

Cabinet

8 July 2025

Medway Air Quality Action Plan 2025-30

Portfolio Holder: Councillor Alex Paterson, Portfolio Holder for Community Safety, Highways and Enforcement

Report from: Adam Bryan, Director of Place

Author: Stuart Steed, Environmental Protection Officer

Summary

The purpose of the report is to gain approval from the Cabinet to adopt the Medway Air Quality Action Plan 2025-30. The Air Quality Action Plan (AQAP) has been produced to satisfy the requirements of the Environment Act 1995.

The report was previously considered by the Regeneration, Culture and Environment Overview and Scrutiny Committee, the comments of which are set out in section 7 of the report.

1. Recommendations

- 1.1. The Cabinet is requested to note the comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee, as set out at section 7 of the report.
- 1.2. The Cabinet is recommended to approve adoption of the Air Quality Action Plan (AQAP) attached at Appendix 1 to the report.

2. Suggested reasons for decision

- 2.1. To satisfy the requirements of the Environment Act 1995.

3. Budget and policy framework

- 3.1. The AQAP directly supports the delivery of the One Medway Council Plan 2024 strategic priorities, notably:
 - Priority 3 Enjoying clean, green, safe, and connected communities.
 - Priority 4 Improving health and wellbeing for all.
- 3.2. The AQAP also supports and complements the Climate Change Action Plan in many areas, and there are expected co-benefits for public health and the environment in tackling air quality and climate change in a co-ordinated manner. Climate Change is now one of the Council's core values which

underpins and frames our choices and decisions. The Climate Response Team has had direct input in developing the actions within the AQAP.

- 3.3. The impact on carbon dioxide (CO₂) emissions has been modelled for three selected AQAP measures, which if implemented together could reduce CO₂ emissions by more than 15% in the respective vehicle fleets, in addition to the reductions in air pollutant emissions.

4. Background

- 4.1. Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues because areas with poor air quality are also often the less affluent areas.
- 4.2. The annual health cost to society of the impacts of particulate matter pollution alone in the UK have been estimated to be around £16 billion.
- 4.3. All local authorities must regularly review and assess the air quality within their area for key pollutants, comparing their findings against the relevant air quality objectives.
- 4.4. If the air quality objectives are not achieved the local authority is required to declare an Air Quality Management Area (AQMA) and then develop and implement an AQAP, which sets out the actions that will be taken to improve air quality in the AQMA.
- 4.5. In 2010 Medway Council designated three AQMAs due to annual mean concentrations of nitrogen dioxide (NO₂) exceeding the air quality objective. Having identified and designated the AQMAs the Council produced an AQAP that detailed the steps to be taken to reduce nitrogen dioxide to below the objective levels. The action plan was approved by Cabinet in December 2015. In line with the local air quality management framework requirements the 2015 AQAP has been reviewed and revised to reflect the current state of air quality in Medway. Some key successes delivered under the 2015 AQAP include:
 - Introduction of the Medway Air Quality Planning Guidance in 2016. This has helped control the air quality impacts of development across Medway and ensure that mitigation has been included as standard.
 - The ongoing work of the Sustainable Transport team and Public Health to promote more active lifestyles and cleaner transport choices
 - Completing the Rainham Idling Project which is now being used to support the community lead Medway Breathes Project
 - Completing the Taxi and Private Hire Ultra Low Emission Vehicle Feasibility Study to help inform future licensing policies and support the transition to zero emission vehicles
 - Introduction of the street works permit system to better manage and control the impact on the highway network

Whilst it is not possible to quantify the air quality benefit these actions have had, or will have in the future, there will be benefits where reduction in road

transport emissions are achieved, or where there are lower levels of exposure.

- 4.6. To assist with development of actions in the AQAP an internal workshop took place on 6 February 2024 to discuss and refine a long list of potential actions to be included. The key priorities for the action plan were identified as being:
- Priority 1: Bring about compliance with the Air Quality Strategy objectives.
 - Priority 2: Reduce emissions from diesel (and petrol) cars.
 - Priority 3: Reduce emissions from buses.
 - Priority 4: Reduce emissions from HGVs.
 - Priority 5: Reduce emissions from taxis.
 - Priority 6: Reducing emissions of PM2.5 particulate matter.
- 4.7. Following the workshop and shortlisting, a total of 19 actions have been included in the AQAP, covering the following broad themes:
- Freight and delivery management.
 - Policy guidance and development control.
 - Promoting low emission transport.
 - Promoting travel alternatives.
 - Public information.
 - Transport planning and infrastructure.
 - Traffic management.
- 4.8. Future Annual Status Reports (ASRs) will be required to provide updates on the implementation of the action plan measures to the Department of Environment Food and Rural Affairs (DEFRA).
- 4.9. The source apportionment modelling carried out in the development of the AQAP has identified that within the three AQMAs, emissions from road transport contribute significantly to total emissions of the pollutants of concern. Considering the contribution from different vehicle types, diesel cars are responsible for most of the emissions from road transport; buses, and freight vehicles including light goods vehicles (LGVs) and rigid and artic heavy goods vehicles (HGVs) also contribute relatively large proportions of total pollutant emissions.
- 4.10. Air quality dispersion modelling has been undertaken for three of the measures included in the AQAP to quantify the expected air quality improvements that may be realised if these measures were to be implemented. The three measures selected for dispersion modelling that target the main sources of emissions in the AQMAs are:
- Explore opportunities to set up an ECOStars (or similar) freight recognition scheme for Medway.
 - Deliver the EV Strategy 2022-27.
 - Explore opportunities to support electrification of the bus fleet in Medway, focusing on routes through the AQMAs.
- 4.11. The remaining measures contained in the AQAP are expected to have positive benefits for local air quality, however the nature of these measures

makes quantification through dispersion modelling difficult and highly assumptive.

- 4.12. Levels of particulate matter (PM_{2.5} and PM₁₀) in the three AQMAs are predicted to achieve the respective air quality objectives in all situations, however action plan measures which also result in a reduction in levels of these pollutants can be associated with positive public health benefits due to the non-threshold nature of particulate matter. Actions have been included in the AQAP aimed at reducing levels of particulate matter, reflecting the general duty of local authorities. This includes:
- Solid fuel burning public information campaign.
 - Consider expansion of Medway's Smoke Control Area.
- 4.13. As part of the process to develop the AQAP, we are required to consult a range of statutory stakeholders on the AQAP including:
- The Secretary of State (via DEFRA).
 - The Environment Agency.
 - The highways authority.
 - All neighbouring local authorities.
 - Other public authorities as appropriate, such as Public Health officials.
 - Bodies representing local business interests and other organisations as appropriate.
- 4.14. Consultation has been carried out as required and the AQAP has been amended where necessary to address consultation responses. A video and survey and were prepared for the consultation which was circulated and promoted via a variety of channels, including the council website, social media, through community groups, direct correspondence (e.g. letters and emails) and promotion via council publications.
- 4.15. Following adoption of an AQAP, an ASR is submitted to DEFRA every year detailing progress. Once an AQMA has measured levels of pollutants that are below the objectives consistently for a number of consecutive years, local authorities are required to revoke an AQMA.
- 4.16. At the point of revocation, any outstanding or ongoing air quality improvement measures within an AQAP can be incorporated within a local Air Quality Strategy. Local authorities that do not have an AQMA should continue to monitor for exceedances and should still have a local Air Quality Strategy in place to ensure air quality remains a high-profile issue, thereby enabling a quick response should there be any deterioration in condition.

5. Options

5.1. Two options are available:

- Option 1: the Cabinet approves adoption of the AQAP attached at Appendix 1 to satisfy the requirement of the Environment Act 1995.
- Option 2: the Cabinet does not approve adoption of the AQAP attached at Appendix 1 contrary to the requirements of the Environment Act 1995.

6. Advice and analysis

- 6.1. Production of an AQAP for designated AQMAs is a statutory duty. The AQAP contains a range of measures aimed at tackling air quality in the AQMAs and more widely. The proposed measures have been developed through internal stakeholder engagement and an external statutory consultation. Any existing AQAPs must be revised at least every five years.
- 6.2. The Environmental Protection Team has received an appraisal report from DEFRA who have accepted the AQAP. Delays to formal adoption of the AQAP could result in a Section 85 direction from the SoS.
- 6.3. Medway has a positive record with DEFRA in relation to its ongoing air quality management duties, and in recent years has received positive feedback for its “good and thorough work”.
- 6.4. There are wider implications for not maintaining a positive record of meeting our local air quality management duties which was introduced as a criterion for being able to apply for funding for air quality projects through the DEFRA air quality grant program.
- 6.5. Monitoring within the Rainham and Pier Road AQMAs has shown compliance with the air quality objectives for several years, and therefore revocation of these AQMAs will be required. The AQAP will still be of direct relevance to the Central Medway AQMA, until sustained compliance is achieved. At this point, any outstanding or ongoing measures within the AQAP can be incorporated within a local Air Quality Strategy. Local authorities that do not have an AQMA should continue to monitor for exceedances and should still have a local Air Quality Strategy in place to ensure air quality remains a high-profile issue, thereby enabling a quick response should there be any deterioration in air quality.
- 6.6. A Diversity Impact Assessment (DIA), attached at Appendix 2, has been completed for the AQAP. Users of more polluting vehicles will be targeted to encourage less dependence on vehicles, everyone in Medway will benefit from improved air quality, and in particular the young, elderly and all others that suffer from respiratory conditions. In more deprived wards, residents are less healthy than those in more affluent areas, including having worse respiratory health and other health conditions with links to air pollution. It is not currently thought that any negative impact will be brought on any of the protected characteristic groups. The health benefits of improving air quality will be experienced by all groups.
- 6.7. The Cabinet is therefore asked to approve adoption of AQAP attached at Appendix 1 so that the local air quality management statutory duties defined in the Environment Act 1995 are met and to maintain eligibility for any future air quality grant funding.

7. Regeneration, Culture and Environment Overview and Scrutiny Committee

- 7.1. The report was considered by the above Committee on 12 June 2025, the draft minutes of which are set out below.
- 7.2. Members queried the impact of diesel engines on air quality, the possibility of electric buses and how air quality outside of Medway has an impact.
- 7.3. Officers explained that emissions were now reducing due to the introduction of Euro 6 vehicles and for larger vehicles emissions abatement technology was in place.
- 7.4. With regards to electric buses officers informed the Committee that main barrier to this was the lack of suitable electric depot.
- 7.5. Officers explained that external factors that impacted Medway were mainly short-term pollution episodes and residents with health conditions affected by poor air quality could find out when episodes were likely to occur using the Air Quality Forecast Service at www.kentair.org.uk.
- 7.6. Members sought clarification that the Local Plan was supported by a Strategic Transport Assessment and corresponding Air Quality Assessment that considered increased traffic modelling and was emissions compliant. Officers explained that whilst they had offered advice and been involved in the Local Plan process, this would be a question for Planning officers to respond to.
- 7.7. **Decisions:**
- 7.8. The Committee commented on the proposed Medway Air Quality Action Plan 2025-2030 and noted that the Cabinet will be asked to agree the Action Plan on 8 July 2025.
- 7.9. Members requested a copy of the Local Plan Strategic Transport Assessment and corresponding Air Quality Assessment which form part of the Local Plan.

8. Risk management

- 8.1. Under Section 85 of the Environment Act 1995 the Secretary of State (SoS) has the power to instruct local authorities to take action where any part of its statutory duties for local air quality management are not being fulfilled, this includes giving directions to the local authority to develop and implement an AQAP.
- 8.2. An escalation process has been introduced to ensure that local authorities deliver against their Local Air Quality Management (LAQM) statutory duties as set out in Table 1 below. This system was set out in the LAQM Statutory Policy Guidance 2022, published on 6 August 2022. If reporting requirements continue to be missed, the matter can be escalated to a Section 85 Secretary of State direction to the relevant Local Authority Chief Executive specifying action.

- 8.3. In the event the SoS exercises its powers to direct, Medway risks significant reputational damage and loss of its positive record under the local air quality management framework. Medway would become ineligible to apply for future funding under the DEFRA air quality grant program. Measures included in an AQAP are typically given higher priority for funding.

Table 1 – Reminder and warning process for AQAPs - Due to be revised at least every five years

Timescale	Enforcement letter	Recipient
AQAP 2 months overdue (e.g. 14 months post AQMA designation or 5 years and 2 months since previous AQAP publication)	Reminder letter	From DEFRA's LAQM team to Air Quality Officer at non-compliant Local Authority
AQAP 4 months overdue	Warning letter	From the AQIE Deputy Director to Environment Health/Air Quality Manager at non-compliant Local Authority
AQAP 6 months overdue	Final warning letter	From the AQIE Deputy Director to relevant Director at non-compliant Local Authority
AQAP 8 months overdue	Ministerial letter: Section 85 direction	Local Authority Chief Executive

- 8.4. Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk	Risk rating
In further delaying this area of work the SoS directs Medway to meet its statutory duties by producing an AQAP for the Four Elms Hill AQMA	It is a duty for the local authority to comply with any direction given to it in relation to the provisions of the Environment Act 1995. Directions are made publicly available and so could cause significant reputational damage. Medway would also be unable to apply for funding for air quality projects through the air quality grant programme. The grant programme can be used to deliver measures in an AQAP.	Cabinet approves adoption of the AQAP	CII

For risk rating, please refer to the following table:

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate IV Minor

9. Consultation

9.1. In developing the AQAP, the Environmental Protection Team has worked with relevant Medway Council departments to identify possible action plan measures. This includes support from:

- Transport and Parking
- Public Health
- Sustainable Transport
- Regeneration
- Licensing
- Public Transport Planning
- Green Spaces and Rights of Way and Access
- Climate Response

9.2. A statutory consultation was carried out from 16 September to 28 October 2024. The consultation was hosted as an online survey accompanied by an instructional video providing an overview of the AQAP itself, the purpose of the consultation, and how to complete the survey. The survey was promoted on the Medway Council website and social media accounts as well as via Medway matters and internal staff communications. Direct emails were also sent to a range of external stakeholders.

9.3. The survey included multiple-choice questions (e.g. agree/disagree) as well as opportunities to submit comments as free text. A total of 80 responses were provided to the survey together with many free text comments. The results of the consultation, survey including responses to some key themes have been included in the AQAP.

9.4. Written responses were received from two statutory consultees (DEFRA and the United Kingdom Health Security Agency (UKHSA)). Their comments have been incorporated into the AQAP. DEFRA, responding on behalf of the SoS, have subsequently approved the AQAP.

10. Climate change implications

10.1. The AQAP complements the climate change action plan in many areas, and there are expected co-benefits for public health and the environment in tackling air quality and climate change in a co-ordinated manner. The impact on carbon dioxide (CO₂) emissions has been modelled for three selected action plan measures, which if implemented together could reduce CO₂ emissions by more than 15%, in addition to the reductions in air pollutant

emissions. The Climate Response Team has had direct input in developing the actions within the AQAP.

11. Financial implications

- 11.1. There are no expected financial implications associated with the AQAP as progressing measures is proposed to be met through existing budgets and/or external funding sources, e.g. DEFRA air quality grant program.

12. Legal implications

- 12.1. The Council has a statutory duty under Part IV of the Environment Act 1995 to develop and implement an AQAP for any AQMA.

Lead officer contact

Stuart Steed, Environmental Protection Officer, Gun Wharf, 01634 331105,
stuart.steed@medway.gov.uk

Appendices

Appendix 1 - Medway Air Quality Action Plan 2025-30

Appendix 2 - Diversity Impact Assessment

Background papers

[Environment Act 1995](#)

[Medway Climate Change Action Plan](#)

[One Medway Council Plan 2024](#)