

Air Quality Action Plan

Timetable	
Meeting	Date
Housing Health and Environment PAC	10 October 2023
Cabinet	25 October 2023

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Cabinet
Lead Head of Service	John Littlemore
Lead Officer and Report Author	Duncan Haynes/Stuart Maxwell
Classification	Public
Wards affected	All Wards but particularly High Street Ward

Executive Summary

The council declared a new Air Quality Management Area (AQMA) in Upper Stone Street on 1st December 2022. At the same time officers were requested to conduct a public consultation on a proposed Air Quality Action Plan (AQAP) to address poor levels of air quality within the Air Quality Management Area. The council is required to adopt the AQAP within 18 months of declaring the AQMA.

The public consultation was conducted by the council's engagement team between 22nd November 2022 and 29th January 2023. A total of 471 responses were received. Following the consultation, the results were discussed by a steering group made up of officers from MBC and external stakeholders who are allocated actions in the plan. The Lead Member for Communities Health and Environment and the ward members for High Street are also part of the steering group. Following this meeting actions were added to the action plan. Following adoption the steering group will meet quarterly to monitor progress on the action plan.

The action plan was considered by the Housing Health and Environment PAC before being considered by Cabinet.

Purpose of Report

Recommendation to Cabinet

This report makes the following recommendation to Cabinet:

1. That the Air Quality Action Plan be adopted.

Air Quality Action Plan

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <ul style="list-style-type: none"> • Accepting the recommendations will materially improve the Council's ability to achieve Safe, Clean and Green. The reasons why other choices will be less effective are explained in section 3 [available alternatives]. 	Head of Housing & Regulatory Services
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation supports the achievement(s) of Health Inequalities, addresses issues to increase Biodiversity and Environmental Sustainability cross cutting objectives by ensuring that the council is actively working with appropriate partners to improve air quality within the AQMA for those people that live there and improving the environment by improving air quality through lower emissions.</p>	Head of Housing & Regulatory Services
Risk Management	Already covered in the risk section – refer to section 5 of the report	Head of Housing & Regulatory Services
Financial	<ul style="list-style-type: none"> • The proposals set out in the recommendation are all within current 	Adrian Lovegrove

	budgetary headings, no new funding is required for implementation.	
Staffing	<ul style="list-style-type: none"> We will deliver the recommendations with current staffing. 	Head of Housing & Regulatory Services
Legal	<ul style="list-style-type: none"> Accepting the recommendations will fulfil the Council's duties under The Environment Act 1995. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of Environment Act 1995 	Cheryl Parks Mid Kent Legal Services (Planning)
Information Governance	<ul style="list-style-type: none"> The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes. 	Georgia Harvey
Equalities	If some strategies are updated as part of the action plan, they may require an EqIA to be completed.	Nicola Toulson
Public Health	<ul style="list-style-type: none"> We recognise that the recommendations will have a positive impact on population health or that of individuals. 	Sarah Ward
Crime and Disorder	<ul style="list-style-type: none"> There are no implications to Crime and Disorder 	Head of Housing & Regulatory Services
Procurement	<ul style="list-style-type: none"> On accepting the recommendations, the Council will then follow procurement exercises for any individual actions that require procurement. We will complete those exercises in line with financial procedure rules 	Adrian Lovegrove
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and are in line with actions 1.1 to 1.12 in the	James Wilderspin

	Transport theme of the Biodiversity and Climate Change Action Plan.	
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2. INTRODUCTION AND BACKGROUND

- 2.1 The council declared a new Air Quality Management Area (AQMA) in Upper Stone Street, on 1 December 2022, because of exceedances of the annual mean objective for nitrogen dioxide. Officers were requested to conduct a public consultation on an Air Quality Action Plan (AQAP) to address poor levels of air quality within the Air Quality Management Area. DEFRA requires the council to adopt the AQAP within 18 months of declaring the AQMA. The AQMA covers an area of Upper Stone Street in the High Street Ward stretching from Wrens Cross to Old Tovil Road. A copy of the AQMA order is appended to this report as Appendix 1.
- 2.2 The list of actions consulted on were developed by a Steering Group consisting of Local Ward Members, Planning Officers, Environmental Health Officers, and relevant KCC Officers. It should be noted that in previous years, many actions to improve air quality in Upper Stone Street have been considered, many of which were rejected due to cost, or the likelihood of simply displacing the problem to somewhere else.
- 2.3 The public consultation was conducted by the council's engagement team between 28 November 2022 and 29 January 2022. A total of 471 responses were received in addition to a letter from Kent County Council (KCC). The consultation report provided by the consultation team is appended to this report as Appendix 2.
- 2.4 The actions that were consulted on were grouped into themes. A brief commentary on the responses received is provided below:-

Transport: the majority of respondents felt that the actions proposed were achievable. With the exception of the measure to improve the bus fleet operating in the Maidstone area, where less than half of the respondents believed that the actions would have more than a moderate impact on air quality, although the majority considered that they would have at least some impact.

Information and Education: the majority of respondents felt that all of the actions proposed were achievable. The exception to this was the action to promote and encourage changes to transport modes, which only 42% considered achievable. Most respondents considered that measures in this category would achieve some impact.

Miscellaneous measures: this section included a review and update of planning guidance and the continuation of sponsorship of walking to school schemes. The majority of respondents considered that these measures were achievable. Here most respondents thought that these measures would have some to slight impact.

2.5 Following the consultation, the results were discussed by the steering group and a number of actions were added to the action plan. Following adoption of the AQAP the steering group will meet quarterly for the life of the action plan to report progress on actions.

2.6 The amendments and actions added to the action plan are as follows:

Transport Theme

Additional action to explore the expansion of the additional parking restrictions currently in place on Upper Stone Street to other roads connected to it such as Palace Avenue and Knightrider Street.

Education and Awareness Theme

Additional action to prioritise promotion of the new digital resource aimed at raising awareness of Air Quality effects on health to GP's and Public Health Professionals currently being developed using DEFRA funding.

Re wording of measure 6 to specifically reference Pollution Patrol and place it at the core of our work with schools.

Miscellaneous Theme

Additional action to work with KCC to ensure that potential for appropriate and beneficial tree planting is completed on Upper Stone Street

Additional action to identify and bid for any grant funding for suitable projects.

Additional action to explore the use new and novel solutions that may be used to reduce the impact of pollution on Upper Stone Street.

Actions carried forward from previous action plan

The following actions have been carried forwards from the previous action as either no completed or being of an ongoing nature.

Extension of Clean Air for Schools Scheme via continued roll out of Pollution Patrol Resource

Anti Idling signage at suitable locations such as schools or identified problem areas

Review of EV parking provision in MBC car parks

Sponsorship of Kent Messenger Walk on Wednesday Scheme

Beneficial and suitable tree planting on Upper Stone Street

The revised actions are shown in the table below. The full action plan is appended to this report as Appendix 3.

Air Quality Action Plan Measures

Measure No.	Measure
1	Engage with bus service providers to encourage improvement to bus fleet in Maidstone, with special emphasis on services operating on Upper Stone Street
2	Explore expansion of the additional parking restrictions already introduced on Upper Stone Street to include adjacent roads such as Palace Avenue and Knightrider Street
3	Review of Air Quality Guidance to reflect updated air quality information
4	Review of Taxi Policy
5	Information Campaign to residents of the new AQMA
6	Extension to the Clean Air For Schools (CAFS) programme, with emphasis on roll-out of the Pollution Patrol Resource
7	Prioritise the AQMA and surrounding areas for roll out of new DEFRA funded Health Professionals AQ resource.
8	A campaign of anti-idling signage across the Borough, focussing on schools and other known or identified problem areas
9	Consider discount on resident's parking for EV vehicles.
10	Review provision of EV parking in Council car parks
11	Continuation of MBC sponsorship of the Walk on Wednesday Scheme
12	Work with KCC to ensure that potential for appropriate and beneficial tree planting is completed on Upper Stone Street
13	Identify and bid for any grant funding for suitable projects.
14	Explore the use of new and novel solutions that may to reduce the impact of pollution on Upper Stone Street

3. AVAILABLE ALTERNATIVES

- 3.1 Option 1. Adopt the Air Quality Action Plan. This will ensure that the council is in compliance with its responsibilities under the local air quality regime. This will also ensure that the council and its partners are working to improve air quality on agreed measures in the Air Quality Management Area and improve the health of those residents living in the area. Several of the actions will also serve to improve air quality and public health across the whole borough. This is the recommended option.
- 3.2 Option 2. Do not adopt the Air Quality Action Plan. This option will mean that the council is in breach of its legal responsibilities under the local air quality regime. Any work to improve air quality will be unfocussed and there will be no obligation for partners to contribute to this work. This is not a recommended option.
- 3.3 Option 3. Make changes to the proposed action plan. This option will ensure that the council is compliant with the local air quality regime and will ensure that the council and partners are working to improve air quality. There is a risk that further exploration of additional actions will take the adoption of an Action Plan outside the 18 month period specified in the local air quality regime and delay implementation of actions to improve air quality. This not a recommended option.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option, option 1 is the adoption of the AQAP as presented. The proposed actions have been subject to public consultation, the results of this consultation have then been considered and discussed in detail by a steering group made up MBC officers, external partners and elected representatives. The result of the steering group meeting was the addition of the additional actions detailed above.
- 4.2 It is considered that the proposed action plan has therefore been subject to suitable engagement and scrutiny by appropriate representatives of MBC and external partners.
- 4.3 The action plan as presented is achievable and while focussed on the specific AQMA will also benefit air quality across the borough.
- 4.4 The proposed action plan will ensure that the council is compliant with the requirements of the local air quality regime.

5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. The only significant risk is associated with not adopting the AQAP, which would mean that the Council could no longer demonstrate compliance with the relevant legislation and

statutory guidance. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 A public consultation was conducted by the council's engagement team between 28 November 2022 and 29 January 2022. A total of 471 responses were received in addition to a letter from Kent County Council (KCC). The consultation report provided by the consultation team is appended to this report as Appendix 2.

6.2 The actions that were consulted on were themed, a brief commentary on the responses received is.

- Transport: the majority of respondents felt that the actions proposed were achievable, however with the exception of the measure to improve the bus fleet operating in the Maidstone area less than half of the respondents believed that the actions would have more than a moderate impact on air quality, although the majority considered that it would have at least some impact.
- Information and Education; the majority of respondents felt that all of the actions proposed were achievable. The exception to this was the action to promote and encourage changes to transport modes, here only 42% considered it achievable. The majority of respondents considered that measures in this category would achieve some impact.
- Miscellaneous measures: this section included review and update of planning guidance and the continuation of sponsorship of walking to school schemes. The majority of respondents considered that these measures were achievable. Here the majority of respondents thought that these measures would have some to slight impact.

6.3 Following the consultation, the results were discussed by a steering group made up of officers from MBC and external stakeholders who are allocated actions in the plan. The Cabinet Member for Communities Health and Environment and the ward members for High Street Ward are also part of the steering group. Following this meeting a number of actions were added to the action plan.

The amendments and actions added to the action plan are as follows are detailed above.

6.4 The matter was considered by the Housing, Health and Environment Policy Advisory Committee on 10 October 2023, with the report recommendations supported.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 Following adoption of the AQAP the action plan will be provided to DEFRA for approval, then published on the councils website.

7.2 In addition those internal and external partners responsible for the delivery of actions will be contacted to advise them that the action has been adopted. They will then be invited to the quarterly steering group to provide regular progress reports. The lead member for Housing Health and Environment and ward members will also be invited to join the steering group.

7.3 An annual status report is required by DEFRA covering air quality monitoring and progress on the action plan.

8. REPORT APPENDICES

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

- Appendix 1: Declaration of the Air Quality Management Area Order
- Appendix 2: Public Consultation Results Report
- Appendix 3: Air Quality Action Plan

9. BACKGROUND PAPERS

None