



AGENDA

RECORD OF OFFICER DECISION MEETING

Date: Friday, 22 April 2016

Time: 10.00 am

Venue: Cabinet Room, Swale House, East Street, Sittingbourne, Kent ME10 3HT

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| 1. Air Quality Management Area No 6 - Ospringe, Kent | 1 - 2 |
| Decision made by the Director of Corporate Services. | |

Issued on Friday, 22 April 2016

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Director of Corporate Services, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT

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RECORD OF OFFICER DECISION

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| <p>This form must be completed by or on behalf of the relevant Officer immediately after any decision has been made. Please send to the Proper Officer for publication in accordance with the Council's Constitution.</p> | |
| NAME OF OFFICER MAKING DECISION (INCLUDING JOB TITLE) AND THE DECISION BEING MADE | <p>Mark Radford Director of Corporate Services Swale Borough Council The decision is the extension of the area on the map for the declaration of the extension of the air quality management area at Ospringe.</p> |
| TITLE OF REPORT | Air Quality Management Area No 6 – Ospringe, Kent |
| DATE OF DECISION WAS TAKEN | 11.3.2016 |
| SUMMARY OF REASONS FOR DECISION | <p>The local air quality has been monitored using approved methods in the government guidance. The annual progress report 2014 and the Updating and Screening assessment 2015 both concluded that a further assessment needed to be undertaken in Ospringe to inform the action plans created by the Council on behalf of the Ospringe air quality management steering group. The conclusion from reports in 2015 was that the existing air quality management area (AQMA) at Ospringe should be extended up the hill to include the road up to the Mount on the London Road at Ospringe.</p> |
| BACKGROUND | <p>Swale Borough Council has a statutory duty to monitor air pollution to protect the health of residents living in Swale. The evidence of diffusion tube monitoring of air pollution from traffic for several years has necessitated the extension of the air quality management area at Ospringe. The Scheme of Delegation and the specific delegation No.24 applies to this declaration.</p> |
| DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED | <p>The Council has a statutory duty to enforce the Environment Act 1995 Part IV Section 83 (1) which contains the provision requiring the local authority to declare an air quality management area where there is sufficient evidence of a likely breach of the nitrogen dioxide (annual mean) objective as specified in the Air Quality Regulations (England) (Wales) 2000 and the Air Quality (England) Amendment Regulations 2002. <i>The Council does not have any other option but to declare and submit a copy of the signed order to Defra.</i></p> |
| DETAILS OF ANY CONSULTATION UNDERTAKEN | <p>The report leading to the conclusions that AQMA needed to be declared was prepared for the Council by consultants Bureau Veritas and was based in monitoring or air pollution undertaken by Swale Borough Council. The legislation requires further consultation to be carried out after the AQMA Order has been submitted to Defra and the legislation gives timescales for the consultation about mitigation of air pollutants to levels to below the National Objective over a period of time. The Cabinet Member for Environmental and Rural Affairs has been informed of the need to declare an Air quality Management area and has agreed for this Order to be signed by the Director. In addition to the formal consultation procedure, when considering declaring an air quality management action area, or changes to an existing one, consultation takes place with the Planning Service to ensure that they are aware of the proposals and can consider the implications</p> |

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| | for policy and development management decisions in respect of assessment and mitigation measures for development proposals in the vicinity of an AQMA. |
| DETAILS OF ANY CONFLICTS OF INTERESTS | None |
| CONTACT FOR ENQUIRIES/FURTHER INFORMATION | Sue Kennedy Senior Environmental Health Officer Environmental Protection Team, Mid Kent Shared Service Environmental Health |
| A copy of this Notice will be published on the Council's website (http://www.swale.gov.uk) | |

Please complete this form electronically and forward to the PA to the Corporate Services Director (on behalf of the Proper Officer).