

TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

05 October 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 DRAFT UPDATED AIR QUALITY ACTION PLAN

1.1 Summary

1.1.1 Following a review of the borough's Air Quality Management Areas (AQMAs) at the March meeting of the Board, TMBC will have 6 AQMAs and therefore continue to have 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 2025 to tackle Nitrogen Dioxide, primarily within the remaining AQMA's, but also across the Borough as a whole. The draft actions table from within the AQAP is presented in **Annex 1** with the full AQAP document presented in **Annex 2**. The Technical Note underpinning this work is also presented in **Annex 3**.

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 Following a review of monitoring results within our existing AQMA's and across the Borough as a whole, and the detailed technical work conducted by our consultants Bureau Veritas, members will recall from the March meeting of the Board that several revocations and amendments to the existing AQMA's were proposed and agreed. The proposed actions table within the AQAP presented separately at

Annex 1 therefore reflects the recent changes to the declared AQMA's although due to Covid-19 restrictions and changed priorities those changes have yet to be formalised.

- 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.

1.3 Draft Updated Air Quality Action Plan

- 1.3.1 Taking into account the AQMA changes, Bureau Veritas working in conjunction with a steering group made up of Council Officers and representative from the County Council have produced a draft updated AQAP using a DEFRA template as presented in **Annex 2** with the table of proposed actions also shown separately in **Annex 1**. It outlines the actions the Council will take to improve levels of Nitrogen Dioxide within the AQMAs and across the Borough up to 2025. As a consequence of these actions it is anticipated that other pollutants will also be reduced thus aiding the aims of the Climate Change Strategy.
- 1.3.2 Members will note that some of the proposed actions in **Annex 1** such as an Anti-Idling policy are also contained within the Climate Change Strategy where that document talks about Air Quality. This is not a duplication, but the same policy, which shows an interaction between the two documents.
- 1.3.3 If approved in principal by members the draft AQAP will move to the next stage which is a statutory external consultation with parties including, DEFRA, The Environment Agency, Neighbouring Local Authorities, KCC, and Local Residents.
- 1.3.4 Ultimately the document will run in parallel with the Councils Climate Change Strategy and other relevant Policies such as KCC's Energy and Low Emission Strategy.
- 1.3.5 The proposed actions within the AQAP can be considered under five broad topics;
- Priority 1: Transport
As source apportionment in Section 3.3 of the Technical Note in **Annex 3** 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; and**
As outlined in Section 3.2 of **Annex 3**, there are a number of existing and emerging policy/strategy documents which are a key mechanism for reducing emissions across the Borough not least the Climate change Strategy. For effective reductions to be realised, in addition to the measures outlined within the Air Quality Action Plan, all other actions within the referenced documents should be implemented.
- **Priority 4: Public Health and Wellbeing**
As highlighted in Section 3.1 of **Annex 3**, 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 72 passive diffusions 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. Monitoring will continue in its current extent, with opportunities to move tubes to new areas of concern considered at the start of each calendar year.

1.3.6 The proposed actions drawing on the themes listed in 1.3.5 are shown separately in **Annex 1**. It is anticipated that following statutory consultation this list and its wording may change. However, it should also be noted that 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. All actions and priorities within the AQAP can also be seen to sit within the context of the Climate Change Strategy hierarchy.

1.3.7 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 who have significant powers to bring these actions to fruition. 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.

1.4 Legal Implications

- 1.4.1 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.
- 1.4.2 The Council also has a statutory duty under the Environment Act 1995 to prepare and update AQAPs where AQMAs have been declared and to revoke/amend/declare AQMAs as necessary, which has occurred as detailed in this report.

1.5 Financial and Value for Money Considerations

- 1.5.1 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' this year and our other Air Quality work has not been affected. There is no budget set aside for the implementation of the Action Plan.
- 1.5.2 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 not costing the Council significant sums to set up/run.
- 1.5.3 There are regular opportunities to bid for funding from Air Quality projects from difference sources including DEFRA and every opportunity will be made to secure funding from these sources during the life of this AQAP.
- 1.5.4 It is anticipated that as the aims of the AQAP accord with the aims of the Climate Change Strategy some funding from that budget could also be utilised to help fund proposed actions within the AQAP.

1.6 Risk Assessment

- 1.6.1 None

1.7 Equality Impact Assessment

- 1.7.1 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.

1.8 Policy Considerations

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

1.9 Recommendations

- 1.9.1 That subject to any further amendments from Members, the Draft Amended Air Quality Action Plan as set out in full at **Annex 2, BE ENDORSED** with amendments incorporated into a further draft for Cabinet approval and prepared for wider statutory consultation thereafter.

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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