

Agenda Item No: 7



Report of Overview and Scrutiny Committee to Cabinet

O&S Recommendations to Cabinet – Air Quality

The Overview and Scrutiny Committee recommends to the Cabinet:-

- I. That the Planning Department be asked to ensure that bus services are delivered on sites included in the local plan
- II. That Cabinet request that the Planning Policy task group formulate a planning policy in respect of air quality at an appropriate time given the current status of the Local Plan to 2030

Date of O&S meeting: Tuesday 25 September 2018

Chair of O&S Committee: Cllr Winston Michael (Vice-Chairman in the Chair)

Date of Cabinet Meeting: 8 November 2018

Key Decision: No

Significantly Affected Wards: None specifically

Relevant Portfolios: Planning and Development

Management Team Comment: Management Team has considered the report of the Overview and Scrutiny Committee (see paragraphs 5-9) and recommends the following:

Recommendation 1 – REJECT
Recommendation 2 – REJECT

Background Papers: **Air Quality Strategy Update**, report to Overview and Scrutiny Committee 25 September 2018

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O&S Recommendations to Cabinet – Air Quality

Introduction and Background

1. In submitting the final report and recommendations of the Overview and Scrutiny Committee in respect of Air Quality for agreement by Cabinet, Officers undertook to report back to the Committee on progress in developing and implementing the council's Air Quality Strategy.
2. At its meeting of 25 September 2018 the Overview and Scrutiny Committee considered an update report outlining ongoing work and progress already made against the recommendations made by the Committee and accepted by Cabinet.
3. In reviewing the update report, Members felt that (notwithstanding concerns over mechanisms to pay over developer contributions for bus infrastructure to the county council) ensuring the delivery of public transport within new developments to provide a viable alternative to car use was of paramount importance to air quality in the borough and the council should ensure so far as possible that contributions gathered through section 106 agreements for public transport improvements were utilised to provide services. (**Recommendation 1**).
4. Members also noted that the Air Quality Task Group's investigations and the Committee's subsequent consideration of the Task group's recommendations had occurred whilst the Local Plan to 2030 was at a critical development stage which precluded recommendations relating to amendments of the local plan, however it was felt that the adoption of a specific planning policy related to air quality should be the council's intention (**Recommendation 2**).

Management Team Comment

5. Management Team has considered the report and wishes to submit the following comments for the attention of the Cabinet.

Recommendation 1

6. Whilst the council specifies developer contributions for public transport through section 106 agreements (and will continue to do so), the delivery of bus services is not within the gift of the council and remains the responsibility of the local transport authority (Kent County Council) in negotiation with bus operators in the borough.
7. The council will continue to work closely with the county council, bus operators and developers to secure appropriate contribution for public transport as development sites come forward, however on the basis that the

council cannot ensure the delivery of services for which it is not responsible, Management Team advises Cabinet to **reject recommendation 1.**

Recommendation 2

8. The Local Plan to 2030 as submitted to the Planning Inspectorate includes policy ENV12 (relating to air quality), which stipulates that all major development proposals should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality, and that development should support the use of public transport, walking and cycling; whilst development proposals that might lead of a significant deterioration in air quality or national air quality objectives being exceeded, will require the submission of an Air Quality Assessment.
9. Given the existing air quality planning policy contained within the Local Plan to 2030 and the lack of any projected exceedances of the national air quality objectives within the borough, it is felt that the adoption of a supplementary planning policy related to air quality is unnecessary and so Management Team advises Cabinet to **reject recommendation 2.**

Conclusion

10. The Overview and Scrutiny Committee thanks the Portfolio Holders and Officers for their attendance and the reports presented, and recommends the following to Cabinet:
 - I. **That the Planning Department be asked to ensure that bus services are delivered on sites included in the local plan**
 - II. **That Cabinet request that the Planning Policy task group formulate a planning policy in respect of air quality at an appropriate time given the current status of the Local Plan to 2030**

Contact and Email

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