

TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

05 March 2020

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 AIR QUALITY MANAGEMENT AREA REVIEW

1.1 Summary

1.1.1 Tonbridge and Malling Borough Council has seven Air Quality Management Areas (AQMAs) all declared for exceedances of the annual Nitrogen Dioxide objective, with one AQMA on the M20 also declared for the daily Particulate Matter (PM¹⁰) objective. We have a statutory duty to both review these AQMAs periodically and keep updated an Air Quality Action Plan (AQAP) to outline the actions we will take to reduce concentrations of pollutants causing the exceedances. Working with consultants Bureau Veritas we have reviewed our historic monitoring results and carried out a modelling and source apportionment exercise with recommendations to fully revoke one AQMA at Ditton, revoke the PM¹⁰ designation of the M20 AQMA and amend the areas of three other AQMAs at Aylesford, Larkfield and Borough Green as shown in the Technical Note at **Annex 1**. With these changes implemented we will look to update our AQAP to outline the actions the Council will take up to 2025 to tackle the pollutants of concern not only within the designated AQMAs but also across the Borough as a whole as part of our wider Climate Change strategy.

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 fails to meet the relevant standard laid down in law,
- Where an AQMA is declared, prepare an Air Quality Action Plan (AQAP) to demonstrate how it intends to reduce that pollutant, and;
- Review AQMAs and AQAPs in response to ongoing monitoring.

- 1.2.2 In line with statutory requirements, the Council has been monitoring levels of Nitrogen Dioxide across the Borough since the 1990's. In that time seven hotspots have been identified and AQMAs declared for exceedances of the Nitrogen Dioxide Annual objective of $40\mu\text{g}/\text{m}^3$ at the following sites;

AQMA Name	Date of Declaration	Location	Description of Area
M20 AQMA 1	May 2001	Larkfield / Ditton	Between New Hythe Lane and Hall Road
Ditton AQMA 2	June 2005	Ditton	An area encompassing the Ditton crossroads
Tonbridge High Street AQMA 3	June 2005	Tonbridge	Between The Botany and Vale Road roundabout
Wateringbury AQMA 4	June 2005	Wateringbury	An area incorporating the crossroads
Aylesford AQMA 5	October 2008	Aylesford	An area encompassing the junction of the A20 (London Road) with Hall Road and Mills Road.
Larkfield AQMA 6	October 2008	Larkfield	An area encompassing the A20 from just West of the junction with New Hythe Lane, heading East towards Ditton.
Borough Green AQMA 7	April 2013	Borough Green	An area encompassing the junction of the A25 (Sevenoaks Road) and the A227 (Western Road) within Borough Green.

- 1.2.3 Although no monitoring has been undertaken, a modelling exercise in 2001 also led to the M20 AQMA being declared for an exceedance of the daily Particulate Matter (PM^{10}) objective.
- 1.2.4 Since these declarations, monitoring has shown a downward trend in levels of Nitrogen Dioxide as cars become cleaner and previous actions have taken effect, to the extent that monitoring in some areas such as Ditton have not shown any exceedances of the air quality objective since 2014. Monitoring within three other AQMAs at Aylesford, Larkfield and Borough Green also indicates that the original designated areas as shown Figures 3.18, 3.21 and 3.25 respectively of the Technical Note in **Annex 1** are no longer appropriate as some monitoring locations within the existing boundaries have not exceeded the objective for a number of years. It is therefore recommended that these areas are revoked/amended, as supported by the modelling and source apportionment work shown fully in the Technical Note at **Annex 1**.

1.3 Recommended revocation and amendments to existing AQMAs

- 1.3.1 Statutory guidance requires that prior to the revocation or amendment of declared AQMAs, a revocation or amendment order as appropriate should be submitted to DEFRA and other statutory consultees for comment as well as being made publicly available so that the public are aware of the situation.

Following the modelling and source apportionment exercise detailed in the Technical Note shown at **Annex 1**, it is recommended that the following orders are made.

AQMA 1, M20 (Particulate Matter (PM¹⁰) revocation only)

This AQMA was declared in May 2001 for exceedances of both the Annual Nitrogen Dioxide objective and the Daily Particulate (PM¹⁰) objective. The PM¹⁰ declaration was made on the back of a modelling study rather than monitoring. Further modelling has been undertaken as part of the technical exercise taking into account Smart Motorway works, and changes in vehicles such as modern Euro standards. Modelling has predicted no exceedances of the Daily PM¹⁰ objective at nearby relevant receptors (as shown in Section 3.1 of the Technical Note in **Annex 1**).

As there were no exceedances of the objective at relevant receptors as described in DEFRA Technical Guidance (TG16) the Daily PM¹⁰ declaration of this AQMA is recommended for revocation. This would also bring this stretch of the M20 in line with the section in Maidstone Borough Councils area, where the Daily PM¹⁰ declaration was revoked in May 2018 following a similar exercise.

No changes are proposed to the Nitrogen Dioxide designation of this AQMA and existing Nitrogen Dioxide monitoring will continue.

AQMA 2, Ditton (revocation)

This AQMA was declared in June 2005 for exceedances of the Annual Nitrogen Dioxide objective. As levels of Nitrogen Dioxide have declined through cleaner engine technology and the implantation of previous action plan measures, monitoring within this AQMA has demonstrated that it has not exceeded the objective level at relevant receptors since 2014. Members may recall a decision was taken in October 2017 to keep the AQMA in place during the M20 smart motorway works, however monitoring since that time has not shown an increase but confirmed a slow downwards trend.

Supported by modelling as shown in Section 3.2 of the Technical Note in **Annex 1**, it is therefore recommended that this AQMA designation now be fully revoked.

Notwithstanding the above, monitoring will be maintained in the area and guidance allows us to declare a new AQMA should that become necessary.

AQMA 3, Tonbridge High Street

No changes are proposed to this AQMA at this time

AQMA 4, Wateringbury

No changes are proposed to this AQMA at this time

AQMA 5, Aylesford (amendment)

This AQMA was declared for exceedances of the annual Nitrogen Dioxide objective at relevant receptors in October 2008. There are a number of monitoring locations within the current declared area as shown in Section 3.5 of the Technical Note in **Annex 1** but only two locations have exceeded the objective since 2014, those being directly adjacent to the Hall Road, A20, Mills Road crossroads.

It is therefore recommended that the area of AQMA 5 be amended to that shown in **Annex 2**.

Monitoring will continue within the old area and the designation can be amended again in the future should results indicate a need.

AQMA 6, Larkfield amendment

This AQMA was declared for exceedances of the annual Nitrogen Dioxide objective in October 2008. There are a number of monitoring locations within the current declared area as shown in Section 3.6 of the Technical Note in **Annex 1** but only two locations have exceeded the objective since 2014 and only one since 2016.

It is therefore recommended that the area of AQMA 6 be amended to that shown in **Annex 3**.

Monitoring will continue within the old area and the designation can be amended again in the future should results indicate a need.

AQMA 7, Borough Green amendment

This AQMA was declared for exceedances of the annual Nitrogen Dioxide objective in April 2013. There are a number of monitoring locations within the current declared area as shown in Section 3.7 of the Technical Note in **Annex 1** but only one location has exceeded the objective since 2014.

It is therefore recommended that the area of AQMA 7 be amended to that shown in **Annex 4**.

Monitoring will continue within the old area and the designation can be amended again in the future should results indicate a need.

1.4 Remainder of declared AQMAs and ongoing monitoring

- 1.4.1 The changes detailed in 1.3.1 are the only proposed changes to the declared AQMAs at this time, and are all based on physical monitoring results supported by modelling, except for the PM¹⁰ revocation of AQMA 1 (M20) which like its declaration was based solely on a modelling exercise.
- 1.4.2 There are no proposals at this time to amend the remaining AQMAs at Watringbury or Tonbridge High Street as this is not supported by monitoring or modelling results which also cover road links beyond the existing AQMA boundaries including Red Hill and Bow Road in Watringbury and Bordyke, Quarry Hill, Brook Street and Pembury Road in Tonbridge.
- 1.4.3 We will continue to review our AQMAs and monitoring locations annually during the creation of our Annual Status Report which is a statutory submission to DEFRA in June each year, with changes to monitoring locations taking effect in January. All historic Annual Status Reports are available to view online at www.kentair.org.uk

1.5 Climate Change Strategy and Draft Updated Air Quality Action Plan

- 1.5.1 In line with our statutory duty to review and update our AQMAs and AQAP, a steering group made up of Council Officers and representatives from the County Council are working with our contractors Bureau Veritas to utilise the Technical Note at **Annex 1** to produce an updated AQAP which will outline the actions the Council will take to improve air quality both within the AQMAs and across the Borough up to 2025.
- 1.5.2 This updated AQAP will be presented to members for agreement in principal before it moves to the next stage which is a statutory external consultation with parties including, DEFRA, The Environment Agency, Neighbouring Local Authorities, KCC, and Local Residents.
- 1.5.3 The Source Apportionment exercise as detailed in Section 4 of **Annex 1** has identified five broad topics for the action plans priorities;
- Priority 1: Transport
Source apportionment shows the main source of air pollution causing the declaration of AQMAs across the Borough is associated with road transport emissions. Therefore reducing transport emissions through measures contained within the Action Plan are a key priority.
 - Priority 2: Planning and Infrastructure
The new Local Plan through LP:20 and supporting policies sets out the considerations to be applied when considering development proposals. With significant housebuilding occurring during the life of this plan, ensuring suitable planning and infrastructure is in place is a key priority.

- **Priority 3: Policy Guidance**
There are a number of existing and emerging policy/strategy documents which are a key mechanism for reducing emissions across the Borough, including the Kent Environment Strategy and the Energy and Low Emission Strategy the latter of which we have recently signed up to. Engaging with such documents is a key priority.
- **Priority 4: Public Health and Wellbeing; and**
The impact of air pollution on public health is known to be highly detrimental. As we know transport is a key pollutant, aside from restricting vehicle usage through the introduction of clean air/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.
- **Priority 5: Air Quality Monitoring**
Currently Nitrogen Dioxide is monitored through a network of passive diffusion tube and two continuous analysers. A Particulate monitor is also being established in Borough Green, with opportunities through the Smart Cities initiative being looked at to create a network of indicative Particulate Monitors, to inform the general public. Monitoring is the best way to continually assess the extent of pollution within Tonbridge and Malling, as well as quantifying improvements that have been achieved through the AQAP, and acting as an evidence base for AQMAs to be amended/revoked.

1.5.4 Whatever actions are in the final plan, it will not prevent new actions which may present themselves during the life of the plan from being taken forward.

1.5.5 The challenge ahead will be considerable and will require a combined approach. The Council has already established a Steering Group comprising of representatives from across the different Council departments as well as representatives from the County Council to develop this action plan. Expertise from within this group will assist with progression of the targets within the action plan. We will also need to work closely with other statutory partners, businesses, community groups and individuals to raise awareness and help to influence change.

1.6 Legal Implications

1.6.1 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.

1.6.2 The Council also has a statutory duty under the Environment Act 1995 to revoke/amend/declare AQMAs as necessary, and prepare and update AQAPs.

1.7 Financial and Value for Money Considerations

- 1.7.1 Air Quality monitoring has an annual budget which is not proposed to be changed at this time. There is no budget set aside for the implementation of the Action Plan.
- 1.7.2 There are regular opportunities to bid for funding from Air Quality projects from difference sources including DEFRA and the AQAP being developed will identify funding opportunities for the proposed actions to ensure the action has a realistic chance of success.
- 1.7.3 In addition, subject to final endorsement of the 2020/21 Budget, a specific earmarked reserve has been established in the sum of initially £250,000 to fund Climate Change initiatives. It is anticipated that as the aims of the AQAP will accord with the aims of the Climate Change Strategy some of this funding could also be utilised to help fund proposed actions within the Air Quality Action Plan.

1.8 Risk Assessment

- 1.8.1 None

1.9 Equality Impact Assessment

- 1.9.1 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.

1.10 Policy Considerations

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

1.11 Recommendations

- 1.11.1 That the issue of revocation and amendment orders as required by DEFRA for the;

- Revocation of AQMA 1 relating to Daily PM¹⁰ only,
- The revocation of the whole of AQMA 2 at Ditton and;
- The amendments to the areas of AQMAs 5, 6, and 7 at Aylesford, Larkfield and Borough Green respectively,

as detailed in Section 1.3 of this report **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

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