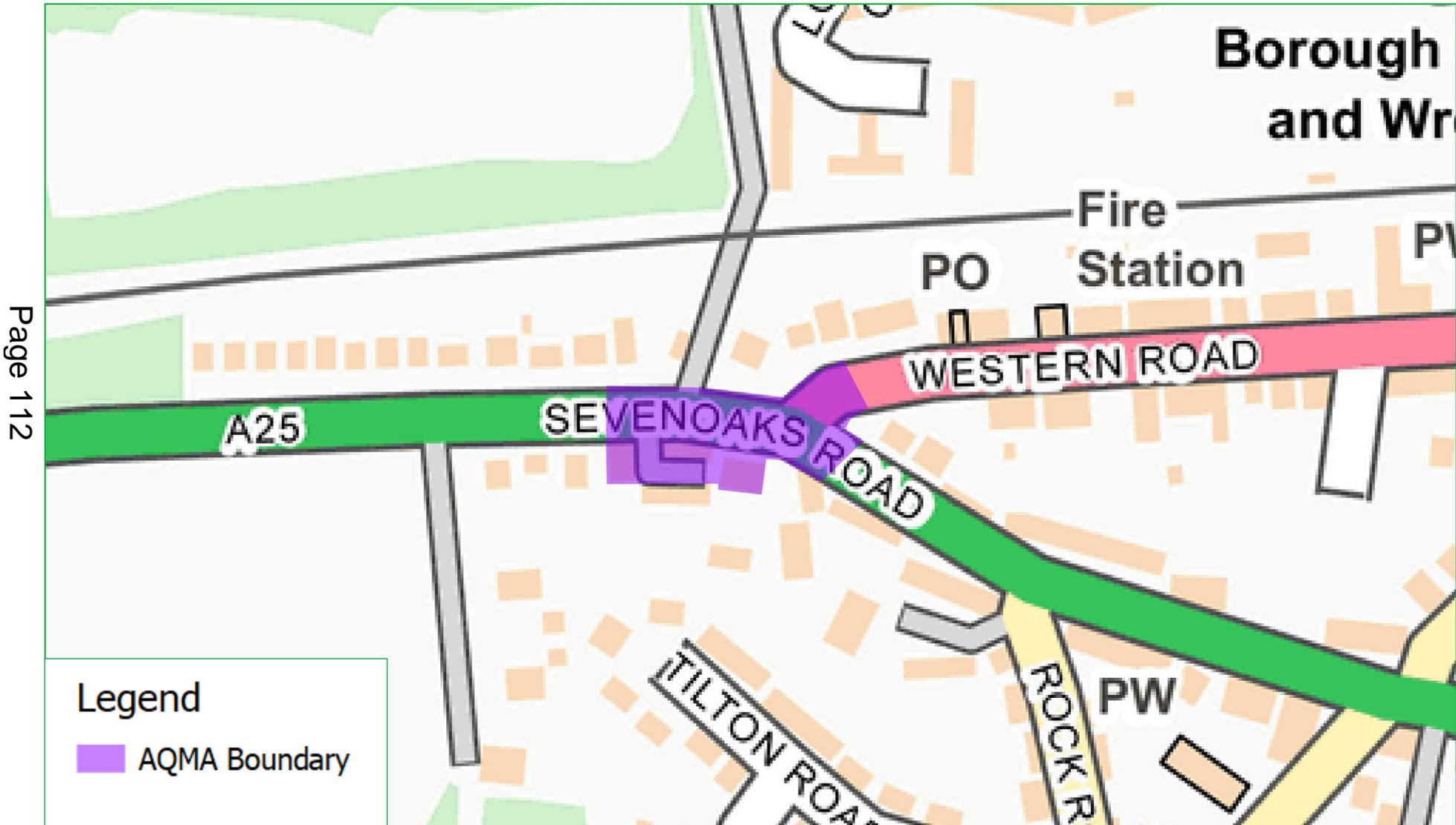


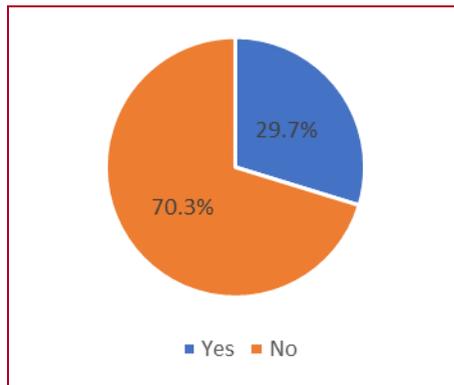
Figure A.6 – Borough Green Air Quality Management Area (Amended)



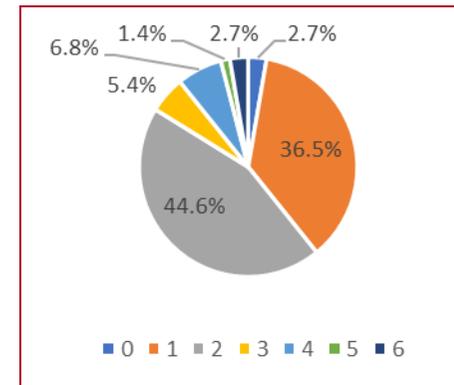
## Appendix B: Response to Consultation

There were 74 responses to the consultation questionnaire that was circulated to inform the development of the AQAP. A summary of results from a number of the completed questions, based upon the 74 responses received, are presented in the charts below.

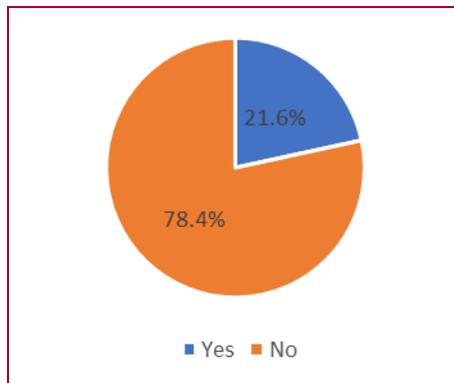
**Question 1: Were you aware that Tonbridge and Malling currently has six Air Quality Management Areas?**



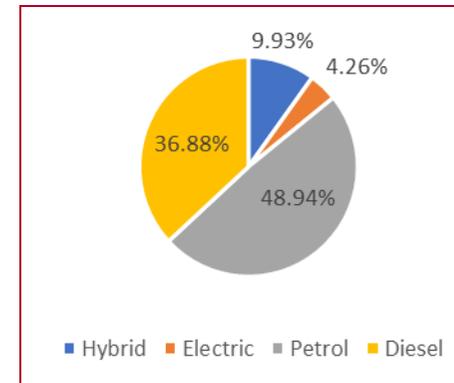
**Question 4: How many vehicles are present within your household?**



**Question 3: Do you suffer from any medical conditions attributed to air pollution?**

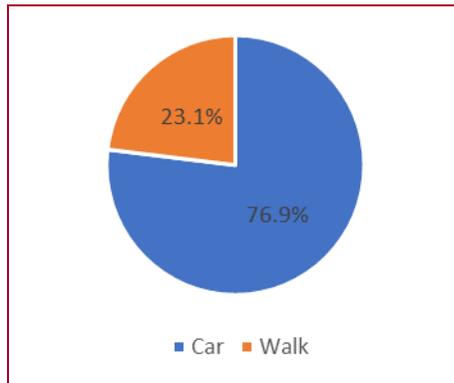


**The percentage of different fuel types of all the vehicles detailed within the survey.**

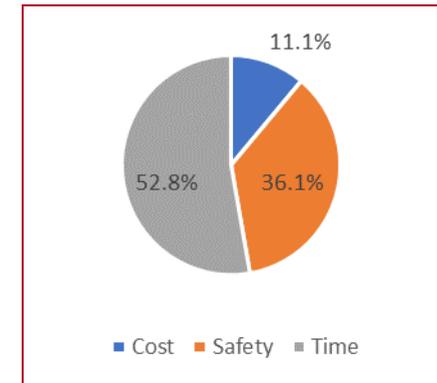
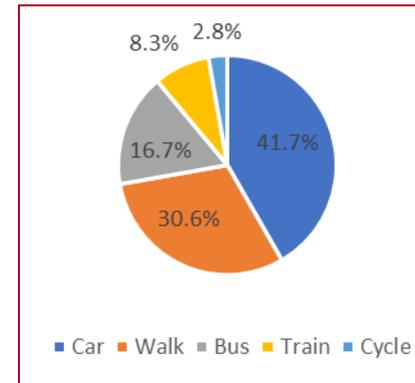


Tonbridge and Malling Borough Council

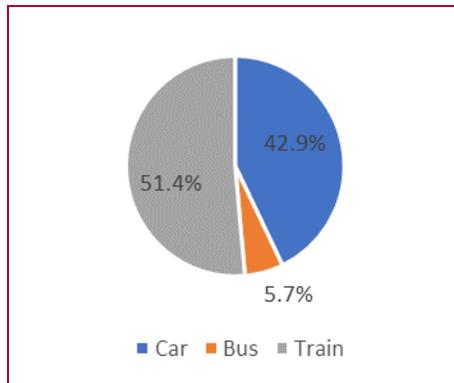
Question 5a: If you work within Tonbridge and Malling how do you get to work?



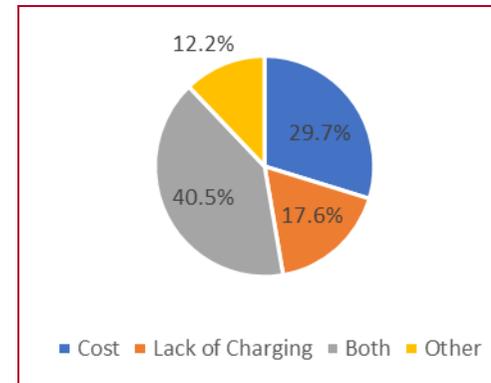
Question 6 and 7: How do your children travel to school? What influences your choice of travel?



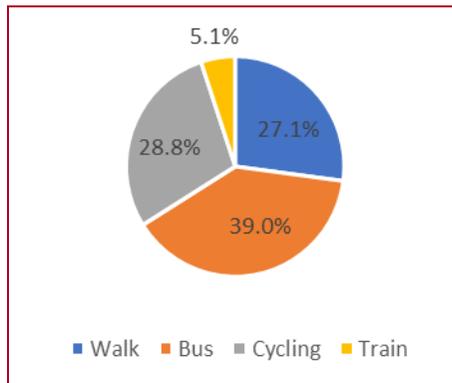
Question 5d: If you work outside of Tonbridge and Malling how do you get to work?



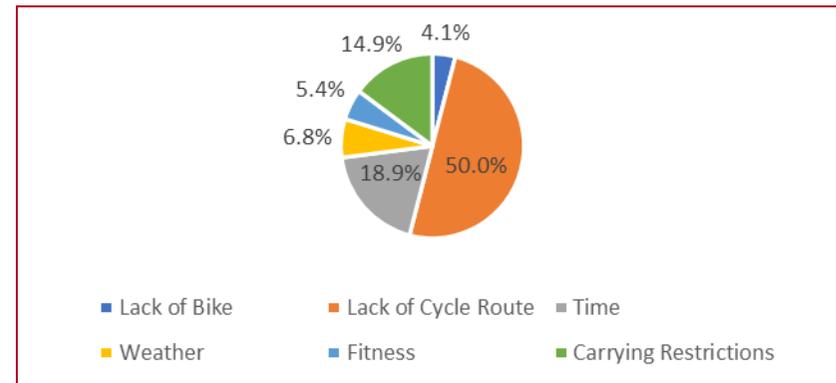
Question 11: What is the deciding factor(s) that would stop you from buying an electric car?



**Question 13c: What mode of transport should Tonbridge and Malling Borough Council be promoting more?**



**Question 1dc: Within Tonbridge and Malling what barrier stops you from cycling to work?**



All comments received through the consultation questionnaire are detailed in the table below. Any consultation responses that were not constructive towards the development of the AQAP have been removed.

**Table B.1 – Summary of Responses to Consultation and Stakeholder Engagement on the AQAP**

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Consultee	Response
Members of the Public	Recent speed limit reduction is widely not being adhered to and measures to improve this would help. Giving pedestrians more priority crossings around schools would make walking easier
	Electric buses on local routes would be fantastic.
	Council seem to be paying lip service to zero emission. All council car parks and all car parks in kings hill should have EV charging. All new houses (of which there are plenty in kings hill) should be built with solar and ground source heat pumps. All council vehicles and buses should be EV. There should be incentives for using public transport and EV and disincentives for polluting vehicles. Idling should be banned everywhere (when people idle in front of my house esp on cold mornings my bedroom fills up with fumes even with all windows and vents closed).
	There is no traffic flow, too many lights and pinch points causing jams. There are no usable cycle routes, the traffic is very heavy and aggressive. At least in kings hill you can ride on the pathways
	Limit the amount of traffic going through the towns, it's not complicated. Pedestrianise Tonbridge High Street. Mostly focus on HGVs, as well as cars using the borough as a thoroughfare, rather than using the dual carriageways and motorways.
	We badly need a M25 J5 slip road. This council should be pushing to expedite this development. I can't understand why it's not happening.

	Please consider supporting the J5 slip road on M25 at Sevenoaks. This would greatly reduce the HGV traffic through our villages and make a huge difference to both air quality and safety.
	There are far too many Lorries coming through Borough Green. They seem to use it as a cut through to the motorways.
	Too many lorries and large vehicles on the A228 Platt. It's extremely dangerous to pedestrians, I take my child to school 25 miles away due to the pollution and how dangerous it is walking 10 mins to the local school. He is asthmatic and I do not want him breathing in more fumes than he needs to. Time again I have nearly been clipped by door mirrors walking along the footpaths, my dog actually has panic attacks walking there so we have to stick to the back roads.
	For cleaner air, get rid of diesel. Have diesel trucks unload at the edge of towns in mini depot areas and last part of journey can be done by electric vehicles like the old milk floats we used to know, or by petrol vans.
	Slip roads off M25 near junction of M5 would vastly improve air quality of all villages along that section of the A25.
	The missing J5 Slips in vicinity of M25 J5 Sevenoaks.
	First of all lower the speed limit borough wide, change traffic situation near Ightham school. Every 2 months a car is totalled. Also kids can't walk along the A25 towards the walking bridge safely. Once a car drove into the hedge on the sidewalk just before school ended. Make Ightham centre a one way road. circle around the A25 and roundabout. Kids are not able to walk from St Peters church to school because the road is too narrow near the pub. Make it one way and you can have a full walking path.
	J5 Slips to M25 M26
	Ensure large trucks stick to main A roads
	Need west facing slips onto the m25 at Sevenoaks
	Stop building houses in green belt land.
	Please consider J5 slip roads to reduce the high levels of heavy goods traffic that passes through Borough Green causing air pollution as well as noise and damage.
	Building 3000 houses as the Borough Green Garden City will increase the air pollution drastically in this area. Please reduce the number of properties proposed to avoid long term issues with air pollution and traffic congestion.
	You need to dramatically reduce the sheer volume of traffic, especially lorries, through Borough Green, Platt etc
	Take current areas where air quality is poor and areas where future development is likely and prioritise these for aggressive traffic reduction, green wall, sustainable transport measures. Consider how these areas will be affected by additional development and take advance action to mitigate these effects.
	Building a mass housing estate in the green belt is not the action of a council concerned about air quality. Leave the green spaces alone, get a decent local plan in place, and stop lorries thundering through our villages.
	The air quality around Borough green and Ightham and so the potential build of 3,000 new houses being built should be looked at as this will only increase the bad pollution
	Stop allowing or building new houses. The population is large enough and roads busy enough without adding more. Rewilding and planting or more trees should be a priority.

Stop development along A20 corridor
Borough Green badly need the proposed new relief road to improve AQA in the rest of the town. The new development is needed to achieve this.
J5 Slips would be the single most action that could be taken to dramatically improve the air quality in this area. I live just off A25 which is permanently busy with cars & non-stop lorries coming off the motorway to drive & deliver to Sevenoaks. Our child is asthmatic too & the pollution will not be helping their health.
More greenery everywhere, more cycle routes, make buses electric and increase no of buses - create a spoke system, more frequent and shorter routes with good interchanges and information.
The introduction of J5 Slips on the M25 would drastically reduce traffic and air pollution through the villages along the A25. Preserve greenbelt to help CO <sub>2</sub> emissions i.e do not build mass housing estate in Borough Green.
Install an exit on the motorway at Sevenoaks. Have a comprehensive public transport system that is reasonably priced, always turns up on time and gets passengers to destinations on time
Reduce traffic through Borough Green by opening J5 slip roads
The 20mph scheme increases all forms of pollution. Get this removed to make an immediate improvement.
This is a matter of urgency. Please work together as a council and community groups, putting politics aside. Less talking, time for action.
You need to improve the local Bus service. You are never going to get more people on buses unless there is a more regular service.
Junction 5 slip roads would drastically improve the air quality to the borough green area and beyond. Improved bus services to smaller villages to stations would reduce traffic.
Junction 5 slips that would remove HGV and LGV TRAFFIC from areas like Borough Green, Platt, Seal & Wrotham Heath. They don't need to be here.
Heavily discounted public transport for school children. The number of cars driving down our road dropping their secondary school aged children off at Toggs, Weald etc is ridiculous. Secondary school children should get to school under their own steam. I would cycle to work more often if there was a safe route between Tonbridge and Tunbridge Wells
Subsidised public transport that is cheaper than owning or using a car
If London and other metropolitan areas can introduce congestion charging and insist of low pollution vehicles, why can't TMBC?
Please can you look at domestic wood burning stoves - the smoke from these is very polluting and impacts on whole neighbourhoods
The Tonbridge High Street zone should be expanded up to the Pembury Road junction to capture data on the appalling traffic by the station and the excessively large taxi rank. There should be a comprehensive review of the traffic flow through the town. This should not be carried out by Kent Highways as they clearly do not have the expertise to develop such schemes.
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	<p>proposals will be immense on TMBC, why should TMBC pay for all of TWBC costs and have further air quality issues.</p> <p>Integrated, cycle, train and bus. Travel passes for young people that include ALL forms of public transport and do not just serve to shore up bus companies. Work with rail companies to improve branch line timetables. Build link roads to main routes to divert through traffic away from villages. Consider impact of development on traffic. Build proper cycle routes, not white lines that disappear at junctions. Reduce speed and improve flow.</p> <p>Community Tree Planting</p> <p>Enter into a dialogue with Kent County Council about making Tonbridge High Street one way. Ask all schools and youth organisations in the borough to introduce or develop the Bikeability cycle training programme to encourage children and young people to ride safely and to help them develop a lifelong enjoyment and use of cycling as a means of transport. To clearly separate the areas within TMBC control and those outside it, such as KCC-controlled matters, and to focus on those it controls. To use their PLANNING powers to impose on developers the highest standards of non-fossil fuel heating - I saw no space elsewhere for this comment but this has a HUGE impact on Air Quality.</p> <p>Out of date data. With 20mph in Tonbridge air pollution has increased and more areas should be tested e.g. A227 by Sainsburys and York Parade. Well documented scientific evidence that 20mph increases air pollution. ALL MAIN "A" ROADS SHOULD BE NO LOWER THAN 30MPH. Also the connecting roads between A26 and A227 i.e. The Ridgeway and Yardley Park also 30mph. Keep housing estates off main roads at 20mph during peak school travel times, commuter times only. This will work better if monitored. At moment just frustration with drivers, worse driving, increased pollution and no police monitoring so no obeyed anyway.</p> <p>Decrease in air quality due to more vehicles on the road due to increase housing! Seriously look at your housing plan to stop estates being built on top of each other which would reduce traffic jams &amp; areas getting clogged with traffic!!</p> <p>The points don't go far enough to be effective - Further action needs to be taken, look at pedestrianisation of public spaces, use of Low traffic neighbourhoods, one way streets, segregated cycle routes, reducing through traffic through the centre of town that could be applied borough wide. For example as a new resident to Tonbridge, I am shocked at the cut through traffic that uses Cannons Wharf as a rush hour rat run between the industrial estate and Tonbridge High Street, there is no way this should be a through route as there is not enough space for cars going in two directions in places, let alone at speed. This issue is worsened by the lack of parking controls, with cars parking all over the pavements reducing available road space further. This also leads to making the pavements hard to use and forcing pedestrians onto the road as there is no space for them. It seems an accident waiting to happen, when it seems no traffic should be really using this route to cut through and should be blocked off to by the gas work to separate the spaces and stop it from happening. It is unsafe, damaging the road surfaces and ultimately is feeding the pollution of the High Street and surrounding streets.</p>
<p>Tonbridge and Malling Green Party</p>	<p>While we broadly support the thrust of the Plan we fear that it is not ambitious enough and rather than seeking to reduce the effects of air pollution to the legal limit we should be aiming to improve air quality at every location in the Borough and taking a more holistic approach in terms of transport policy, highways infrastructure and new development. T</p> <p>The response received was very detailed and a number of the points welcomed. A number of the key points of the consultation response were as follows:</p> <ul style="list-style-type: none"> <li>• We do not believe that the Action Plan as it stands will be enough to stimulate the necessary kind of modal shift away from the most polluting modes of transport or insists on more sustainable housing by demanding higher energy standards through an effective Local Plan. The highways infrastructure measures identified to tackle the increase in traffic generated by new developments will not the limit the damage many developments will inflict on neighbouring communities.</li> <li>• There is no mention of the developmental effects of poor air on children. The Tonbridge AQMA is in an area where many schoolchildren pass through on their way to and from school it is not just the effect on mortality rates, we should be concerned about but the lifelong effects that poor air quality has on our children and grandchildren. We have no particulate monitoring in Tonbridge and this pollution will endure irrespective of the phasing out of petrol and diesel engines.</li> </ul>

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<p>West Malling Parish Council</p>	<p>Planners should require the highest possible standards of sustainable design and tools designed to improve air quality. These should include:</p> <ul style="list-style-type: none"> <li>• A requirement to include alternative energy provision on all new developments. This could include a combination of solar power, deep and efficient ground source heat pumps and other renewable means of energy generation. Consideration should be given to stipulating that a proportion of the total energy input to new builds should come from renewable sources, to be determined at planning stage.</li> <li>• A further requirement that all new builds are equipped with the highest possible grade insulation materials, limiting heat loss, improving home efficiency and reducing energy usage</li> <li>• Electric car charging points wherever possible and as a requirement for new builds. In some instances, it will be possible to install exterior, standalone chargers and this should be encouraged. In other locations it will be necessary to consider other means, which could include simply having power connections provided to outdoor space.</li> <li>• Recognition of the power of planting as a means of dramatically improving air quality. Small quantities of trees are simply not effective and developers should be encouraged to include low-growing planting and species which are particularly effective at carbon capture such as cotoneaster wherever possible.</li> <li>• Consideration in larger developments of communal heating systems. These are often popular with residents and provide a cheap, effective and</li> </ul>

efficient way of heating homes. Lessons could be learnt here from ambitious proposals and developments overseas and in the UK, for example in the London Borough of Enfield.

When it comes to commercial development, all of the above should apply at scale, in a way which reflects the increased energy and resource consumption of commercial activities. In addition to requiring developers to go further on clean air and sustainable design, planners should also work with residents to encourage the inclusion of similar systems and materials in upgrades and extensions to existing buildings.

We are fully supportive of TMBC initiative of improving the quality of the air that we breathe. We would like to see an enhanced network of smaller electric buses. Delivery drivers could be incentivised to use electric HGV & LVG's through the premises they are delivering too. All taxi licences should cost less if the taxi is electric. Increased use of electric vehicles needs to run alongside a reduction journeys. There are many health benefits of walking and cycling but it is essential that the lack of feeling safe is addressed. It would be advantageous to have an enhanced network of 'Quiet Streets' where walking, then cycling, takes precedence. Idling should be banned outside schools, taxi ranks, pick-up points and shops. A huge number of more electric charging points are needed but an understanding of how this would work for residents, with no off street parking, is essential. The speed of traffic needs to be reduced and implemented. The stopping of driveways being concreted over would reduce the rain water which is now lost as it runs off into the streets. While green walls have a place in reducing air pollutants we also need our whole residential network to feel safer and be more environmentally friendly. Planters full of wild flowers could also be used for traffic calming. Hedgerow, which will lock up more carbon, could be planted alongside miles of Kent's roads. More trees in towns would provide shade as our climate warms.

## Appendix C: Reasons for Not Pursuing Action Plan Measures

Table C.1 – Action Plan Measures Not Pursued and the Reasons for that Decision

Action Category	Action Description	Reason action is not being pursued (including Stakeholder views)
Traffic Management	Introduce permanent speed reduction zone on M20 (J3-5) on completion of smart motorway in 2020	Highways England Road – smart motorway has been implemented partly of AQ grounds – impact to be assessed before any further actions to be taken
Promoting Low Emission Transport	Council car fleet upgrades	Measure 6 to be taken forward following removal of all COVID-19 restrictions
Promoting Low Emission Transport	Taxi scrappage/retrofit scheme to upgrade vehicles over 5 years' old	Scrappage scheme would have to be on a national scale to have intended impact
Vehicle Fleet Efficiency	Collaborative waste fleet upgrades across the county	A number of different operators with a number of different contracts would make this too difficult to implement
Vehicle Fleet Efficiency	Pollution abatement equipment for local delivery HGVs/LGVs	Emissions from local delivery HGVs/LGVs to be targeted through a Freight Quality Partnership under Measure 3
Vehicle Fleet Efficiency	Clean van commitment, review of delivery routes through AQMAs, LGV delivery consolidation	Emissions from local delivery HGVs/LGVs to be targeted through a Freight Quality Partnership under Measure 3
Traffic Management	Restrictions on HGVs in AQMAs during Peak Periods/HGV's Routing	Emissions from local delivery HGVs/LGVs to be targeted through a Freight Quality Partnership under Measure 3
Traffic Management	Smart' traffic lights within Watlingbury looking at capacity and flow, trying to improve flow	The feasibility of other options to be looked at for Watlingbury junction
Promoting Low Emission Transport	Workplace parking levys - payments linked to vehicle emission standards?	Charges based upon vehicle emission rates deemed non-inclusive, detrimental to lower-income groups
Promoting Travel Alternatives	Partial pedestrianisation of Tonbridge High Street	Major highways scheme is unrealistic at this time, to be reviewed periodically
Policy Guidance and Development Control	Review the Kent and Medway Air Quality and Development Control Guidance; adapt to TMBC and adopt	Air quality impacts of new developments to continue to be assessed by the Environmental Protection team where required
Promoting Travel Alternatives	Council and local businesses to promote a home working scheme to reduce car use	Home working to be promoted under Measure 8
Promoting Travel Alternatives	Encouragement of car sharing, campaign to reduce single occupancy trips	Public awareness campaign to be completed under Measure 12

## Glossary of Terms

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality limit values'
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
AQS	Air Quality Strategy
ASR	Air quality Annual Status Report
CAZ	Clean Air Zone
COMEAP	The Committee on the Medical Effects of Air Pollution
Defra	Department for Environment, Food and Rural Affairs
EA	Environment Agency
HGV	Heavy Goods Vehicle
EU	European Union
KCC	Kent County Council
LAQM	Local Air Quality Management
LGV	Light Goods Vehicle
NO <sub>2</sub>	Nitrogen Dioxide
PCM	Pollution Climate Mapping
NO <sub>x</sub>	Nitrogen Oxides
PHE	Public Health England
PM <sub>10</sub>	Airborne particulate matter with an aerodynamic diameter of 10µm (micrometres or microns) or less
PM <sub>2.5</sub>	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less

## Updated Air Quality Action Plan report Annex 2

All comments received through the consultation questionnaire and via email are detailed in the table below. Any consultation responses that were not constructive towards the development of the AQAP have been removed.

Consultee	Response
Members of the Public	Recent speed limit reduction is widely not being adhered to and measures to improve this would help. Giving pedestrians more priority crossings around schools would make walking easier
	Electric buses on local routes would be fantastic.
	Council seem to be paying lip service to zero emission. All council car parks and all car parks in kings hill should have EV charging. All new houses (of which there are plenty in kings hill) should be built with solar and ground source heat pumps. All council vehicles and buses should be EV. There should be incentives for using public transport and EV and disincentives for polluting vehicles. Idling should be banned everywhere (when people idle in front of my house esp on cold mornings my bedroom fills up with fumes even with all windows and vents closed).
	There is no traffic flow, too many lights and pinch points causing jams. There are no usable cycle routes, the traffic is very heavy and aggressive. At least in kings hill you can ride on the pathways
	Limit the amount of traffic going through the towns, it's not complicated. Pedestrianise Tonbridge High Street. Mostly focus on HGVs, as well as cars using the borough as a thoroughfare, rather than using the dual carriageways and motorways.
	We badly need a M25 J5 slip road. This council should be pushing to expedite this development. I can't understand why it's not happening.
	Please consider supporting the J5 slip road on M25 at Sevenoaks. This would greatly reduce the HGV traffic through our villages and make a huge difference to both air quality and safety.
	There are far too many Lorries coming through Borough Green. They seem to use it as a cut through to the motorways.
	Too many lorries and large vehicles on the A228 Platt. It's extremely dangerous to pedestrians, I take my child to school 25 miles away due to the pollution and how dangerous it is walking 10 mins to the local school. He is asthmatic and I do not want him breathing in more fumes than he needs to. Time again I have nearly been clipped by door mirrors walking along the footpaths, my dog actually has panic attacks walking there so we have to stick to the back roads.
	For cleaner air, get rid of diesel. Have diesel trucks unload at the edge of towns in mini depot areas and last part of journey can be done by electric vehicles like the old milk floats we used to know, or by petrol vans.
	Slip roads off M25 near junction of M5 would vastly improve air quality of all villages along that section of the A25.
	The missing J5 Slips in vicinity of M25 J5 Sevenoaks.
	First of all lower the speed limit borough wide, change traffic situation near Ightham school. Every 2 months a car is totalled. Also kids can't walk along the A25 towards the walking bridge safely. Once a car drove into the hedge on the sidewalk just before school ended. Make Ightham centre a one way road.circle around the A25 and roundabout. Kids are not able to walk from St Peters church to school because the road is too narrow near the pub. Make it one way and you can have a full walking path.
	J5 Slips to M25 M26
	Ensure large trucks stick to main A roads
Need west facing slips onto the m25 at Sevenoaks	
Stop building houses in green belt land.	

	Please consider J5 slip roads to reduce the high levels of heavy goods traffic that passes through Borough Green causing air pollution as well as noise and damage.
	Building 3000 houses as the Borough Green Garden City will increase the air pollution drastically in this area. Please reduce the number of properties proposed to avoid long term issues with air pollution and traffic congestion.
	You need to dramatically reduce the sheer volume of traffic, especially lorries, through Borough Green, Platt etc
	Take current areas where air quality is poor and areas where future development is likely and prioritise these for aggressive traffic reduction, green wall, sustainable transport measures. Consider how these areas will be affected by additional development and take advance action to mitigate these effects.
	Building a mass housing estate in the green belt is not the action of a council concerned about air quality. Leave the green spaces alone, get a decent local plan in place, and stop lorries thundering through our villages.
	The air quality around Borough green and Ightham and so the potential build of 3,000 new houses being built should be looked at as this will only increase the bad pollution
	Stop allowing or building new houses. The population is large enough and roads busy enough without adding more. Rewilding and planting or more trees should be a priority.
	Stop development along A20 corridor
	Borough Green badly need the proposed new relief road to improve AQA in the rest of the town. The new development is needed to achieve this.
	J5 Slips would be the single most action that could be taken to dramatically improve the air quality in this area. I live just off A25 which is permanently busy with cars & non-stop lorries coming off the motorway to drive & deliver to Sevenoaks. Our child is asthmatic too & the pollution will not be helping their health.
	More greenery everywhere, more cycle routes, make buses electric and increase no of buses - create a spoke system, more frequent and shorter routes with good interchanges and information.
	The introduction of J5 Slips on the M25 would drastically reduce traffic and air pollution through the villages along the A25. Preserve greenbelt to help CO <sub>2</sub> emissions i.e do not build mass housing estate in Borough Green.
	Install an exit on the motorway at Sevenoaks. Have a comprehensive public transport system that is reasonably priced, always turns up on time and gets passengers to destinations on time
	Reduce traffic through Borough Green by opening J5 slip roads
	The 20mph scheme increases all forms of pollution. Get this removed to make an immediate improvement.
	This is a matter of urgency. Please work together as a council and community groups, putting politics aside. Less talking, time for action.
	You need to improve the local Bus service. You are never going to get more people on buses unless there is a more regular service.
	Junction 5 slip roads would drastically improve the air quality to the borough green area and beyond. Improved bus services to smaller villages to stations would reduce traffic.
	Junction 5 slips that would remove HGV and LGV TRAFFIC from areas like Borough Green, Platt, Seal & Wrotham Heath. They don't need to be here.
	Heavily discounted public transport for school children. The number of cars driving down our road dropping their secondary school aged children off at Toggs, Weald etc is ridiculous. Secondary school children should get to school under their own steam. I would cycle to work more often if there was a safe route between Tonbridge and Tunbridge Wells
	Subsidised public transport that is cheaper than owning or using a car
	If London and other metropolitan areas can introduce congestion charging and insist of low pollution vehicles, why can't TMBC?

	<p>Please can you look at domestic wood burning stoves - the smoke from these is very polluting and impacts on whole neighbourhoods</p>
<p>The Tonbridge High Street zone should be expanded up to the Pembury Road junction to capture data on the appalling traffic by the station and the excessively large taxi rank. There should be a comprehensive review of the traffic flow through the town. This should not be carried out by Kent Highways as they clearly do not have the expertise to develop such schemes.</p>	
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Tonbridge and  
Malling Green  
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## TONBRIDGE & MALLING BOROUGH COUNCIL

### STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

31 August 2021

#### Report of the Chief Executive

#### Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

### **1 TONBRIDGE AND MALLING BOROUGH COUNCIL – TREE CHARTER**

**To seek endorsement of the Tonbridge and Malling Tree Charter**

#### **1.1 Background**

1.1.1 A Climate Change Strategy and Year 1 Climate Change Action Plan was approved by this Committee in 2020. The Year 2 Climate Change Action Plan was approved in June 2021 and within this was a target to bring forward a Tree Charter for the borough.

1.1.2 The Tree Charter is attached at Annex 1 of the report. The Tree Charter is aligned to the Climate Change Strategy and supports the Council's ambition to be carbon neutral by 2030. It also supports the commitment to biodiversity protection and enhancement.

#### **1.2 Benefits and Opportunities**

1.2.1 The benefits of trees in relation to health and wellbeing, air quality, flood management and carbon capture are highlighted in the Tree Charter. Opportunities to improve native tree cover on the Council's own estate and the need to work with landowners, community groups and developers are also included.

1.2.2 There is also a commitment to undertake a review of land owned by the Council and for suitable sites to be identified for tree planting schemes. We will explore funding opportunities available through the Woodland Trust to enable community planting projects. This will also tie in with The Queens Green Canopy tree planting scheme to "Plant a Tree for the Jubilee" through to the end of the Jubilee year in 2022. We will liaise with Parish Councils, other landowners and community groups to seek additional areas for planting.

1.2.3 Opportunities to promote tree planting on new developments through the review and refresh of the Local Plan and planning decisions will be considered. The

updated National Planning Policy Framework published by the Government in July 2021 stresses the importance of trees and their links with climate change:

*“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.”*

- 1.2.4 In addition to the opportunities that exist via planning, it is also evident that funding opportunities will need to be explored. This will allow further planting of native species in appropriate settings, better management of existing stock and greater liaison with partners and landowners to help facilitate planting and woodland management across the borough.
- 1.2.5 The Tree Charter sets out the Council’s intent and recognises the importance of trees now and for future generations. Specific actions and targets in relation to tree planting and tree management will be incorporated into the Annual Climate Change Action Plans that are due to be endorsed by this Committee.

### **1.3 Legal Implications**

- 1.3.1 None.

### **1.4 Financial and Value for Money Considerations**

- 1.4.1 The Tree Charter is aligned to the Council’s Climate Change Strategy and Action Plan. Whilst there is no set budget to support this Charter, a reserve in the sum of £250,000 was established to support Climate Change initiatives. £3,000 from this reserve has been used to pay the consultants (Laser) to undertake the baseline carbon footprint work. £64,000 has been allocated towards the sustainable building features at the Leybourne Lakes Country Park facility.
- 1.4.2 There is an annual tree planting budget (to help manage the Council’s own trees and woodland) of £2,300. There is an additional health and safety budget for tree work that currently stands at £40,000 (the amount for H&S fluctuates year on year depending on the amount of work needed in any given year)
- 1.4.3 Additional grant funding opportunities will need to be explored to better manage and support trees and woodland across the Council’s estate.

### **1.5 Risk Assessment**

- 1.5.1 n/a

### **1.6 Equality Impact Assessment**

1.6.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## **1.7 Policy Considerations**

1.7.1 Asset Management

1.7.2 Biodiversity & Sustainability

1.7.3 Business Continuity/Resilience

1.7.4 Climate Change

1.7.5 Community

1.7.6 Healthy Lifestyles

## **1.8 Recommendations**

That the Tonbridge and Malling Borough Council Tree Charter, as set out in Annex 1 of this report **BE ADOPTED**

That Members **ENDORSE** a proposed review of Council owned land to assess the potential for tree planting schemes.

The Chief Executive confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Gill Fox

Nil

Julie Beilby  
Chief Executive

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# Tonbridge & Malling Borough Council



## Tree Charter

## Tree Charter

In 2020 the Borough Council set out the “aspiration for Tonbridge and Malling to be carbon neutral by 2030” and for a strategy to be developed to support this ambition. The Climate Change Strategy 2020-2030 has now been adopted and includes a commitment to biodiversity protection and enhancement.

Trees face many threats and pressures including; land use changes, poor management, damage or vandalism of young trees as well as pests and diseases. However, Trees and woods are essential for people, biodiversity and climate change resilience. They improve our health and wellbeing, clean the air we breathe, cool our towns, help to manage flood risk and by capturing and storing carbon, they play a vital role in addressing climate change. Trees can also make an important contribution to the character and quality of urban environments through tree-lined streets, as expected in the National Planning Policy Framework. Improving tree coverage will not just benefit existing generations, but also future generations and their quality of life.

### The England Trees Action Plan 2021-2024

In May 2021, the Government published the [England Trees Action Plan](#). Within this document there is a “call to action” for stakeholders, to: apply for grants for establishing and managing trees and woodlands, access better advice and guidance for tree management and plant trees where they make the most difference for biodiversity and climate resilience.

### Tree Cover in Tonbridge and Malling

The national average for woodland cover in the UK is only 13%, compared to an EU average of 37%. Despite being one of the least wooded countries in Europe, woods and trees continue to disappear from our landscapes. In line with the principles of the Woodland Trust, the Council will seek opportunities to “plant the right tree in the right place” as well as working with partners and other landowners in the borough to increase tree cover.

In Tonbridge and Malling percentage woodland cover is above the UK average at 17.6%. However, we know that a single tree can provide huge benefits and landscapes that work for both wildlife and humans is important. Planting trees for climate change is vital, but how we plant those trees can re-establish biodiversity of our landscapes. Opportunities to create wooded areas, by planting native species, connecting them within networks of other nature friendly habitats will be given consideration. In this way we can help to reverse the collapse of biodiversity and create opportunities for species to adapt and thrive.

## Opportunities

We need to seek opportunities to increase tree coverage across the Borough. For Council owned land, we will retain the planting budget and seek additional funding opportunities. For land outside our control we will work with partners, landowners, community groups and through the planning decisions taken, we will support native tree planting schemes in suitable locations.

The Woodland Trust estimate that the UK's woodland cover needs to be increased from 13% to at least 19%. However, planting the right native species of trees in the right place is vital. Any commitment to maintain and increase tree cover in the borough, needs to be part of a wider strategy to protect, restore and create a variety of diverse habitats.

### **We will:**

#### **Work with partners to maintain and increase trees in the Borough**

- Review TMBC land to identify suitable sites for trees, working with the Woodland Trust to start tree planting schemes.
- Engage with tree planting initiatives such as The Queens Green Canopy tree planting scheme, to encourage community tree planting.
- KCC have committed to planting a tree for every person in Kent, which totals just over 1.5 million. In partnership with KCC we have recently planted a trial "Tiny Forest " at Leybourne. We will seek opportunities to plant further Tiny Forest plots across the Borough if suitable sites are identified.
- Work with local landowners to encourage tree planting and explore opportunities for planting within boundaries and hedgerows.
- Work with organisations such as The Woodland Trust to get more trees for schools and community groups to undertake planting projects.
- Work with developers to plan for more native trees and canopy coverage within new developments.

#### **Explore available grant funding opportunities to maximise opportunities for tree planting schemes**

- Accessing grants will allow the Council to go beyond the current tree planting budget to enable additional planting and management of existing trees.
- Accessing the Defra Local Authority Treescapes Fund (LATF) the England Woodland Creation Offer (EWCO), the Emergency Tree Fund, Nature for Climate Fund and the Urban Tree Challenge Fund will support increased tree planting and natural regeneration in local communities. This could enable additional tree planting in areas such as riverbanks, hedgerows, parklands, urban areas, beside roads and footpaths, in copses and community spaces.

## Opportunities

### Tree Conservation

- The Council will minimise the removal of trees on Council owned land, unless there are overriding arboriculture or health and safety needs for felling.
- The Council will protect ancient woodlands and veteran trees in line with Government policy.
- The Council will support planting of new trees as part of developments to support biodiversity, habitat creation and carbon reduction measures.
- The Council will seek opportunities to deliver “Biodiversity Net Gain” in line with Government policy at the time decisions are taken. This will include using native species when planting new trees and supporting existing habitats. Working with the Kent Local Nature Partnership, the Council will look to Biodiversity Opportunity Areas (BOAs) as these may help identify locations where tree planting may help support existing habitats best.

The Tonbridge & Malling Tree Charter recognises the value of trees, the many benefits they have in terms of biodiversity and the increasingly important role they can play in mitigating the effects of climate change, risks of flooding and pollution control.

Funding opportunities will be explored to plant native trees in the borough that survive and thrive. A tree that is wanted and planted appropriately will bring the most benefit and avoid potential problems as it grows. In supporting the aims of the Tree Charter, the Council recognises the importance of trees now and for future generations.

The Tonbridge & Malling Tree Charter sits alongside the

[Climate Change Strategy 2020-2030](#) and the Annual [Climate Change Action Plans](#). Tree planting ambitions and targets will be incorporated into future Climate Change Action Plans.



## TONBRIDGE & MALLING BOROUGH COUNCIL

### STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

31 August 2021

#### Report of the Chief Executive

#### Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

#### **1 NATURAL FLOOD MANAGEMENT PROJECTS**

**This report provides information on two projects in the borough that it is proposed could be supported through an agreed £20,000 allocation in the Business Rates Retention Pilot reserve earmarked for Natural Flood Management.**

#### **1.1 Background**

1.1.1 In September 2020, the Economic Regeneration Advisory Board endorsed a programme of initiatives to support the local economy using the Business Rates Retention Pilot reserve. Within this programme, an allocation of £20,000 was earmarked towards Natural Flood Management.

1.1.2 Natural Flood Management is when natural processes are used to reduce the risk of flooding and erosion, and includes measures such as leaky dams, restoring bends in rivers and creating wetlands. These measures are coming more common as a tool to mitigate against flooding, alongside more engineered solutions.

1.1.3 Given the focus of the Business Rates Retention Pilot reserve, the main aim of this allocation was to focus on flood mitigation efforts that have a positive bearing on the local economy. However, it is also noted that any such measures do have much wider benefits, especially in terms of meeting the aims of our Climate Change Strategy, especially with regards to Climate Change resilience, and helping to improve biodiversity.

1.1.4 In sourcing potential projects, discussions were undertaken with both Kent County Council and the Environment Agency. Whilst there were limited opportunities across much of the network in the borough either due to the size and scale of the rivers, or because Natural Flood Management work had already been completed, there were two projects that met both the economic requirements of the funding and the use of Natural Flood Management – at Leybourne Lakes Country Park and Ightham Mote. Both of these projects have been supported by the Environment Agency and Kent County Council over the years.

## **2. Leybourne Lakes Country Park**

- 2.1. In May 2021, a site visit with the Head Ranger at Leybourne Lakes Country Park and the Kent Countryside Partnership took place to discuss Phase 2 of the Leybourne/Snodland Mill Stream Restoration Scheme, along with future plans.
- 2.2. Phase 1 of the scheme took place in 2019 and has helped to realign and naturalise an artificially straightened section of the stream to improve its biodiversity and to assist in alleviating flood risk in the local area. This initiative has been hugely successful not only in terms of its environmental benefits but it has also created an attractive feature for visitors to the park.
- 2.3. Phase 2 of the scheme is currently in development and will be downstream from Phase 1. However, with additional funding support the creation of two new wetland habitat features within the park can be achieved (see Appendix 1).
- 2.4. These new wetland areas will contribute towards creating valuable additional habitat for critically endangered species, such as water voles, whilst also providing approximately an additional 985 cubic metres of flood storage capacity. It is planned that the spoil from the excavation of the wetland areas will be used to create a serpent-shaped mound (sown with wildflower seed), which will provide additional wildlife habitat and an additional topographical feature for visitors to the park to enjoy.
- 2.5. It is proposed that the wetland habitat features will be planted up with a range of low growing and less invasive taller species of marginal aquatic native plant plugs, including common comfrey, fool's watercress, water figwort, great yellowcress, water mint, meadowsweet and purple loosestrife.
- 2.6. In total, the creation of the new wetland habitat and associated habitat features is costed at £8,000.

## **3. Ightham Mote**

- 3.1. Ightham Mote is one of the borough's key visitor attractions, with 166,000 visitors in 2017/18. However, like most organisations operating in the tourist economy, visitor numbers have been severely reduced since March 2020 as a result of covid-19 restrictions, along with the number of volunteers on the site.
- 3.2. The National Trust has been undertaking improvements to the surface water drainage and flood protection at Ightham Mote near Sevenoaks in Kent for a number of years. The approach has been to undertake subtle interventions to manage water flow and prevent flooding without negative impacts on the buildings, gardens or their setting.
- 3.3. The House (Mansion) and Cottages are situated in a steep sided and wooded valley surrounded by farmland owned by the National Trust. Ightham Mote's setting is defined by the valley, stream, north and south lakes and the moat that surrounds the Mansion (see Appendix 2). There are also stone bridges on the east and west and a timber bridge on the north side of the Mansion.

- 3.4 There are historic and continuing problems with waterlogged gardens, periodic flooding and managing water flow that adversely affect the heritage assets. Management of the water flow can change from acceptable to critical within an hour of severe rain and this has happened three times in living memory, approximately every 25 years. The last flood was in 2016, affecting the gardens and interiors of the Mansion and Cottages.
- 3.5 In 2015 The National Trust received a report from a hydrologist/engineer that advised on possible strategies and remedial works: the report and on-site knowledge has informed all the interventions completed to date.
- 3.6 The following list of interventions follow the sequence (north to south) of the watercourse and lakes. A number of these have been implemented, but a number of them require implementation:

**Wet woodland (north of the map provided above)** - A watercourse runs east west through woodland, within the Trust's ownership, and discharges into a silt trap adjacent to Mote Road. The undergrowth is cleared and woodland coppiced as part of the Estate management, ensuring water flow is restrained and discharged. This work is ongoing.

**Mote Road Silt Trap (the small pond in the top left-hand corner of the map provided)** - A shallow pond was dug in 1992/93 acts as a silt trap to the Mote Stream at the western edge of Mote Road. This has been cleaned and minor adjustments made to the weir to improve the outflow. A small weir discharges water into the drain that passes under Mote Road and into the northern gardens. Maintenance is ongoing

**Mote Stream: leaky dams (feeding into the North Lake)** - The stream passes through a play area and then meanders approximately due south towards the North Lake, passing under three bridges. Construction of leaky dams to restrain water flow, creating temporary ponds in valley. These have now been implemented.

**North Lake (and outflow from the North Lake)** – This is a relatively shallow man-made lake with informal east and west banks, retained at the south by a dam. The dam provides a grassed walkway and viewpoint towards the mansion. There are two areas of outstanding work required on the North Lake – desilting in order to increase water capacity (this was last undertaken in the 1980s) and improvements to the outflow from the lake including a new control mechanism. These works will cost in excess of £50,000.

**Silt Traps (directly to the south of the North Lake)** - these require desilting and repair to improve water retention. This will cost in the region of £40,000.

**Culverts (run under the North Lawn and discharge into the moat)** – works to improve these culverts have recently been completed.

**Moat Walls** – repair and restoration works undertaken.

**South Lake** – was desilted in 2015, but an improved spillway is required in order to better control the discharge out of the lake. This has been costed at £35,000.

#### **1.4 Proposed Allocation of Funding:**

1.4.1 Given that both locations are key visitor attractions in the borough that require flood mitigation measures to be implemented, the two proposals are seen as a good fit for the Business Rates Retention Pilot funding that has been allocated towards Natural Flood Management. As such, it is proposed that the £20,000 allocation be split as follows:

- Leybourne Lakes Country Park - £8,000 contribution towards the Leybourne/Snodland Mill Restoration Project.
- Ightham Mote - £12,000 contribution towards the improvement works at the North Lake.

#### **1.5 Legal Implications**

1.5.1 There are no legal implications arising from this report.

#### **1.6 Financial and Value for Money Considerations**

1.6.1 £20,000 has been allocated towards this project from the Business Rates Retention Pilot reserve.

#### **1.7 Risk Assessment**

1.7.1 Not applicable

#### **1.8 Equality Impact Assessment**

1.8.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

#### **1.9 Recommendations**

1.9.1 That the contents of this report **BE NOTED**.

1.9.2 That the proposed £8,000 contribution towards the creation of new wetland habitat at Leybourne Lakes Country Park **BE AGREED**.

1.9.3 That the proposed £12,000 contribution towards flood mitigation works at Ightham Mote **BE AGREED**.

The Cabinet Member for Economic Regeneration and the Chief Executive confirm that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

Nil

contact: Jeremy Whittaker,  
Strategic Economic  
Regeneration Manager

Julie Beilby  
Chief Executive

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# Appendix 1: Natural Flood Management at Leybourne Lakes Country Park

Map of Leybourne Country Park



- Drains Offline
- Drains**
- FRM Indicative Main River
- Other Rivers
- Undefined

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Leybourne NFM Enhancements

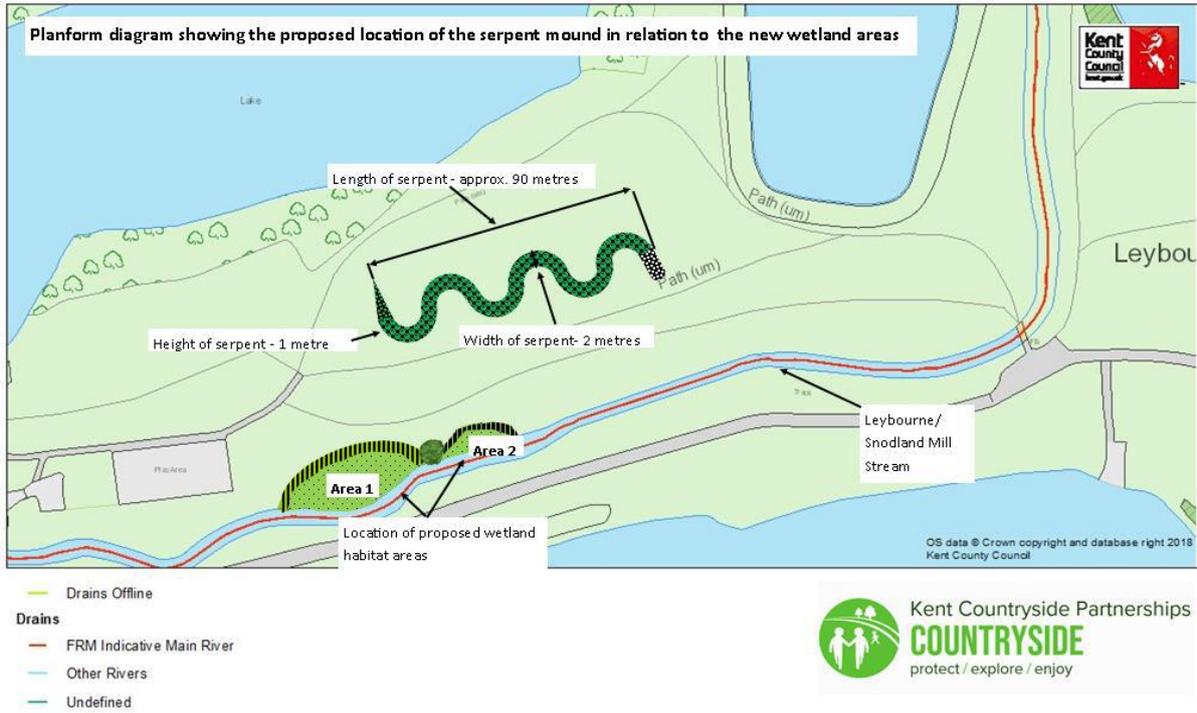


- Drains Offline
- Drains**
- FRM Indicative Main River
- Other Rivers
- Undefined



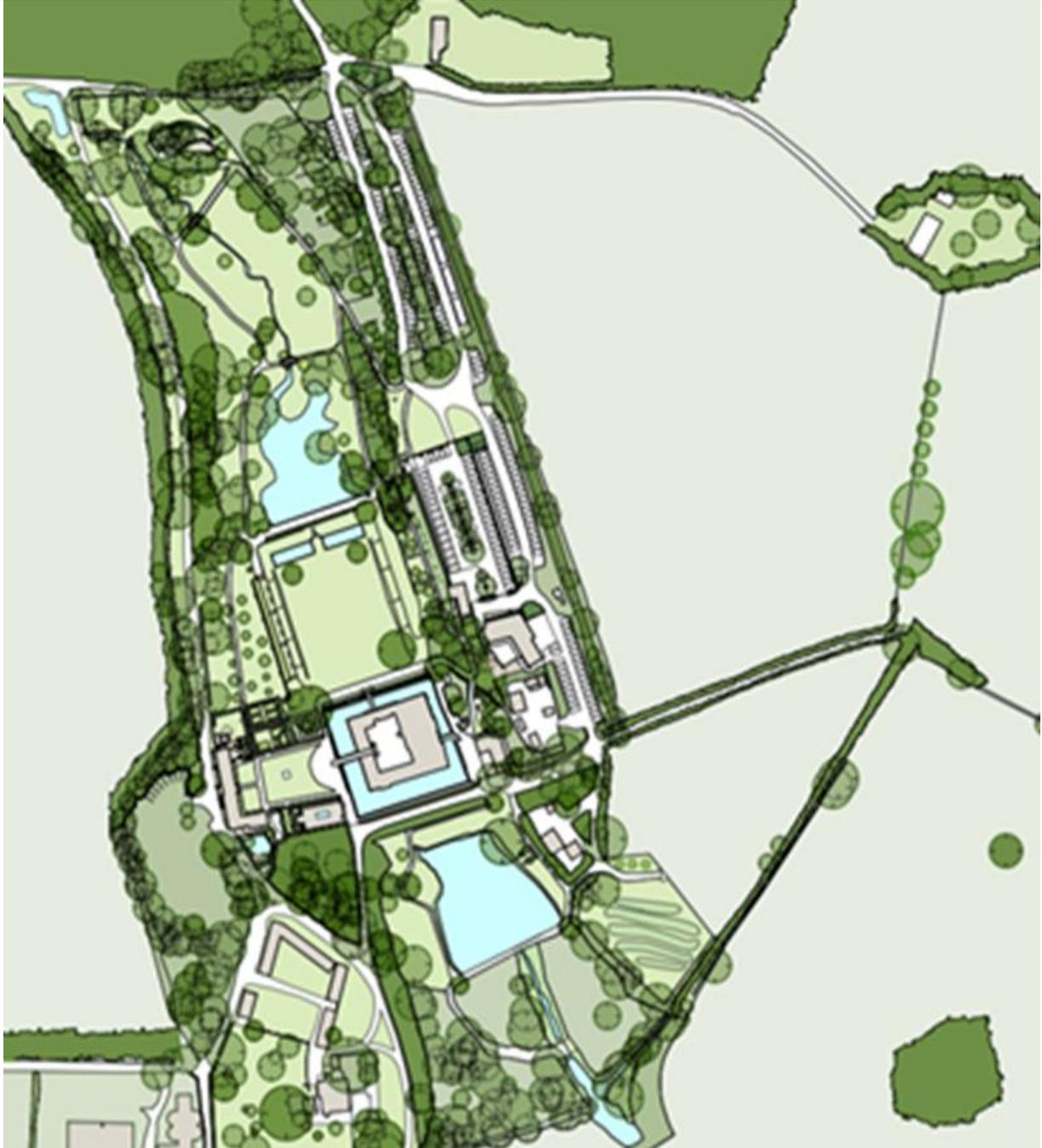
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## Leybourne NFM Enhancements 2



## Appendix 2: Ightham Mote

Map showing the course of the stream running from north to south through the site:



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## TONBRIDGE & MALLING BOROUGH COUNCIL

### STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

31 August 2021

#### Report of the Director of Street Scene, Leisure & Technical Services

#### Part 1- Public

#### Matters for Information

### 1 WASTE SERVICES UPDATE REPORT

#### Summary

**This report updates on a number of issues and initiatives managed by the Waste & Street Scene Services team, including service performance, fly tipping & enforcement, and the recycling bin pilot to flats in Tonbridge.**

#### 1.1 Service Performance

- 1.1.1 At the last meeting of this Board in June, Officers reported on the ongoing performance issues relating to the Urbaser contract. At that point, with national Covid restriction measures easing, it was intended that consideration be given to future service delivery. Officers continue to monitor staffing and resource levels on a daily basis in liaison with Urbaser and - if required - prioritise key services in accordance with our Business Continuity Plan.
- 1.1.2 Since that report was written, the impact of the national shortage of HGV drivers has had further significant impacts on service delivery, with driver shortages leading to disruption to collection services across the borough. Members will be aware that this is an issue that is not isolated to Tonbridge and Malling and the impact of the shortage is being seen across Kent and nationwide. In June, recycling collections became so far behind that the service was suspended for two collection cycles. In order to get recycling collections reinstated, the difficult decision was made, in conjunction with Tunbridge Wells Borough Council, to suspend garden waste services for a four-week period during August. This would then allow Urbaser to focus on the core refuse, food waste & recycling collections. All garden waste subscription renewal dates have been extended by one month so that customers are not paying for the service during this period of suspension.
- 1.1.3 As a result, refuse & food waste collections are – at time of writing – on schedule with recycling collections running two to three days behind. It is currently anticipated that recycling collections, with the support of those staff that would normally have been deployed to garden waste, will be back on schedule during

week commencing 16 August. A verbal update will be provided at this Board meeting.

- 1.1.4 Following the last meeting of this Board, an all-Members meeting was held to provide a detailed presentation on the current issues affecting collections, as well as the ongoing work to help improve overall service provision on this contract. It was agreed at the meeting that weekly updates would be provided each Friday to all Members, as well as to Parish & Town Councils and KALC. These updates include the latest position on disruption to collections services; measures being implemented by Urbaser to address the ongoing impact of driver shortages; waste & haulage industry updates; and responses to specific questions raised by Members during the week where it is considered that the response would be helpful for all Members and Parish & Town Councils.
- 1.1.5 Members will be aware that there continues to be issues with the quality of service provision, such as spillages not being cleared by the crews; bin placements; missed collections and delays in container deliveries. These have been ongoing issues for many months but have been exacerbated by the current heavy reliance on new & agency staff to provide the collection services. This has also clearly impacted on Urbaser's abilities to deliver the service level agreements which form part of the original contract specification, which are monitored through a set of Key Performance Indicators:

KPI	Description	2019/20 Avg. per month	2020/21 Avg. per month
1	Total No. of <b>MISSED COLLECTION REPORTS</b>	1,263	1,530
3	% of jobs not actioned within SLA - ( 24 hrs) - <b>ACTUAL MISSED COLLECTIONS</b>	47%	98%
4	Intents & formal complaints - <b>REFUSE &amp; RECYCLING</b>	84	93
5	Intents & formal complaints - <b>STREET CLEANSING</b>	31	38
6	Total number of <b>COMPLAINTS</b> (inc Missed Collections)	862	1,472
7	% of jobs not actioned within SLA - ( 5 w/days) - <b>GREEN BOX DELIVERIES</b>	28%	44%
8	% of jobs not actioned within SLA - (5 w/days) - <b>BIN ORDERS</b> (inc Repair/Replace)	53%	77%
9	Total No. of jobs - <b>FLYTIPPING</b> (Paid)	22	45

10	% of jobs not actioned within SLA - (5 w/days) - <b>FLYTIPPING (Paid)</b>	10%	23%
11	% of jobs not actioned within SLA - (5 w/days) - <b>WORKS ORDERS</b>	18%	65%
12	% of jobs not actioned within SLA - (5 w/days) - <b>BULKY &amp; FRIDGE COLLECTIONS</b>	5%	9%

1.1.6 When issues are not rectified within timescales as instructed by the Client team, default points are issued which, when reaching levels specified within the contract documents, result in financial deductions from Urbaser's monthly invoices. This continues to be monitored and managed through the regular Partnership Steering Group meetings and close liaison with the staff at the depot.

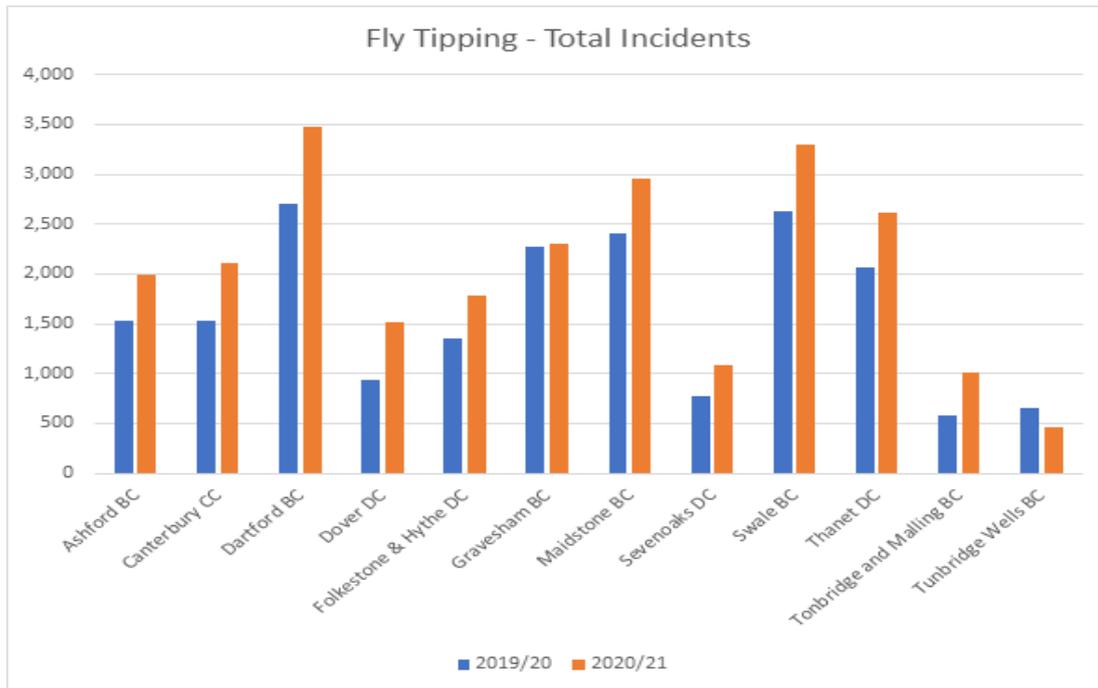
1.1.7 In addition, a joint Partnership Group has now been established (inaugural meeting 12 August), which consists of the Leaders, Deputy Leaders, and Portfolio Holders for Waste and Finance from the respective Partnership councils, as well as Chief Executives, Directors, 151 Officers, Heads of Service and Legal leads from each council. The Group's purpose is to oversee improvements in the waste & recycling service and to provide an agreed direction to Officers on matters of strategic importance to the Partnership. The Group is an informal working group of both Councils with no delegated decision-making powers.

1.1.8 The Group will:

- review the operation of the waste & recycling contract with a focus on performance improvement;
- scrutinise Urbaser's detailed plans to achieve a reliable and sustainable delivery of service standards in full compliance with the contract specification and the contractor's tender submission;
- consider the strategic Partnership response(s) to working with Urbaser in delivering the terms of the contract service standards;
- agree joint business continuity arrangements; and
- agree a shared communications strategy.

## 1.2 Fly Tipping

1.2.1 In the past twelve months, levels of reports of fly tips have significantly increased in Tonbridge & Malling, as well as across the rest of Kent and the South East. Although still amongst the lowest levels for Kent districts, second only to Tunbridge Wells, this is clearly concerning.



- 1.2.2 Analysis of the types of waste being fly tipped indicates that the majority consist of larger items of furniture and building/construction waste. The highest rise in the size of fly tips is in the categories of small van & transit van loads. This would indicate that rather than individual householders fly tipping, it is more likely to be unregistered waste carriers, or registered carriers tipping illegally.
- 1.2.3 An additional staff member has recently been recruited to support the team with investigation & enforcement activities. The recruitment has been successful, with the appointed person starting on 10 August. They will now undergo the relevant induction & training so that they can start to coordinate the fly tip reporting process, feedback to residents as to what action is being taken, including timescales, to clear fly tips, and to also carry out initial investigations into any evidence which may be available. They will also closely liaise with KCC's Intel Unit so that relevant information can be shared and followed up for investigation where possible. Officers are also aware of the desire of the new administration to increase this staffing resource further.
- 1.2.4 The new Cabinet Member for Community Services has requested a meeting be organised with the relevant officers from KCC to explain what support they are able to provide to TMBC officers in terms of investigation & prevention of fly tipping. This support has helped to achieve some successes in other Kent districts with enforcement activity, including prosecutions. If the meeting takes place prior to the meeting of this Board, a verbal update will be provided.
- 1.2.5 The Cabinet Member is also keen to explore opportunities for joint working between the Waste team, the local Community Safety Partnership and KCC in order to achieve results tackling anti-social behaviour & organised crime (including illegal waste dumping) through smarter ways of working and sharing of resources.

This will include the further exploration of the use of CCTV, both covert & overt as appropriate, at fly tipping hot spots.

### **1.3 New Service Arrangements to Flats and Communal Properties**

- 1.3.1 As reported to Members of this Advisory Board on 8 June, Officers have been continuing to have ongoing discussions with Urbaser regarding the roll out of the kerbside recycling services to flats that share communal bin stores. In order to assess the impact of adding these properties to existing recycling rounds and potential associated issues such as container capacity, vehicle volumes, levels of contamination of materials, etc, it has been agreed that a pilot will be run, so that any issues arising can be identified & resolved prior to a wider roll out across the Borough.
- 1.3.2 As such, around 500 flats in central Tonbridge will be included in this pilot, with communications being sent out to those residents during week commencing 23 August. Bin stores will be reconfigured on the weekend of the 4 September with new bins supplied to reflect the new services provided. The first recycling collections will then commence on 11 September, with fortnightly recycling collections alternating with fortnightly refuse collections. Local Members had been consulted on the detailed plans.
- 1.3.3 Officers will then closely monitor volumes, contamination, levels of enquiries, etc prior to the service being rolled out to flats in the rest of the Borough. It is suggested that the pilot be monitored for a period of at least 3 months, and given the busy Christmas period, it is proposed that the full boroughwide roll out commences in early 2022. Any lessons learnt from the pilot will help to ensure a smoother roll out to the rest of flats with communal bins.

### **1.4 Kent Resource Partnership – National Waste Strategy Consultations**

- 1.4.1 Members will recall from June's Board meeting, that as part of the development of the National Waste Strategy, DEFRA were carrying out consultations on three elements which require changes to legislation and to associated regulations.
- 1.4.2 The first of the current consultations sought views on proposals to introduce a Deposit Return Scheme for drinks containers in England, Wales, and Northern Ireland: <https://consult.defra.gov.uk/environment/consultation-on-introducing-a-drs/> It referred solely to deposit return schemes, explicitly for drinks containers.
- 1.4.3 The second of the consultations covered proposals for reforms to the packaging waste regulations: <https://consult.defra.gov.uk/extended-producer-responsibility/extended-producer-responsibility-for-packaging/> The current system of producer responsibility for packaging has been in place since 1997 but is considered to need reform. One of the key governing principles for packaging EPR is for payments to local authorities to be fair and transparent and should include the cost of collecting packaging waste in the residual waste stream.

- 1.4.4 The third consultation was concerned with having consistent recycling collections to improve the quantity and quality of municipal waste recycled in England and to achieve a national recycling rate of 65% by 2035: <https://consult.defra.gov.uk/waste-and-recycling/consistency-in-household-and-business-recycling/> . Members will be aware that our current kerbside collection services comply with this proposal, with the exception of plastic films, which under current reprocessing capacity – which is lacking – and contractual arrangements with KCC’s existing disposal facilities, it is not possible to collect at present.
- 1.4.5 TMBC officers have responded to all three consultations, both with our own responses and those collated by the Kent Resource Partnership. Officers now await the next stages of the progress of these initiatives through Defra, and will continue to update this Board of any developments.

## 1.5 Legal Implications

- 1.5.1 The statutory framework governing the response to the pandemic is evolving and changing on a frequent basis, both in the restrictions placed upon individuals and upon the responsibility of local authorities. Specific proposals or changes brought forward will be assessed at the appropriate time in liaison with Legal Services to ensure they are lawful.
- 1.5.2 The responses to the various Defra consultations outlined at 1.4 above will hopefully influence the legislation being brought forward. However, the final legislation & associated regulations will need to be fully reviewed and any measures required, such as changes to service delivery, implemented to ensure compliance.

## 1.6 Financial Implications

- 1.6.1 None

## 1.7 Risk Assessment

- 1.7.1 The Operational Risk Assessment for Street Scene Leisure and Technical Services has been updated and is being revised on an ongoing basis as government guidance on Covid-19 changes.

## 1.8 Policy considerations

- 1.8.1 Community, Customer Contact, Health and Safety

Background papers:

Nil

contact: David Campbell-  
Lenaghan

Robert Styles  
Director of Street Scene, Leisure & Technical Services

## TONBRIDGE & MALLING BOROUGH COUNCIL

### STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

31 August 2021

#### Joint Report of the Cabinet Member for Technical and Waste Services and the Director of Street Scene, Leisure & Technical Services

#### Part 1- Public

#### Matters for Information

### 1 SATURDAY FREIGHTER SERVICE

**This report outlines a range of issues relating to the Saturday Freighter Service and highlights that due to current national issues impacting on the delivery of the waste services contract the reintroduction of the service should not be progressed at the present time. The report highlights that the decision to reintroduce the Service will be taken by the Cabinet Member once these issues have been satisfactorily resolved by the contractor.**

#### 1.1 Background

- 1.1.1 Members will be aware of the Saturday Freighter Service provided by Tonbridge and Malling Borough Council. During the re-tender of the Waste Contract in 2018, this Service did not form part of the main tender but was included as an optional extra, alongside other service areas including High Speed Road Cleansing. Following receipt of the tenders and selection of the successful contractor, Members of the Street Scene and Environment Advisory Board on the 4 September 2018 considered and approved the retention of the Saturday Freighter Service (excluding garden waste).
- 1.1.2 Members will be aware that the service has been suspended since 28 March 2020 due to the Covid pandemic, primarily relating to health and safety concerns and government guidance on social distancing. More recently contract performance has been impacted by the national HGV shortage that has led to the suspension of the Garden Waste collection service in Tonbridge and Malling and Tunbridge Wells alongside other service suspensions elsewhere across the country.
- 1.1.3 At the meeting of Cabinet on 6<sup>th</sup> July 2021 it was resolved that a timetable for the reinstatement of the Saturday freighter service be presented to this meeting of this Board.

## 1.2 Current Service Provision

- 1.2.1 The Saturday Freighter Service is provided for the primary disposal of bulky household waste that may be difficult to dispose of through kerbside collections. The Service provides for the provision of a single freighter for mixed waste and a caged vehicle for electrical items. The Service runs on a four-week cycle visiting 55 separate locations across the borough each month.
- 1.2.2 Due to the extent of the Service, the staffing resource required to deliver it totals 10 personnel (5 HGV drivers and 5 drivers for the caged WEEE vehicle).
- 1.2.3 The Service has been in place for many years and was established to compensate for the non-provision of a Household Waste Recycling Centre within the boundary of Tonbridge and Malling. Kent County Council as the Waste Disposal Authority financially supports the provision of this service with a payment of £9,000 per annum.
- 1.2.4 This type of Service is not provided by any other Local Authority in Kent outside of this Council's Partnership contract.
- 1.2.5 With the exception of the WEEE, none of the items collected through the service are separated for recycling.

## 1.3 Alternative Disposal opportunities

- 1.3.1 Alternative opportunities are currently open to residents for the disposal of bulky waste that cannot be collected kerbside. These are highlighted below;
- **Kent County Council Household Waste Recycling Centres (HWRC's)** – Whilst no HWRC's are located within the boundary of Tonbridge and Malling Borough Council a number are located in close proximity. These are shown on the map at **Annex 1**. These HWRC facilities (including Cuxton) provide opportunities for residents to dispose of household waste free of charge with the exception of a number of items that are chargeable including asbestos and rubble. None of the HWRC chargeable items are accepted at the Council's Saturday Freighter Service. These HWRC's also allow residents to fully separate and recycle their waste.
  - In considering the provision of HWRC's in the borough it should also be noted that KCC are currently progressing provision of a new site at Allington and, therefore, it is anticipated that a new HWRC facility within the borough boundary will be operational in the next 12 months.
  - **Bookable Bulky Collection** – For large items the Council does offer a collection service for up to 6 items including fridges and freezers. This service is a doorstep collection with a charge of £56, for up to 6 items and a reduced fee of £34 for just a fridge/freezer. If residents are in receipt of Council Tax Reduction benefit the Council also offers a reduced rate of £16. There are

some restrictions on what can be taken through this service that includes toxic materials and builders waste and rubble, such waste is also not accepted at the Saturday Freighter Service. On average, the Council receives around 3,000 requests for this service each year, generating income of over £100,000 per annum.

- **Donation and Sales** – for goods in a reasonable condition, opportunities exist for residents to donate to charities or sell through multiple on-line sales platforms.

## 1.4 Environmental Considerations

- 1.4.1 The Council's Climate Change Strategy Action Plan 20/21 identified the target to *"Increase our recycling rate from 43% to 50%"*. Progress with the action has been very positive with the One Year Progress Update commenting that "Unaudited data for the first nine months of 2020/21 indicates a recycling rate of 53% for that period". The 21/22 Action Plan looks to build on this progress committing to *"Continue to reduce waste arisings and increase recycling/composting levels in line with the Kent Resource Partnership Business Plan."* In addition to the above the Governments Resources and Waste Strategy committed to achieving a recycling rate of 65% of municipal waste being recycled by 2035.
- 1.4.2 As highlighted above the Saturday Freighter Service does not accommodate recycling as all waste collected (with the exception of WEEE) is mixed and is processed and incinerated for energy. This waste stream does not, therefore, contribute to the Council's recycling rate and, indeed, negatively impacts on this target as it increases overall waste, thus reducing the recycling percentage. The service also results in recyclable materials not being recycled. As such the service does not promote or incentivise residents to recycle and potentially redirects recyclable waste away from the other Alternative Service Provision options highlighted above that do.

## 1.5 Fly tipping

- 1.5.1 As previously reported to Members, Tonbridge and Malling has one of the lowest incidents of fly tipping in the county, however, it has been acknowledged that incidents have risen significantly during Covid. This is a trend seen across the county and please find attached at **Annex 2** data on fly tipping incidents within Kent for 2019/20 and 2020/21. It is noted that Tunbridge Wells is the only authority that has recorded a reduction in incidents and as the equivalent weekend freighter service has also been suspended in Tunbridge Wells, and still remains suspended, it suggests no direct correlation between the non-provision of such a service and increases in fly tipping incidents.
- 1.5.2 Also attached at **Annex 2** is data on the size of fly tips taking place in Tonbridge and Malling for the same period. Whilst smaller loads (single items/single bags) have seen a slight increase, the most significant increases have been in larger loads. Given the size of load and location of the fly tips it is rational to conclude

that these have been tipped by vehicles and it must then be queried why these vehicles are not transporting this waste to the KCC HWRC's. It is concluded that the fly tips are being made to avoid charges at the HWRC's due to them either containing chargeable waste streams (rubble etc) or are from a commercial operator. Neither KCC's chargeable waste items or commercial waste can be taken by the Council's Saturday Freighter Service, therefore, the re-introduction of the Saturday Freighter Service will not provide a legitimate alternative for these fly tippers.

## **1.6 Customer Feedback**

1.6.1 It is recognised that historically the Saturday freighter service has been popular amongst residents as it provides a local and convenient way of disposing of bulky items of waste. During Covid there appears to have been an acceptance by residents that the service would not be appropriate, and the level of complaints has been low. As Covid measures have been relaxed there has been an increase in requests to the Council from residents and local Members for the service to be reinstated. The service is also popular amongst Parish Council's and Wouldham Parish Council has recently formally written to the Council outlining its support for the reinstatement of the service.

## **1.7 Legal Implications**

1.7.1 The Council is not legally required to provide the service.

## **1.8 Financial and Value for Money Considerations**

1.8.1 As outlined in the report the service is financially supported by KCC and this funding will be removed once the new household waste facility opens in Allington. The loss of this funding will add to the council's Savings target.

## **1.9 Risk Assessment**

1.9.1 The current national shortage of drivers and the ongoing impact of Covid represents a genuine risk that if the service was reintroduced at the present time, it would not be able to be provided due to a lack of staff resource. Crews available on a Saturday are already being used to provide a catch-up service for missed rounds in the week and the approved pilot roll out to flats in Tonbridge will also take place on a Saturday.

## **1.10 Summary**

1.10.1 In summary, Members will note that whilst this service is popular amongst residents due to the convenience it offers, the service does not meet the Council's policy of promoting recycling and that alternatives for disposing of items are available to residents.

1.10.2 With regards to a timescale for the reintroduction of the service it is felt that due in particular to the issues outlined in sub section 1.9.1 of the report impacting on the contractor's staff resources, the time is not right to consider this at the present time. A reintroduction at the present time would impact further on the operational performance of the contract due to the existing need for the contractor to catch up on Saturdays. The Council would need to be confident that the contractor would be able to fully resource the service when reintroduced and this will be dependent on the ability of the contractor to recruit and retain adequate HGV drivers. As soon as Urbaser advise that they have adequate staff to successfully reintroduce the service a decision will be taken in liaison with the Cabinet Member for Technical and Waste Services and reported to this Board.

Background papers:

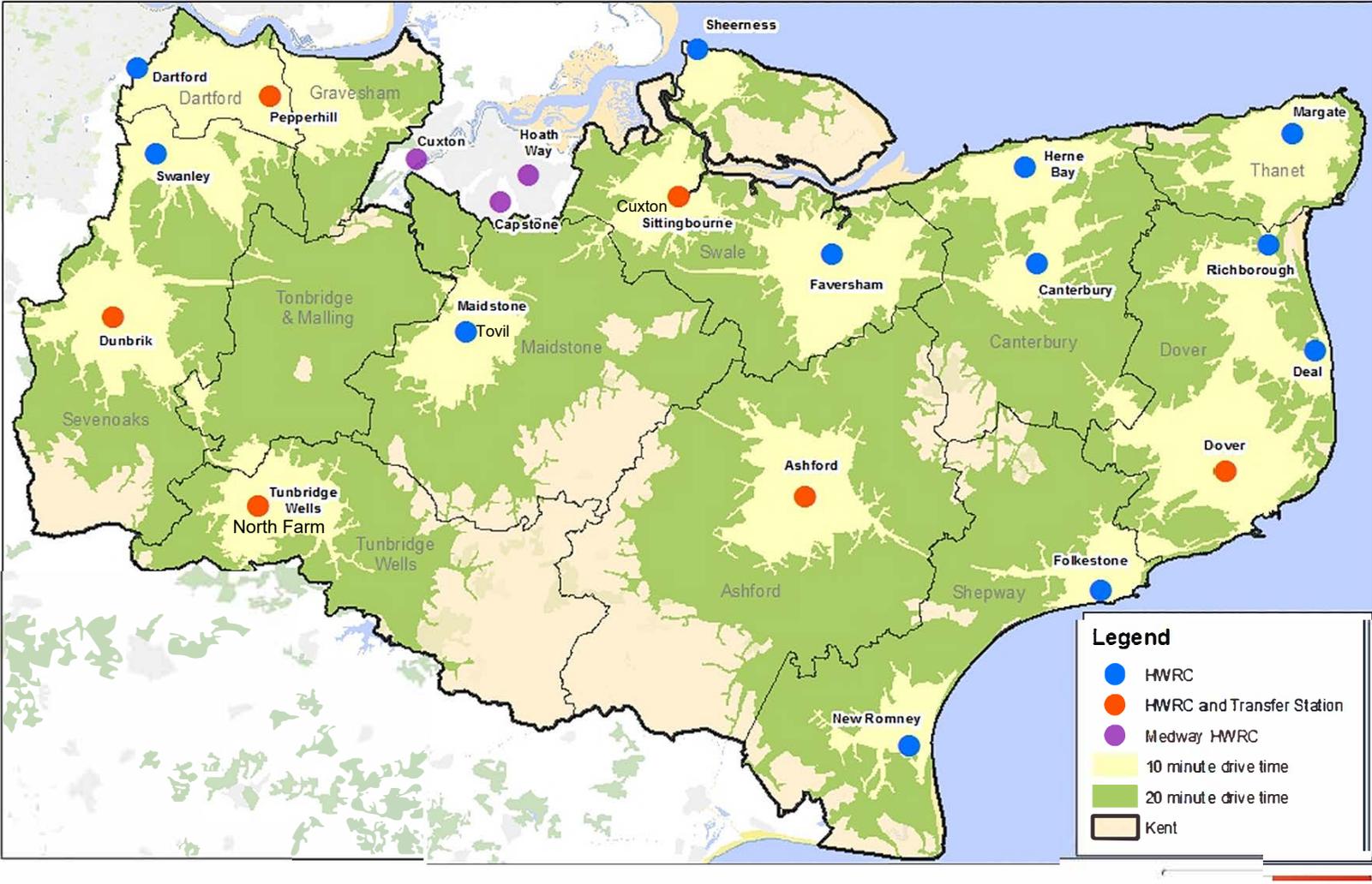
contact: Darren Lanes

Nil

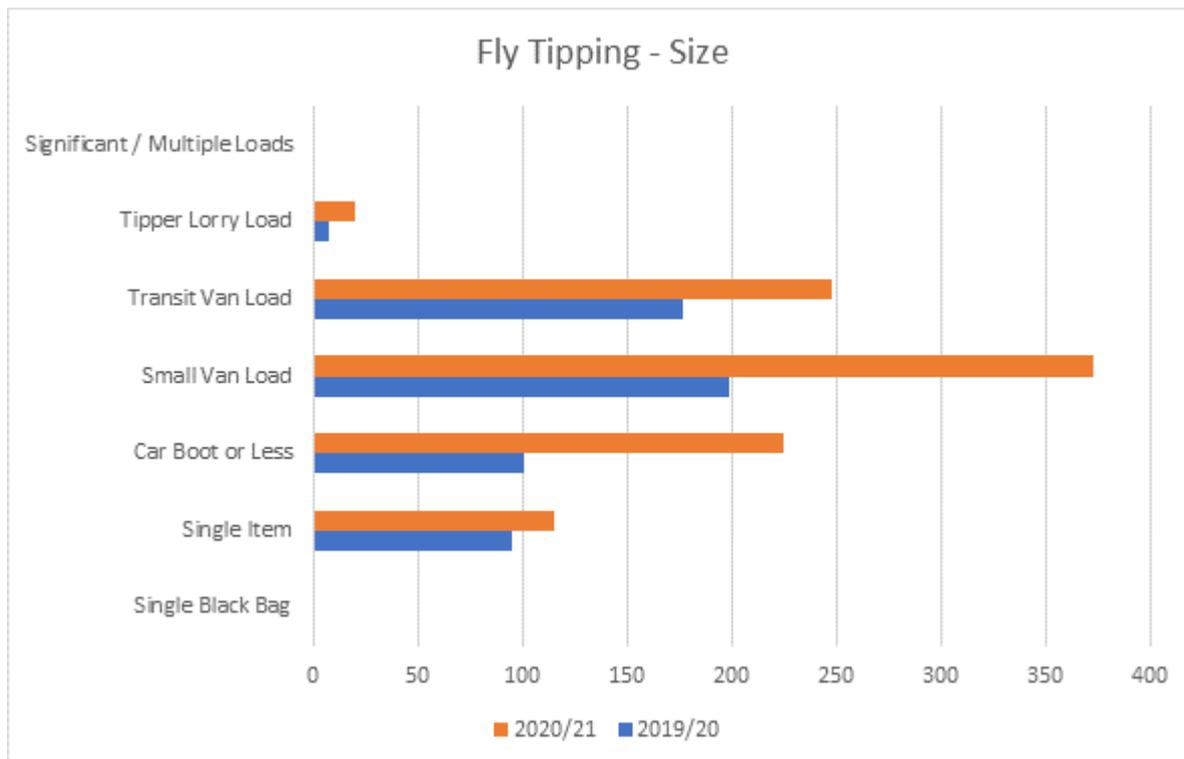
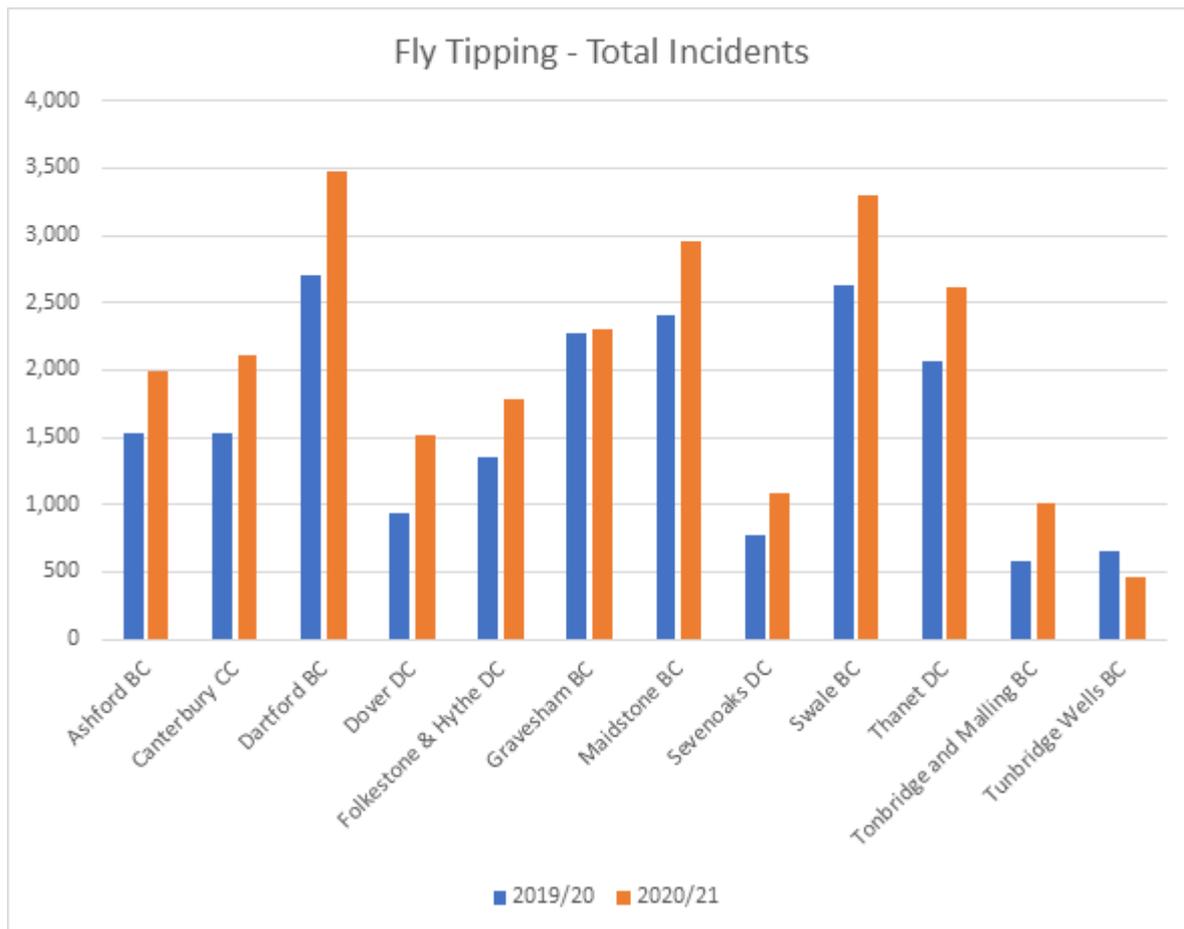
Robert Styles  
Director of Street Scene Leisure and Technical Services

Piers Montague  
Cabinet Member for Technical and Waste Services

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### STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

31 August 2021

#### Report of the Chief Executive

#### Part 1- Public

#### Matters for Information

#### **1 MINUTES OF THE CLIMATE CHANGE FORUM MEETING**

**To provide an update on the first Climate Change Forum Meeting**

#### **1.1 Background**

1.1.1 Earlier this year it was agreed by Members of this Committee, that a new Climate Change Forum would be formed. It was recognised that there are many significant challenges faced by climate change that are outside the remit of the Borough Council and it would be beneficial to work with others to learn more about any plans and ideas for carbon reduction. Working with partners would also help to inspire and motivate others to tackle the issues and to develop an open conversation on these critical issues.

1.1.2 The first meeting of the Climate Change Forum took place on 14 June 2021. The minutes from this meeting are attached for information (Annex 1) along with the Terms of Reference (Annex 2).

1.1.3 Actions arising from the meeting included setting up a subgroup to look at templates for individuals, schools, and businesses to promote low carbon / green initiatives. The subgroup will aim to bring draft templates back to the next Climate Change Forum Meeting. It was agreed that the Climate Change Forum would meet between three and four times per year, to coordinate with reporting back to Street Scene and Environment Advisory Board Meetings.

#### **1.2 Legal Implications**

1.2.1 None

#### **1.3 Financial and Value for Money Considerations**

1.3.1 There is no budget assigned to this Forum, but there will be costs associated with staff time.

#### **1.4 Risk Assessment**

1.4.1 N/A

**1.5 Policy Considerations**

1.5.1 Asset Management

1.5.2 Biodiversity & Sustainability

1.5.3 Business Continuity/Resilience

1.5.4 Climate Change

1.5.5 Communications

1.5.6 Community

Background papers:

Nil

contact: Gill Fox

Julie Beilby  
Chief Executive

## **Tonbridge And Malling Borough Council**

### **Climate Change Forum**

#### **Minutes**

**June 14, 2021**

The inaugural Climate Change Forum meeting was held on Microsoft Teams at 7:30 PM on Monday, June 14, 2020.

#### **Present (21)**

Cllr Robin Betts, Chair (Conservative)

Gill Fox, Policy, Scrutiny & Communities Manager- TMBC

James Read, Graduate Economic Development Officer - TMBC

Kim Tanner, Cllr (Conservative)

Wendy Palmer, Cllr (Independent Alliance)

Georgina Thomas, Cllr (Conservative)

Mark Hood, Cllr (Green)

Michael Base, Cllr (Conservative)

Anita Oakley, Cllr (Lib Dem)

Jim Mawby, Principal West Kent College – representing Education Sector

Tom Shelley, Aylesford Parish Council – representing Parish Councils

Mario Caccamo, NIAB EMR

Guy Neville, Birling Estate – representing local landowners

Anthony Bales, Friends of the Earth

Karena Harmer, TMBC

Gemma Record, TMBC

Reverend David Green, St Marys Church, West Malling – representing Faith Sector

Isabelle Cheetham, student and member of Tonbridge and Malling Youth Forum

Izzy Costello-Cortez, student and member of Tonbridge and Malling Youth Forum

Lizzie Lowrey, Involve – representing Voluntary Sector

Lucy Breeze, Kent County Council

### **Absent (3)**

Elizabeth Milne, Kent Local Nature Partnerships, KCC

Dereck Whitehead, Medway Valley Countryside Partnership

Paul Hickmott, Cllr (Labour)

### **Item 1 – Welcome and Introduction**

Cllr Betts introduced himself and the Forum and he and Gill Fox welcomed attendees to introduce themselves and their interest in the Forum.

Cllr Betts highlighted that the Forum should make decisions, esp. over when it met. Cllr Betts suggested 3 or 4 times a year to co-ordinate with reporting back to Street Scene Environment Advisory Board meetings.

- Cllr Hood, Cllr Palmer and Cllr Base agreed.
- No one opposed

Anthony Bales (Friends of the Earth) and Cllr Hood suggested that the Forum invite a wider representation including:

- Tonbridge Bicycle User Group
- Environment Agency
- Clarion
- Reps from Transport Sector

Cllr Betts said the groups would be considered, however there is a need to ensure a wide representation from across the Borough. He also stressed that groups could be invited to the meeting to discuss specific topics or liaise with local representatives on the work of the Forum.

Cllr Hood queried whether the meeting was being minuted and recorded. Cllr Betts and Gill Fox confirmed that the meeting would be minuted but not recorded. A discussion took place regarding the necessity of recording and the consent required for this. It was agreed that recordings were not deemed necessary and could potentially deter people from taking part. The minutes from the Climate Change Forum would be made available on the Council Website.

### **Item 2 – TMBC update**

Gill Fox provided an update on what the Council was doing to help address the Climate Emergency. This included:

- An adopted Climate Change Strategy and annual Action Plan
- Audit of carbon footprint of TMBC estate by Laser

- EV Charge-point installation
- Biodiversity initiatives and upcoming Tree Charter
- Solar Together PV purchasing scheme
- £330k Green Homes Grant secured plus working with Clarion and Fenland District Council, having successfully obtained £2.25m Social Housing Decarbonisation Fund Demonstrator funding.

GF to circulate the Year 1 Action Plan progress update and the Year 2 Action Plan targets.

James Read provided an update on the upcoming TMBC Green Business Grant. The Grant comprises:

- A grant contribution for green businesses (LCEGS) to undertake business development activities
- A grant contribution for local business to improve the energy efficiency and reduce the carbon footprint of their commercial premises

Lucy Breeze (KCC) provided a further update on the work KCC were doing alongside the Borough Council. This included:

- Solar Together Programme
- Fuel Poverty Grants
- Ground Source Heat Pump installation

Cllr Palmer asked that we speak to Clarion to get them involved in the work of the Forum and that we speak to the Parishes to increase the uptake on the Solar Together Programme. Tom Shelley supported the second point.

Cllr Hood was pleased that the work carried out by Laser had been undertaken and was keen for that to move forward. He also suggested that more might be done in relation to the energy and water potential of the Medway and Leybourne Lakes. Cllr Betts highlighted the positive work being undertaken at the Leybourne Lakes visitor facility and hoped that more would follow.

Anthony (FotE) stressed the need for clear and wider communication. The possibility of a public meeting was suggested. Cllr Betts agreed that this could be a topic for discussion/agenda item at the next meeting of the Climate Change Forum.

Cllr Base queried the delegation of responsibilities between KCC and TMBC. This was answered by Gill Fox.

#### **Item 4 – Updates from Partners**

It was agreed that this had been covered through the introductions and that people were free to raise any updates.

### **Item 5 – Future Work Programme for Climate Change Forum**

Cllr Betts advocated setting up a set of templates for individuals, schools, and businesses to promote low carbon/ green initiatives. Several attendees put themselves forward to help create the templates:

- Cllr Hood
- Cllr Thomas
- Izzy Costello-Cortez
- Cllr Tanner

It was agreed that the templates would be progressed via a sub-group with drafts brought back to the next Climate Change Forum Meeting.

Cllr Betts mentioned that Tom Shelley had written a 12-point plan. Cllr's Palmer and Oakley asked to see the Plan, Mr Shelley provided a link to it. Cllr Betts agreed that these ideas could be discussed at the next meeting and consideration could be given to setting up a subgroup for planning/local plan ideas.

Cllr Hood asked whether the Forum would follow the Council's Climate Change Action Plan or if it was free to create its own. Cllr Betts confirmed the Forum would create its own Action Plan and Agenda.

### **Item 6 – AOB**

No other business was raised.

**\*END OF MEETING\***

## **Tonbridge and Malling Climate Change Forum**

### **Terms of Reference**

#### **Status**

This is a partnership for local interested groups and organisations and not a decision-making body of the Council.

#### **Membership**

The Cabinet Member for Environment and Climate Change will be the Chairman of the Climate Change Forum.

In addition, Council representation to include:

3 x Conservative Councillors 1 x Liberal Democrat, 1 x Green Party, 1 x Independent Alliance, 1 x Labour.

Invited Partners to include 1 representative from the following:

Kent County Council, Parish Council, Tonbridge Forum, Medway Valley Countryside Partnership, Kent Local Nature Partnership, T&M Friends of the Earth, West Kent College, Chamber of Commerce, Faith sector, Voluntary and Community Sector, T&M Youth Forum, East Malling Research and Local Landowners

#### **Attendance**

Council officers will attend to support the Climate Change Forum as necessary.

The Climate Change Forum may invite other parties to attend and contribute to meetings as agreed by the Chairman.

#### **Meetings**

The Climate Change Forum will meet three – four times per year, to coordinate with meetings of Street Scene Environment Advisory Board. In addition, subgroups may be established to undertake specific initiatives, as agreed by the Chairman. Agendas and supporting papers will be circulated in advance of the meetings. Any minutes or papers from the Climate Change Forum will be reported to the Council's Street Scene Environment Advisory Board. Meetings can be held virtually via MS Teams.

#### **Role of the Climate Change Forum**

The Climate Change Forum will:

- Enable collaborative working and engagement with individuals, community groups, businesses and other partners in Tonbridge and Malling
- Investigate steps that may be taken by the Forum to work towards achieving net-zero carbon status and towards protecting and enhancing biodiversity.
- Produce a plan of action that is realistic, measurable and deliverable and progress with delivery of targets within the plan.

#### **Review**

The Chair will facilitate an annual review of these Terms of Reference, amending as necessary.

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# Agenda Item 12

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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# Agenda Item 13

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT  
INFORMATION**

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# Agenda Item 14

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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