



To: Committee & Elections Manager

Statement of individual Cabinet Member's decision

Name of Cabinet Member Councillor Andrea Webb

Portfolio Community & The Environment

Delegation authority (usually the delegated powers in annex 1.6 and 1.7) Annex 1.6 of Gravesham BC Constitution

Cabinet decision date N/A Minute No _____ or _____

Declaration of Interests (if any)

Of the Cabinet Member making the decision

Nil

Of any other Cabinet Member consulted in relation to the decision

N/A

Topic Local Air Quality Management Area A2 Trunk Road

Decision

Following the requisite consultation and publicity in connection with the Council's intention to amend the formal declaration order for the A2 Trunk Road Air Quality Management Area; the decision has been taken to continue the process to amend the existing Order made in 2001, so as to revoke the declaration for Particulate matter PM10 and to reduce the geographical area of the Air Quality Management Area for Nitrogen Dioxide (NO₂). This will reflect the current exceedence of the relevant objective as per the recommendations of the Further Assessment 2010 and Defra's subsequent Further Assessment Appraisal Report. The amendment order will be referred to as The Gravesham A2 Trunk Road Air Quality Management Area Amendment Order 2012.

Reasons for the decision

The Council is satisfied that as a result of its Further Assessment Report dated June 2011 that the air quality objective for Nitrogen dioxide (NO₂) (annual mean) as specified in the Air Quality Regulations (England) (Wales) 2000, (as amended by The Air Quality (England) (Amendment) Regulations 2002), is being breached in a geographic area significantly smaller, and in a substantially different geographical location, to the current declaration made in 2001. The Council is also satisfied that the air quality objective for particulate matter (PM10) is no longer being exceeded. This is due to the realignment of the A2 Trunk Road carriageway away from the residential areas.

The public consultation with regard to the proposed amendment of the air quality management order was carried out between 03 November 2011 and the 06 January 2012. Six responses were received which were mostly supportive, with two making comment as to the validity of the claim that the air quality had improved. These consultees were contacted confirming that the monitoring data as reported in the Further Assessment June 2011 was appraised and its validity, including the council's process of Quality Assurance and Quality Control, was accepted by Defra in October 2011. The consultees' comments are included in Appendix A.

Other options considered (if any)

No amendment of the existing Air Quality Management Order thus leaving the declaration for Particulate Matter PM10 and the existing boundary in place. Taking this option would not formally acknowledge the significant achievement the Council has made in improving the air quality in the A2 Trunk Road Air Quality Management Area. This would go against the recommendations in the Further Assessment June 2011 and against Defra's subsequent confirmation that this should proceed.

I confirm that this decision is:

- Please mark/tick
- In accordance with the council's Policy Framework
 - Within the council's approved budget
 - In compliance with the council's contract procedure rules
 - In compliance with the council's financial procedure rules
 - In accordance with the protocol for Cabinet member decisions

Background papers used
(if any)

Cabinet Decision 05 on 05 September 2011

Signature

..... 

Date: 9 January 2012

Countersigned
by Executive
Leader as it is
a Key Decision

..... Date

All decisions must be made in accordance with the decision-making rules laid down in the constitution and must be in compliance with the policy framework, the approved budget, contract procedure rules and financial procedure rules.

The allocations of areas of responsibility to Lead Members and their delegated powers are laid out in annex 1.6 and 1.7 and may only be exercised accordingly. The Executive Leader is entitled to change the allocation of portfolios to Lead Members at any time.

In addition to the above, further delegations may be made from time to time.

Key decisions may not be made by individual Cabinet Members other than the Executive Leader. In the case of a Key Decision recommended by a Cabinet Member, the Executive Leader's countersignature will be required in order to effect the decision.

The Chief Executive was given delegated authority to respond to consultation documents on behalf of the Cabinet in consultation with the appropriate portfolio holder at the Cabinet meeting on 7 March 2011.

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Responses to A2 Trunk Road Air Quality management Area Public Consultation November 2011 to January 2012

No.	Date	Name	Address	Method	Brief summary of comment	Brief summary of action
1	07/11/2011	Jim Storey, Air Quality Policy Adviser	Environment Agency	Email	Congratulations given on achievement in improving air quality along AQMA.	Noted. NFA
2	08/11/2011	Miss E	Kemsley Close, Northfleet	Letter	Thanks given in relation to provision of interesting information and the good news that the air quality has improved and thanks given for work carried out bringing about the improvement. Further comments made with regard to the unwelcome presence of the new Cyclopark and the noise from BMX bikes. Comments were also made with regards to the lack of tree planting immediately adjacent the boundary of the linear park between the houses and the Cyclopark.	Letter sent after discussion with colleagues in Planning, Regulatory services and Kent County Council. KCC asked to respond direct re concerns about Cyclopark and tree planting etc. No further action with regards AQMA consultation.
3	11/11/2011	Mr O	Saxon Close, Northfleet	Telephone & in person	Pleased with air quality improvements, but sought clarification of reason for improvement in Pepperhill area as seemingly little change in location of carriageway at Pepperhill.	Letter sent with map of Pepperhill and additional info to assist in the clarification. Mr O came into office to discuss before letter arrived. Satisfied with information given. No further action with regards AQMA consultation.
4	22/11/2011	Mr M	Hall Road, Northfleet	Letter	"Congratulations for all the work and efforts that you and your department have made to improve air quality for the 1100 properties and school since the re-alignment of the A2." He went on to express concern for those properties remaining in the AQMA with particular regard to the impact Sainsbury's extension and petrol station may have on local roads. He requested comments on the recent planning permissions given for Sainsbury petrol station.	Letter of response sent with regards Sainsbury permission after discussion with colleagues in Planning and Regulatory Services. No further action with regards AQMA consultation.
5	22/11/2011	Mr C	Pepperhill, Northfleet	Letter	Queried validity of claims that air quality has improved in area of Pepperhill in particular with regards to traffic flows in Hall Road. Requested to see proof of air quality monitoring data.	Letter sent with clarification of evidence supporting statement that AQ has improved. Details given on how to view air quality monitoring data on www.kentair.org.uk . No further action with regards AQMA consultation.
6	17/12/2011	Mrs V	Wrotham Road, Gravesend	Email	Disbelieves that there has been an improvement in air quality as she considers the traffic flow along the old slip road, now the access to the BP garage and Cyclopark, has increased significantly since the realignment of the A2 carriageway.	Comments passed to transport colleagues who confirmed that traffic flow along said length of highway is now a fraction of what it was previously when it was a trunk road slipway. No further action with regards AQMA consultation.