

05 January 2022 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 22.12.21

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Cleaner & Greener Advisory Committee

Membership:

Chairman, Cllr. McArthur; Vice-Chairman, Cllr. Carroll
Cllrs. Andrews, Barnett, Bayley, Dr. Canet, Collins, G. Darrington, Firth, Griffiths, Raikes and Roy

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Minutes	(Pages 1 - 6)	
To agree the minutes of the meeting of the Committee held on 12 October 2021, as a correct record.		
2. Declarations of Interest		
Any interests not already registered.		
3. Actions from Previous Meeting (if any)	(Pages 7 - 8)	
4. Update from Portfolio Holder		
5. Referral from Cabinet or the Audit committee (if any)		
6. Net Zero 2030 Update	(Pages 9 - 16)	Helen French Tel: 01732 227357 Margaret Carr Tel: 01732 227341
7. Scrap Metal Dealer Licence Fees 2022-23	(Pages 17 - 22)	Jessica Foley

Tel: 01732227480

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|-----|---|-------------------|-------------------------------------|
| 8. | Swanley Sunday Market Proposal | (Pages 23 - 28) | Trevor Kennett
Tel: 01732 227407 |
| 9. | Bradbourne Lakes Update | (Pages 29 - 34) | Trevor Kennett
Tel: 01732 227407 |
| 10. | Air Quality Action Plan Request to Consult | (Pages 35 - 96) | Nick Chapman
Tel: 01322 343160 |
| 11. | Review of Animal Welfare Licensing regime | (Pages 97 - 108) | Nick Chapman
Tel: 01322 343160 |
| 12. | Work Plan | (Pages 109 - 110) | |

EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

CLEANER & GREENER ADVISORY COMMITTEE

Minutes of the meeting held on 12 October 2021 commencing at 7.00 pm

Present: Cllr. McArthur (Chairman)

Cllr. Carroll (Vice Chairman)

Cllrs. Andrews, Bayley, Collins, G. Darrington, Firth, Griffiths, Raikes and Roy

Apologies for absence were received from Cllrs. Barnett, Dr. Canet and Firth.

11. Minutes

Resolved: That the Minutes of the Cleaner & Greener Advisory Committee held on 29 June 2021 be approved and signed by the Chairman as a correct record.

12. Declarations of Interest

No additional declarations of interest were made.

13. Actions from Previous Meeting

There were none.

14. Update from Portfolio Holder

The Portfolio Holder, and Chairman, gave an update on services within her portfolio. The restoration and de-silting of Mill Pond was ready to start, but due to a sewage leak the silt was now contaminated and a new licence from the Environment Agency needed to be applied for. It was hoped work would start this month. Members were also advised that unfortunately during lockdown the Heritage lottery fund changed the criteria for bidding for funding to enable works at Bradbourne Lakes. This resulted in the bid the Council had put in was now invalid. Working with additional partners going forward it was anticipated that the new bid would be submitted by the end of the month. A full update would be presented to the Committee in January.

A new compactor bin for Town Centres was being trialled and 50 of the new smart bins were in place in some of the more rural areas of the District. Along with more

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people returning to commuting and offices the business development team were looking at making parking season tickets more flexible.

The Facilities Management Team were continuing to look after the offices and were keeping them Covid secure especially with the office moves. Members were advised that many other local authority staff had not yet returned to their offices as they were not Covid safe.

Emergency planning had been proactive ahead of winter to arrange sandbags supplied and the CCTV Team recently received its annual accreditation and had supplied information to the Police which had resulted in excellent preventative action and arrests. Members were also advised that she had attended the Scrutiny Committee and the CCTV Service had also been scrutinised by a Scrutiny Working Group.

Members expressed their thanks for the smart bins and the de-silting of the northern lake at Bradbourne Lakes.

15. Referral from Cabinet or the Audit committee (if any)

There were none.

16. Budget 22/23: Review of Service Dashboard and Service Change Impact Assessments (SCIAS)

The Chief Officer - Finance and Trading presented the report which set out updates to the 2022/23 budget within the existing framework of the 10-year budget and savings plan. The report presented growth and savings/additional income proposals that had been identified which needed to be considered, and requested further suggestions from Members, before finalising the budget for 2022/23.

Informed by the latest information from Government and discussions with Cabinet, it was proposed that the Council continued to set a revenue budget that assumed no direct funding from Government through the Revenue Support Grant or New Homes Bonus. This would result in the Council continuing to be financially self-sufficient. To achieve this aim and to ensure a balanced budget position over the next 10-year period would continue to be challenging due to the ongoing financial impacts of the Covid-19 pandemic, homelessness and inflationary pressures.

The budget process would be the same as two years ago as opposed to the shortened process last year, but streamlining the process in future years was being investigated.

No changes had been made to the assumptions at this stage, and the annual budget gap included in the report was £100,000 which related to the annual savings target. It was expected however, that the gap would increase.

Members discussed the report and it was confirmed that the growth proposal was for investigation management software to enable the Environmental Enforcement team to prosecute offences more effectively.

It was suggested that Members consider moving to electronic agendas.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that the growth proposal identified in Appendices E & F to the report (SCIA 06 (22/23)) applicable to this Advisory Committee, be considered.

17. Net Zero 2030 Update - October 2021

The Principal Planning Officer (Policy) presented a report which outlined the progress on the Net Zero 2030 Actions, which had been agreed in spring 2021. Good progress on achieving the Net Zero 2030 actions had been made, with the majority of actions ongoing until 2030.

Member's attention was brought to seven areas of interest from Appendix A which was a summary of progress for all the actions. The majority of actions would remain longer term and ongoing. Officers continued to work closely on the Air Quality Action Plan and other corporate documents. Partnership working across Kent continued particularly through the Climate Change Network.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the public sector equality duty.

Resolved: That the report be noted.

18. Service Update: Environmental Health

The Environmental Health Manager presented the report which provided a service update on Environmental Health. The Council had recently brought the Environmental Health function back 'in house' as of 1 July 2021. The Team undertook a variety of statutory functions across a wide range of disciplines, which had a significant influence on public health and community wellbeing.

It was highlighted to Members that although the change from the Partnership had resulted in some disruption and a number of challenges, including loss of experienced staff, short term resilience and skill gaps; there were some exciting opportunities which included focussing on the Council's priorities, increased visibility of the Team and accountability, as examples. Members' attention was also brought to the Team's priorities for the next 12 months.

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Members discussed the report, noting in particular the wide variety of areas which the Team covered, and the small team to carry out the number of different statutory and non-statutory duties. Members asked questions of clarification in regards to animal breeding, light pollution and the public health duty. In response to Members questions, the Environmental Health Manager advised that if a nuisance complaint was made, the Team has a statutory duty to make initial enquiries and information gathering before progressing further.

Resolved: That the report be noted.

19. Tree Management Strategy 2021 - 2031

The Head of Direct Services presented the report which set out the draft 10-year Tree Management Strategy for the Council. The aim of the strategy was to assist and inform residents, Council officers and Councillors of the Council's responsibilities and strategy regarding its own tree stock. There was over 7,000 hectares of woodland that covered across Sevenoaks District. This equated to over 19% of the district being covered by woodland. The Strategy linked strongly to the Council's Plan, and Net Zero 2030 commitment.

Members discussed the report and in response to questions Members were advised that a future open spaces strategy would be brought for consideration by Members, and there was external funding available to help assist with dealing with Ash Dieback. Under the traffic light code the Team had responsibility to make the tree safe within 24hours and then two weeks for remedial work.

Action 1: For Head of Direct Services to provide details of the trees planted to replace those removed during construction of the new White Oak Leisure Centre.

Action 2: For Head of Direct Services to share details on external funding available to assist with dealing with Ash Dieback.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that the draft 10-year Tree Strategy 2021-2021, be agreed.

20. Work Plan

The Work plan was noted with the following additions:

18 January 2022

- Bradbourne Lakes Update
- Net Zero 2030 update
- Review of Direct Services

- Review of Animal Welfare Licensing Regime

THE MEETING WAS CONCLUDED AT 7.57 PM

CHAIRMAN

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Actions from the meeting held on 12 October 2021 (as at 17.12.21)

Action	Description	Status	Contact Officer
Action 1	For Head of Direct Services to provide details of the trees planted to replace those removed during construction of the new White Oak Leisure Centre.	An update will be provided at the meeting	Trevor Kennett Ext. 7407
Action 2	For Head of Direct Services to share details on external funding available to assist with dealing with Ash Dieback.	An update will be provided at the meeting	Trevor Kennett Ext. 7407

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NET ZERO 2030 UPDATE - JANUARY 2022

Cleaner and Greener Advisory Committee - 5 January 2022

Report of: Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

Status: For Information

Also considered by:

N/A

Key Decision: No

This reports support the Key Aim of The Council's commitment to Net Zero 2030.

Portfolio Holder: Cllr. Margot McArthur

Contact Officer(s): Helen French, Ext. 7357; Margaret Carr, Ext. 7341;

Recommendation to Cleaner and Greener Advisory Committee:

To note this update report for information.

Introduction and Background

- 1 Sevenoaks District Council (SDC) has committed to working towards achieving Net Zero emissions by 2030 on Council assets and services.
- 2 It has also been agreed that the Council will be a “community leader” and encourage low carbon measures across the District through education, best practice, incentives, policy and opportunities. This includes working collaboratively with Kent County Council (KCC), Parish and Town Councils, Local Interest Groups and the Local Government Association.
- 3 This report provides a short update on progress on delivering the Net Zero Agenda during Autumn/Winter 2021.

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Movement Strategy and Sustainable Transport

- 4 The **Movement Strategy** is currently being finalised. This overarching strategy will set out the key issues and priorities for sustainable movement and transport for the District. This includes reducing the need to travel, promoting active travel, improving the cycling and walking network, encouraging the use of low emission vehicles and making it easier to access public transport.
- 5 The Movement Strategy relates to and is supported by other SDC strategies and plans which will help to deliver the vision, including:
 - Net Zero 2030
 - The Local Plan
 - Air Quality Action Plan
 - Local Transport Plan
 - Low Emission and Electric Vehicle Strategy
 - Local Cycling and Walking Infrastructure Plans
 - Staff Travel Plan
- 6 The Movement Strategy will be considered by members of this committee in Spring 2022.
- 7 To deliver the priorities within the Movement Strategy and support the Council's Net Zero 2030 commitment we have committed to producing **Local Cycling and Walking Infrastructure Plans (LCWIP)** for the District.
- 8 LCWIPS assess, plan and prioritise cycling and walking infrastructure within an area over short (<3 years), medium (<5 years) and long term (>5 years) periods. Although they are not mandatory, they are the preferred strategy when applying for funding for projects.
- 9 We have recently secured funding from the Kent County Council Capability Fund to support the production of the first LCWIP which will be focused on Sevenoaks Urban Area. Officers are currently in the process of appointing consultants to undertake the LCWIP with an estimated completion date towards the end of 2022.
- 10 In June 2021 KCC invited SDC to submit three bids for their consideration for Department for Transport's Tranche 3 of the Active Travel fund. KCC as the local highway authority were invited to submit bids for funds to install cycling and walking improvements. SDC put forward three bids for Sevenoaks Urban area- East to West cycling route, Otford to Sevenoaks Town Centre cycle route and improvements to sections of Darent Valley Path to enable shared use for cycling and walking. KCC have since advised one of these bids, the Sevenoaks Urban area- East to West cycling route project, in addition to an Otford and Kemsing PROW link have been submitted to the Active Travel fund.

Electric Vehicle Charging Points

- 11 The UK Government has committed to phasing out the sale of new petrol and diesel cars and vans by 2030. All new cars and vans will be fully zero emissions at the tailpipe from 2035.
- 12 The recent **Government consultation** on “The Future of Transport Regulatory Review: Zero Emission Vehicles” states that:
“The rollout of charging infrastructure is critical to achieving our ambitions. Over 25,000 public chargepoints are now available but we must go further and faster. Infrastructure that is easy to use, accessible and affordable is vital in supporting motorists to make the switch to using electric vehicles.”
- 13 The consultation included a number of proposed changes to the way electric charge points are planned for and delivered. A response to the consultation was sent on behalf of SDC stating that whilst we appreciate and understand that Local Authorities need to play a part in the transition to electric vehicles, we have concerns with regards to this current consultation. Our concerns relate to the following aspects of the consultation:
 - The proposed statutory duty on Local Authorities to plan for sufficient provision of electric vehicle chargepoints
 - The proposed statutory duty on Local Authorities to provide sufficient electric vehicle chargepoints
 - The requirement for landowners to provide a minimum level of chargepoints in non-residential car parks
- 14 The response was agreed by the Cleaner and Greener portfolio holder and can be found on the website.
[06 \(2021/22\) - Response to Zero Emission Vehicle Consultation - Portfolio Holder Decision](#)
- 15 The Council are working in partnership to **install new electric vehicle charging points** across our car parks in the coming months. This is part of a wider project with Connected Kerb to bring 600 charging points to Kent and Medway. The charging points will be installed in car parks in Sevenoaks, Swanley and Westerham. In most cases, they will be a mixture of 7Kwh and rapid 50Kwh chargers.
- 16 We are also working to install a **charging point for electric Taxis** in South Park, Sevenoaks. This is to encourage the uptake of electric taxis within the town to reduce emissions and help improve air quality.
- 17 Officers are considering additional ways to encourage the uptake of electric vehicles and increasing the provision of charging infrastructure. The Low Emission and Electric Vehicle Strategy remains a live document and it is likely that an update, alongside some additional technical analysis work, will be

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undertaken during 2022 to ensure it remains relevant to this rapidly changing market.

Solar Together Scheme

- 18 Domestic energy currently accounts for 28% of carbon emissions in Kent and Medway and future growth is expected to increase these emissions. Low carbon and renewable energy production is increasingly important to help reduce the District's carbon emissions.
- 19 Solar Together Kent is a collective buying scheme to help able-to-pay households, who may not know where to start with solar panel installations and want the reassurance of a Council-backed scheme, to get a reduced-price installation of solar panels. It relies on large numbers of households signing up to negotiate a better deal for everyone taking part. The scheme is co-ordinated by Kent County Council (KCC) on behalf of participating Councils and is administered by iChoosr.
- 20 The objectives for this project are:
 - To increase the number of solar panels installed in Kent and Medway.
 - To provide access to reduced price quotes to make solar energy more accessible to residents.
 - To help reduce carbon emissions in the domestic sector.
 - To stimulate the local solar economy by raising public awareness and interest in solar technology and supporting the mainstreaming of roof-top solar as a household improvement.
 - To reduce carbon emissions by around 777 tonnes per year.
- 21 The first phase in Kent ran from autumn 2020 and is forecast to install panels and/or batteries on around 400 homes in Kent, saving 9130 tonnes of carbon over 25 years. This scheme suffered a number of delays due to Covid and so drop off rates after residents registered were higher than predicted. However, a similar scheme run in a different area during autumn 2021 has seen high rates of registration, most likely due to uncertainty in energy markets.
- 22 SDC is participating in the next phase due to commence in February 2022. This phase is expected to surpass the number of installations from the first as a result of changes in energy markets, raised awareness, changes the provider will make to roll out installations more efficiently and reduced impacts of Covid.
- 23 The scheme supports our ambition to help the reduce carbon emissions within the District and the outcomes of the scheme will be reported to members during 2022.

SDC Operational Working

- 24 The Net Zero 2030 commitment is being embedding into the culture of SDC. All committee reports and decisions must now consider the potential impact on the commitment.
- 25 An internal communications plan and a positive behaviour change approach is being enacted in 2022 to encourage staff to consider how they are working and how we can reduce energy use and therefore carbon emissions. We will be considering work processes as well as the use of technology and efficiency measures. For example,
- Reducing work mileage including making site visits more efficient and reducing deliveries where possible
 - Going further to become a “paperless” office and reducing printing
 - Saving water and energy by encouraging staff to turn off taps and electrical sockets when not in use
 - Reducing the level of waste at the offices and implementing the “reduce, reuse, recycle” waste hierarchy.
- 26 Work is currently being undertaken on the Council’s IT Server hardware to reduce energy use and associated carbon emissions.

Community Engagement

- 27 Cllr Fleming and Helen French were invited to give a presentation on the Council’s Net Zero work to students at **Sevenoaks School** as part of their “Green Week”. The presentation was well received and the students had many insightful questions.
- 28 We are looking forward to working with Sevenoaks School in the future and to find ways we can assist in helping them achieve their own Net Zero 2032 ambition.
- 29 We continue to **engage with the community** to publicise how we are working to meet our Net Zero 2030 commitment and also how others can reduce their own carbon emissions. At the end of 2021:
- We continued to have at least one Net Zero social media post each week including pumpkin waste for Halloween, new EV charging points, planting trees for the Queen’s Jubilee and the new solar powered bins.
 - In December we had a social media focus on how to have a less wasteful Christmas including tips for residents e.g. cutting down on food waste, recycling right.
 - The winter InShape included articles about EV charging points, plastic recycling, insulating homes, planting trees for the Jubilee and shopping locally.

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Carbon Reduction Plan

- 30 In order to ensure that the Council can reach net zero carbon emissions by 2030 we will commission a Carbon Reduction Plan to map out our path to net zero.
- 31 The Carbon Reduction Plan will be focused on how the Council can reduce the carbon emissions from its assets but will also consider the wider district emissions, opportunities for renewable energy generation and carbon offsetting.
- 32 The Plan will include in-depth analysis of the carbon emissions from the Council's assets to produce a baseline inventory and forecast emissions using modelling. A carbon reduction strategy, with a trajectory that shows targets and carbon "budgets" from now to net zero will be produced that will lead to a specific and measureable action plan for the Council and assets.
- 33 The plan will also consider the carbon emissions of Sevenoaks District. Although many of these emissions are not within the control of the Council, we have an important role to help residents, businesses and visitors reduce emissions and therefore reduce the overall emissions across the District. This analysis will lead to specific actions to be incorporated into the Net Zero Action Plan and support other strategies and plans including the emerging Local Plan.
- 34 It is highly likely that the Council will need to offset some carbon emissions in order to reach net zero in 2030. The plan will set out the level of emissions likely to need offsetting as well as potential opportunities for renewable energy generation to further reduce the remaining carbon emissions.
- 35 The Carbon reduction Plan will be produced by consultants and officers have begun the procurement process.

Next Steps

- 36 Officers will continue to make progress to achieve the Net Zero 2030 actions. We will also continue to identify new opportunities and projects to deliver the Net Zero 2030 commitment.
- 37 Net Zero Actions for 2022-23 will be presented to members in Spring 2022.
- 38 Regular update reports on the Net Zero 2030 work will be provided for members via the Cleaner and Greener Advisory Committee.

Other options Considered and/or rejected

Not Applicable

Other Options Considered and/or Rejected

The Council have made a commitment to Net Zero 2030.

Key Implications

Financial

Funding for the Net Zero 2030 commitment will be met from existing budgets.

Legal Implications and Risk Assessment Statement.

No legal implications have been identified.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

Members are reminded of the Council’s stated ambition to be Net Zero with regards to carbon emissions by 2030. This report is to inform members of the ongoing work to meet the commitment.

Conclusions

The Council have committed to Net Zero 2030 and have identified actions to help achieve this goal. We are currently making good progress to achieve the actions within the agreed timescales.

Appendices

None

Background Papers

None

Richard Morris

Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

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SCRAP METAL DEALER LICENCE FEES 2022-2023

Cleaner & Greener Advisory Committee - 5 January 2022

Report of: Chief Officer, Planning & Regulatory Services

Status: For consideration and decision

Also considered by:

- Cabinet

Key Decision: No

This report supports the Key Aim of: Safe Communities to aid in the reduction of crime within the District

Portfolio Holder: Cllr. Margot McArthur

Contact Officer: Jessica Foley, Senior Licensing Officer Ext. 7480

Recommendation to Cleaner & Greener Advisory Committee:

That Cabinet be recommended to approve the appropriate fee levels as set out in paragraph 25 of the report.

Recommendation to Cabinet:

That, subject to the comments of the Cleaner & Greener Advisory Committee, the fees set out in paragraph 25 of the report be approved.

Reason for recommendation: To ensure that the Council complies with its Statutory duty under the Scrap Metal Dealers Act 2013 and ensure that the licensing of Scrap Metal Dealers is self-financing, in accordance with the Council's Service and Budget Plan.

Introduction and Background

- 1 The Scrap Metal Dealers Act 2013 repealed the Scrap Metal Dealers Act 1964 (and related legislation) and Part 1 of the Vehicles (Crime) Act 2001, creating a revised regulatory regime for the scrap metal recycling and vehicle dismantling industries. The Act maintains local authorities as the principal regulator, but gives them the power to better regulate these industries by allowing them to refuse to grant a licence to 'unsuitable' applicants and a power to revoke licences if the dealer becomes 'unsuitable'.

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- 2 The licensing regime introduced by the Act is very similar to the licensing of taxi drivers and the issuing of Personal Licences under the Licensing Act. The suitability of applicants is based on a number of factors as outlined in the Act, including any unspent relevant criminal convictions. Whilst it is expected that straightforward applications will be decided under delegation to Officers, any applications with objections where the applicant wishes to make representations would need to be heard at a hearing, with an option to appeal their decision to the Magistrates' Court.
- 3 It had been expected that the Home Office would make regulations about the new Scrap Metal Dealer Act which would allow the Council to manage the licensing process in the same way it manages its other licensing functions, namely to delegate them to the Licensing Committee. Although the Act has come into force these regulations have not been made. This means that these matters are the responsibility of Cabinet rather than Council and the Licensing Committee. Delegations from the Leader to the relevant Officers are made separately.

Licences

- 4 Under the Act there are two types of licence; a site licence and a collector's licence, which are both administered by the local authority. Site managers need to be named on site licences. Collectors need a licence in each local authority area in which they collect. Both types of licence last for three years.
- 5 The local authority must be satisfied that the applicant is a suitable person to hold a licence before it can grant a licence. The scope of this requirement will include applicants, site managers, directors, secretaries and shadow directors of companies.
- 6 The Council requires a photograph to accompany the application for a Collector's Licence. The photograph forms part of the licence document and enables Officers to identify licensed collectors.

Determining Applications

- 7 Section 3 of the Act states that a Council must not issue a licence unless it is satisfied the applicant is a suitable person to carry on a business as a scrap metal dealer, identified via a 'suitability test'. In the case of a partnership, the suitability of each partner will be assessed. In the case of a company, it means assessing the suitability of any directors, company secretaries, or shadow directors.
- 8 In assessing an applicant's suitability, the Council can consider any information considered relevant. The Council will be in a stronger position to defend any challenges to a decision to refuse a licence where the decision is based on the factors specifically listed in legislation, which includes whether:

- 9 The applicant or site manager has been convicted of a relevant offence or subject to any relevant enforcement action.
- 10 The applicant has previously been refused a scrap metal dealers licence or an application to renew a licence has been refused.
- 11 The applicant will be required to complete an application and declare that the information provided is correct. The applicant will commit an offence under the Act should they make a false statement, or recklessly make a statement which is false in a material way.
- 12 The authority will want to satisfy itself that an applicant is suitable by checking they do not have a previous relevant conviction, have not been the subject of enforcement action, or have been refused a licence. There is no requirement under the Act for applicants to provide a Basic Disclosure Certificate (BDC). However, this authority requires applicants to submit a Basic Disclosure Certificate provided by Basic Disclosure Scotland as part of the application process. The Council will require the certificate to be within 30 days of its issue when presented with the application.
- 13 Should an applicant refuse to supply a BDC this would be grounds for the Council to consider what further information was needed to judge whether the applicant was suitable to hold a licence. Refusal to submit a BDC would be grounds for the Council to decline to proceed with the application.
- 14 The Council requires an applicant to provide a Basic Disclosure Certificate (including standard and enhanced disclosures) that are no more than one month old at the time the application is submitted. The authority recognises that a Basic Disclosure Certificate will reveal only any unspent convictions on the Police national computer. The Certificate will not provide details of convictions for relevant offences secured by the Environment Agency or equivalent, or other local authorities. For any new applications, the authority will consult with the Environment Agency or equivalent and the Police. The authority will reserve the right to also contact any other local authority it feels necessary to determine the suitability of an applicant(s).
- 15 In the case where a Basic Disclosure Certificate highlights a relevant conviction the authority will seek further information from the Police to enable the authority to better assess the applicant(s) suitability. The authority will also check public records held by the Environment Agency or equivalent to assess if any enforcement action has been taken against an individual. In certain circumstances it may be necessary to make direct contact with the above to assess if any on-going enforcement action is pending, which may not be held on a public register at the time of application.
- 16 If the Council should receive information that an applicant(s) has

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been convicted of a relevant offence, a judgement will be made whether to refuse or grant the licence. The Council will take into account any information received by an applicant or other bodies. The Council will consider the nature of the offence or enforcement action, the gravity of the offence or enforcement action, when the enforcement action was taken, or any other relevant information as defined by the Act.

Representations

- 17 In the case where the authority rejects an application(s), or revokes, or varies a licence, the Council will notify the applicant or licence holder by way of a written Notice. The Council will advise the applicant(s) or licence holder what the authority proposes to do and the reasons behind the action. The Notice will stipulate that the applicant/licence holder has the opportunity to make a representation, or let the authority know that they wish to. The applicant/licence holder has up to 14 days from the date of the Notice to respond.
- 18 If the applicant/licence holder does not make a representation, or does not say that they wish to in that time period, then the Council can refuse the application, or revoke, or vary the licence. Where the applicant states they want to make representations, the authority will provide a further reasonable period in which to do so. If the applicant fails to provide a representation within the agreed period then the authority will refuse the application, or revoke, or vary the licence.

Hearings

- 19 Where the applicant makes representations, the authority has to consider them in accordance with the Act. If the applicant wishes to make oral representations the authority will arrange a hearing. It is anticipated that these hearings will follow the procedures for hearings under the Licensing Act 2003. The Council anticipates that further guidance on hearings will be issued.
- 20 Should the Council refuse an application, revoke or vary a licence the applicant/licence holder will receive a Notice of Decision, which will set out the Council's reasons for its decision. The Notice will inform the applicant, or licence holder of their right to appeal to the Magistrates' Court and, where the licence has been revoked or varied, the date under which that comes into effect.

Conditions

- 21 In cases where the applicant or any site manager has been convicted of a relevant offence, or where the authority is revoking a licence, the authority can impose conditions on the licence. The authority can impose one or both of two conditions, these conditions specify that:
 - The dealer can receive scrap metal only between 9.00am and

5.00pm on any day, in effect limiting the dealer’s operating hours; and/or

- Any scrap metal received has to be kept in the form the dealer received it for a set period of time, which cannot be more than 72 hours.

22 There is no equivalent set of conditions for collectors.

Fees

23 The Act provides that an application for a licence must be accompanied by a fee. The fee will be set locally by each local authority on a cost recovery basis. Local authorities will have a duty to have regard to guidance issued by the Secretary of State which outlines the issues that should be considered when setting the fee and what activities the fee can cover. This fee will be an essential component of the new regime as it will provide local authorities with the funding they need to administer the legislation and ensure compliance.

24 There are currently 2 site licences in Sevenoaks District.

25 The fees have been set for 2022-2023 to include the current inflationary cost of 2% set by Sevenoaks District Council.

Proposed Fee(s)

Type of Application	2021/2022 Current Fee	2022/2023 Proposed Fee
Site Licence - Grant (3 years)	£497	£507
Site Licence - Renewal (3 years)	£420	£428
Collectors Licence Grant/Renewal (3 years)	£303	£309
Minor administrative change to licence	£33	£34
Variation - change of site manager	£180	£184
Variation from collector to site licence	£215	£219
Variation from site to collector licence	£139	£142

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Other options Considered and/or rejected

If Cabinet were minded not to approve these fees then Council would not be able to meet the Council's Service and Budget Plan or ensure the Scrap Metal Dealer Licensing Fees were self-financing.

Key Implications

Financial

There are no financial implications resulting from this report. The cost of licence fees takes into account the need to maintain a 'self-financing' position for the service. The proposals contained in this report will achieve this.

Legal Implications and Risk Assessment Statement

Should parts of industry believe the authority's fees are at a level which is greater than the costs of the statutory functions then it would be open to them to undertake a 'judicial review proceeding'. Should this arise, the authority would need to evidence how it arrived at the fee levels to demonstrate that they have been calculated on a cost recovery basis only.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Appendices

None

Background Papers

None

Richard Morris
Chief Officer Planning and Regulatory Services

SWANLEY SUNDAY MARKET PROPOSAL

Cleaner & Greener Advisory Committee - 5 January 2022

Report of: Deputy Chief Executive & Chief Officer - Finance & Trading

Status: For Decision

Key Decision: Yes

Executive Summary: This report updates on a draft proposal for an additional Sunday street market in Swanley, presented to the Council by Bray Associates.

This report supports the Key Aim of: Building on the District's thriving economy through the regeneration of our market towns, and by enhancing both the visitor and rural economies.

Portfolio Holder: Cllr. Margot McArthur

Contact Officer: Trevor Kennett, ext. 7407

Adrian Rowbotham, Ext. 7153

Recommendation to Cleaner & Greener Advisory Committee: That the additional Sunday market proposal be considered by the Committee, and its views be submitted for consideration by Cabinet.

Recommendation to Cabinet: That the additional Sunday market proposal along with any proposals submitted by the Cleaner & Greener Advisory Committee be considered and the proposal is endorsed.

Reason for recommendation: The proposal for an additional Sunday street market in Swanley, if successful could assist in generating additional income for the Council and help building on the District's thriving economy through the regeneration of our market towns.

Introduction

- 1 The Council currently operates; via a specialist contractor (Bray Associates) who was successful in a full tender process a Wednesday street market, operating at the Centre, Swanley.
- 2 The Council's current contractor, Bray Associates has approached the Council with a proposal for consideration to offer an additional Sunday street market at the same location as the existing Swanley market. This could initially be trailed as a 6-month pilot.

Agenda Item 8

- 3 Bray Associates are specialist market operators, managing markets across London and the South East, including Borehamwood, Chichester, Fareham, Havant, Hounslow, Milton Keynes, Staines and Swanley. Swanley has become one of the biggest and busiest Wednesday markets in the UK.
- 4 Due to the closures of other established Sunday markets, such as Dagenham and Romford, Bray's advise us that they have full stallholder sign up for a Sunday street market.

Location

- 5 LCP Properties, based in London operate and own the Shopping Centre at Swanley. We have informally approached LCP to enquire if they would consider an additional Sunday market at this location and the rental cost to the Council.
- 6 LCP have agreed in principle for a Sunday market to operate at the Centre, Swanley. The cost to the Council for a 6-month would be in the region of £25,000.
- 7 An addendum to the current lease with LCP will be required to cover the extra trading day.
- 8 The current lease in place for the Wednesday market expires on the 31st March 2022. This will be re-negotiated separately from this proposal, but could include the second market day if needed.
- 9 It should be noted that negotiations with LCP about the future of market days in Swanley are ongoing. We must safeguard the future of the market so that this vital community service is not lost, which would also have a significant negative financial impact on the Council.

Dartford Market Charter

- 10 A charter market or fair is a street market or fair, established by Royal Charter. As they are today, markets and fairs were trading institutions held at regular intervals. In medieval England and Wales, it was common for a market held once a week, on a set day and in a set place.
- 11 Dartford has a Chartered Market on a Saturday and the Charter protects the market from another town within a 6-mile radius from operating a street market on the same day.
- 12 Consultation with Dartford Borough Council about the pilot proposal has been undertaken and they have no objections to a Sunday street market from operating in Swanley.

Market Proposal

- 13 Bray Associates have proposed a 6-month pilot to run a full additional market day on a Sunday. They would be responsible for the total management of the Sunday market, including publicity and marketing.
- 14 Bray Associates propose to pay the Council £4,000 per week for the first month of the Sunday market pilot and £6,000 per week for the remainder of the pilot, which would give a total income of £144,000 for the 6-month pilot.
- 15 The proposal is to operate the pilot Sunday market from February 2022 to August 2022.
- 16 The Sunday market pilot would see a mix of different types of market traders that would see traditional traders, along with a food market offering, local produce, and farmer's market like traders, as an example. When established Brays would look to introduce more local traders, such as crafts and locally produced goods. They would also like to give a chance to young entrepreneurial traders, such as start-up and social enterprise businesses.
- 17 Bray's would also ensure litter and rubbish collection is carried out during the market and will work with the Council to ensure that the area is clean and tidy when the market stops trading.
- 18 From research completed by Bray's it suggests that local businesses in the area are supportive, as currently Wednesday is their best trading day of the week, due in the main to the large footfall the market brings.

Procurement

- 19 The proposal is to submit a Procurement Initiation Form to the Procurement Assurance Group requesting a fully authorised waiver not to undertake a full tender exercise until April 2022.

Planning

- 20 Planning Developments view is that the existing planning consent would mean that no new planning permission would be needed for a Sunday market. However further legal advice would be needed to ensure any additional market has all of the necessary permissions in place, such as highway and street trading requirements.

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Engagement

- 21 The Council will undertake detailed engagement with Swanley Town Council and the local business community on the proposals.
- 22 On completion of the pilot public engagement will be undertaken to evaluate the additional Sunday market and its operation under the pilot.

Key Implications

Financial

All budget and financial issues are detailed in the main report.

Legal Implications and Risk Assessment Statement.

None identified.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

Members are reminded of the Council's stated ambition to be Net Zero with regards to carbon emissions by 2030. The decisions recommended in this paper directly impact on this ambition. The impact has been reviewed and there will be a slight increase on carbon emissions produced in the district as a result of this decision.

An additional Sunday market in Swanley would see a potential increase to local traffic in the area, which could slightly increase carbon emissions. Additional waste would be produced, which would need to be removed and disposed of correctly.

Conclusions

Other than monitoring the management of the market, there is no resourcing issues for the Council to be concerned about. This additional and un-planned income would significantly assist the Council in balancing the budget.

If successful, a tender exercise would generate approximately £300,000 per annum for this additional Sunday market for 2022-2023 and future years less costs of £60,000 making an estimated net income of £240,000.

Appendices - None

Background Papers - Net Zero Risk Assessment

Adrian Rowbotham

Deputy Chief Executive and Chief Officer - Finance & Trading

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BRADBOURNE LAKES UPDATE

Cleaner & Greener Advisory Committee - 5 January 2022

Report of: Deputy Chief Executive & Chief Officer, Finance & Trading

Status: For Decision

Key Decision: No

Executive Summary: This report updates Cleaner & Greener Advisory Committee Members on the progress to date in implementing the agreed vision for Bradbourne Lakes.

This report supports the Key Aim of; a green and healthy environment

Portfolio Holder: Cllr. Margot McArthur

Contact Officer: Trevor Kennett, Ext. 7407

Adrian Rowbotham, Ext. 7153

Recommendation to Cleaner & Greener Advisory Committee:

To note the progress of the Bradbourne Lakes vision implementation in trying to attract and apply for external funding.

Reason for recommendation: The agreed Bradbourne Lakes vision produced by LUC (Land Use Consultants) produced a design that will cost an estimated £1,262,000 to implement. This is outside the Council's 10-year budget and therefore requires a range of external funding sources to be delivered. The Cleaner and Greener Advisory Committee agreed the vision on 29 October 2019. A bid to the Council's CIL Board was agreed on the 9 December 2019 for £252,400, subject to external funding being secured.

Introduction & Background

- 1 At the meeting of the Direct and Trading Advisory Committee on 9 October 2018 (and agreed by Cabinet on 11 October 2018), it was agreed that:-
 - a. The results of the public consultation be noted and that Land Use Consultants (LUC) be commissioned to develop a full vision costed plan and to explore funding opportunities and to submit various grant applications to fund the proposed improvement and restoration works, and

Agenda Item 9

- b. To fund this consultancy works, a one-off, Invest to Save, growth item for the 2019/20 budget be considered as part of the 2019/20 budget setting process.
- 2 A £60,000 budget was agreed, available from 1 April 2019, and LUC were duly commissioned to create the vision.
- 3 The priorities identified from the consultation were: de-silting of the lakes; repair of lake edges; repair of broken structures; repair/improvement of eroded paths; removal of overgrown vegetation, ecological enhancements and biodiversity improvements.
 - a. The initial desilting works were completed in October 2021
- 4 In order to prepare a fully costed plan various surveys have been undertaken, by LUC. These are:
 - a. Tree survey - (446 trees surveyed, 25 trees identified for removal)
 - b. Ecology survey - (Tree reductions, marginal and aquatic planting, connectivity planting of hedges and trees, which will improve bats, birds, invertebrates populations and to dissuade populations of water fowl causing damage)
 - c. Sediment (Silt) survey - (It is calculated that there is currently 5627m³ of in-situ sediment in the 5 lakes, with approximately 5080 tonnes for removal and disposal. Permits were needed to remove silt and some material was contaminated by road run and required disposal at a suitable licenced site.
 - d. Structure survey - (High priority works include sidewall repairs for Lake 4 and overflow pond, steel supported concrete bridge repairs, and sidewalls of the overflow stream.
- 5 Please refer to the Cleaner and Greener [Advisory Committee on 29 October 2019](#) for each full survey.
- 6 Many of the structures within the park require general repairs to ensure the longevity of the lake banks and improve the general aesthetics of the park.
- 7 The following identified actions will be required:
 - a. The draining and dredging of Lake 4 and its overflow pond facilitating further investigation and remedial works.
 - b. Trial pits dug at key locations to determine the current construction and condition of the sidewalls and base of Lake 4, and the sidewalls of the overflow stream.

- c. Developing solutions in areas where trees add to the complexity of repair details.
- d. Repair costs are optimised concerning aesthetics, robustness and longevity.

Landscape Proposals

- 8 From these surveys LUC produced a Vision and can be seen in Bradbourne Lakes Outline Specification (Background papers) and included:
 - a. Nature play. (Trim trail type) utilising wooden equipment.
 - b. Improvement to existing paths and edges.
 - c. Improvement to park threshold
 - d. Creation of circular walking path with deck bridge and stream stepping stones.
- 9 This Vision is estimated to cost £1,262,000 to implement
- 10 The vision and cost was taken to the Cleaner and Greener Committee on the 29 October 2019 and support was given in proceeding to source external funding.

External Funding

- 11 LUC submitted an Expression of Interest (EOI) application to the HLF requesting £535,500 in December 2019. This EOI was not successful and was rejected by the Heritage Lottery Fund, following a change to their funding criteria due to the pandemic.
- 12 A revised EOI matching the funding criteria and in partnership with Kent Wildlife Trust was submitted on the 12 November 2021. On the 8 December 2021 our EOI was considered by the HLF panel for our London and South Area and we have been invited to submit an application to the National Lottery Heritage Fund for this project.
- 13 £252,400 of the Council's CIL fund was applied for and was approved on 9 December 2019, subject to external funding and relevant planning permission. A decision from the HLF funding panel has now been given and our EOI will now proceed to a full application.

Key Implications

Financial

The funding for the priority works identified in the vision for Bradbourne Lakes is outside the Council's ten-year budget and therefore external funding will need to

Agenda Item 9

be applied for to wholly or partially fund the required works to implement the vision.

On-going maintenance liabilities for the Council also need to be fully taken into account in any improvement programme.

Legal Implications and Risk Assessment Statement.

Without assistance from external funding the vision cannot be implemented for the lakes, however, priority works, such as de-silting, has been completed, to ensure the correct functioning of the lakes, and again, the estimated cost of these works are outside the Council's ten-year budget.

There is no guarantee, however, that any application for funding will be successful, and this is a significant risk to the implementation of the vision.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

Members are reminded of the Council's stated ambition to be Net Zero with regards to carbon emissions by 2030. The decisions recommended in this paper directly impact on this ambition. The impact has been reviewed and there will be a decrease on carbon emissions produced in the district as a result of this decision.

The restoration and renovation of Bradbourne Lakes will ensure they operate more effectively, positively effecting flooding and surface flooding in the area. The agreed vision for Bradbourne Lakes sets out the extensive positive impacts on habitats, biodiversity, ecosystems and wildlife all of which positively contribute to lowering carbon emissions.

Conclusions

Securing funding to wholly or partially carryout the improvement and restoration works identified in the vision will be the greatest opportunity to deliver the desired outcomes. The Council in partnership with Kent Wildlife Trust and LUC have started to apply to different organisations to provide the necessary funding to deliver the desired outcomes identified through the vision consultation. There is no guarantee of success.

Appendices - none

Background Papers - Bradbourne Lakes - [A Vision for the Future - prepared by LUC - August 2018](#)

[Tree Survey, Ecology Survey, Sediment Survey](#)

[Structural Survey](#)

Adrian Rowbotham

Deputy Chief Executive & Chief Officer Finance & Trading

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AIR QUALITY ACTION PLAN- REQUEST TO CONSULT

Cleaner & Greener Advisory Committee- 05 January 2022

Report of: Deputy Chief Executive and Chief Officer Planning and Regulatory Services

Status: For Decision

Also considered by:

- Cabinet- 10 February 2022
- Council - 22 February 2022

Key Decision: no

This report supports the Key Aim of: Green Environment -Priority 2 Maintain a clean local environment

Portfolio Holder: Cllr. Margot McArthur

Contact Officer: Nick Chapman, Ext. 7167

Recommendation to Cleaner & Greener Advisory Committee

- (a) To note the contents of the 'Draft Air Quality Action Plan' and support the Environmental Health Team undertaking public consultation of the draft plan.

Recommendation to Cabinet

- (a) To note the contents of the 'Draft Air Quality Action Plan' and support the Environmental Health Team undertaking public consultation of the draft plan.

Recommendation to Council

- (a) To note the contents of the 'Draft Air Quality Action Plan' and authorise the Environmental Health Team to undertake public consultation of the draft plan.

Reason for recommendation: The District Council is required to consult on the proposals within its Air Quality Action Plan and then incorporate comments in the final version.

Introduction and Background

- 1 Sevenoaks District Council is required to produce an Air Quality Action Plan (AQAP) which details measures it intends to take to mitigate air pollution within its designated Air Quality Management Areas (AQMA) over the next 5 years.
- 2 A specialist consultant was engaged in 2019 to produce our Air Quality Action Plan with the assistance and input of our officers within strategic planning and environmental health teams. An initial draft of the AQAP is now available for consultation and is presented in Appendix 1.
- 3 The AQAP is a technical document, which brings together the scientific evidence and air quality monitoring data collected by the District Council to justify appropriate measures to improve air quality.
- 4 Within Sevenoaks District, vehicular activity is the principle source of emissions and all of our existing AQMA are associated with busy stretches of road and junctions.
- 5 A source apportionment exercise undertaken by our consultant has shown that within these areas, diesel cars and diesel LGV's make up the largest proportion of the measured pollution.
- 6 It has been confirmed that that in AQMA 10 (Sevenoaks High Street) the area of poorest air quality is located along the High Street between Dorset Street and Locks Yard. In this location, a 59.0% reduction in NO_x from emission sources would be required to achieve that the national air quality objective level for NO₂ of 40µg/m³. Elsewhere within this AQMA, a reduction of 25.0% NO_x is required.
- 7 Within AQMA 13 (A25) the area of poorest air quality is located along London Road, just off the A25 in Westerham. A reduction of 49.2% in NO_x emissions is required in order to meet the national air quality objective level and generally within this AQMA a reduction of 25.8% in NO_x emissions is required.
- 8 As a result of this analysis, measures which reduce emissions from internal combustion engines are likely to have the most significant impact on air quality within our AQMA's
- 9 Table 5.1 of the draft AQAP, outlines a number of measures which could be implemented to improve air quality within our AQMA. These measures have been identified following consultation with Councillors, Officers and our consultants and are each believed to be achievable and realistic.
- 10 A number of these potential measures align with the District Councils Net Zero aspirations. As a result, the District Council has already made progress in a number of areas and several initiatives that will improve Air Quality are already under way.

- 11 The District Council is required to consult with relevant stakeholders and the public on the measures proposed by our AQAP. It is intended that this consultation will take place over a 6-week period between February and March 2022.
- 12 The outcome of this consultation will then be reported on and the comments used to shape the final draft AQAP that will be brought back through the committee process in April 2022.

Key Implications

Financial

There are costs associated with running a public consultation. These costs will be met from existing budgets.

Legal Implications and Risk Assessment Statement.

It is a legal requirement for the District Council to consult stakeholders on the actions proposed by the Air Quality Action Plan.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users

Net Zero Implications

Members are reminded of the Council's stated ambition to be Net Zero with regards to carbon emissions by 2030. The decisions recommended in this paper directly impact on this ambition. The impact has been reviewed and there will be an (decrease) on carbon emissions produced in the district as a result of this decision.

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Appendices

Appendix A - Draft Air Quality Action Plan December 2021

Background Papers

- Report from Bureau Veritas- Sevenoaks District Council Detailed Assessment of Existing AQMA
- Sevenoaks District Council Annual Status Report 2021

Richard Morris

Deputy Chief Executive and Chief Officer - Planning & Regulatory Services

Appendix A

Air Quality Action Plan



**Sevenoaks District Council
Air Quality Action Plan**

December 2021





**BUREAU
VERITAS**

Document Control Sheet

Identification	
Client	Sevenoaks District Council
Document Title	Sevenoaks Air Quality Action Plan
Bureau Veritas Project No.	6726243

Contact Details		
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Configuration				
Version	Date	Author	Reason for Issue/Summary of Changes	Status
v1.0	24/09/2021	A Smith	Draft for comment	Draft
V2.0	10/12/2021	A Smith	Update following initial comments	Draft

	Name	Job Title	Signature
Prepared By	A Smith	Graduate Consultant	
Approved By	H Smith	Principal Consultant	

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Sevenoaks District Council Air Quality Action Plan

In fulfilment of Part IV of the
Environment Act 1995
Local Air Quality Management

December 2021

Sevenoaks District Council

Local Authority Officer	Nick Chapman
Department	Environmental Health
Address	Sevenoaks District Council Argyle Road Sevenoaks TN13 1HG
Telephone	01732 227167
E-mail	nick.chapman@sevenoaks.gov.uk
Report Reference number	UK_6726243_v2.0
Date	December 2021

Executive Summary

This Air Quality Action Plan (AQAP) has been produced as part of our statutory duties required by the Local Air Quality Management framework. It outlines the action we will take to improve air quality in Sevenoaks District Council (SDC) between 2022 and 2027.

Where an exceedance of the Air Quality objective is recorded, local authorities are required to declare an Air Quality Management Area (AQMA) to focus efforts into reducing pollutant concentrations. This action plan is for the existing AQMAs as detailed below:

- AQMA No.8 (Swanley Town Centre) - An area encompassing Swanley Town Centre, High Street and London Road. Declared for exceedances of the NO₂ annual mean objective;
- AQMA No.10 (Sevenoaks High Street) - An area encompassing Sevenoaks High Street and London Road. Declared for exceedances of the NO₂ annual mean objective;
- AQMA No.13 (A25) - The entire length of the A25 from the border with Tonbridge and Malling in the East to the border with Tandridge on the West. Declared for exceedances of the NO₂ annual mean objective; and
- AQMA No.14 (Junction of Birchwood and London Roads, Swanley) - Junction of Birchwood Road and London Road, Swanley. Declared for exceedances of the NO₂ annual mean objective.

This action plan replaces the previous “Air Quality Action Plan 2009”, which has been in place since 2009. The measures detailed within this updated action plan are largely to be considered as district-wide measures, therefore relevant to all AQMAs listed above. A detailed modelling assessment to support this action plan has been carried out for all AQMAs with the exception of AQMA No.8 and AQMA No.14, due to a lack of available traffic data at the time of assessment, and the COVID-19 pandemic preventing any representative traffic data to be collected.

Projects delivered through the past action plan include:

- Setting up an internal working group to identify, implement and monitor air quality mitigation measures;

Sevenoaks District Council

- Introducing 2 electric cars, 2 electric bicycles and 1 electric road sweeper into the Council's fleet;
- Installing 10 EV charging points in public car parks;
- Retrofitting boilers in the housing stock to low carbon alternatives, whilst encouraging switch and save; and

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^{1,2}.

The annual health cost to society of the impacts of particulate matter alone in the UK is estimated to be around £16 billion³. Sevenoaks District Council is committed to reducing the exposure of people in Sevenoaks District to poor air quality in order to improve health.

This Action Plan aims to tackle the main causes of poor air quality within Sevenoaks District, namely emissions from combustion engines, particularly diesel vehicles, and emissions from domestic combustion sources. We have developed actions that can be considered under 8 EU Measure Categories:

- Alternatives to private vehicle use
- Policy guidance and development
- Promoting low emission transport
- Promoting travel alternatives
- Public information
- Transport planning and infrastructure
- Traffic management
- Vehicle fleet efficiency

The Council have identified a number of priorities to help achieve this aim:

- **Promoting Public Health and Wellbeing** – Providing information of the impacts associated with poor air quality alongside providing information and

¹ Environmental equity, air quality, socioeconomic status and respiratory health, 2010

² Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

³ Defra. Abatement cost guidance for valuing changes in air quality, May 2013

guidance to residents on how they can help bring about improvements to air quality.

- **Reducing the Need to Travel** – Supporting sustainable development and initiatives that support the local economy, services and facilities.
- **Active Travel, Public Transport and Low Emission Vehicles** – Encouraging the uptake of alternatives to the car through improving cycling and walking opportunities, supporting sustainable public transport, car clubs and travel plans, encouraging the uptake of electric vehicles, improving the electric vehicle charging infrastructure and other initiatives.
- **Public Information and Behavioural Change** – Providing information on the causes and implications of poor air quality. Encouraging changing travel patterns and lower emission alternatives for domestic heating.
- **Local Planning Policy and Development Management** – Ensuring new development does not exacerbate any existing poor air quality issues and provides appropriate mitigation measures where this is unavoidable. The Local Plan will also support active travel, sustainable transport modes and electric vehicle charging infrastructure.
- **SDC Vehicle Fleet** – SDC will look at its own vehicle fleet and operations to reduce harmful emissions and increase efficiency.
- **Transport Planning and Traffic Management** – We will work with partners to mitigate existing areas of traffic and transport issues as well as seeking opportunities for alternatives and improvement.

In this AQAP we outline how we plan to effectively tackle air quality issues within our control. However, we recognise that there are a large number of air quality policy areas that are outside of our influence (such as vehicle emissions standards agreed in Europe), but for which we may have useful evidence, and so we will continue to work with regional and central government on policies and issues beyond Sevenoaks District Council's direct influence.

Responsibilities and Commitment

This AQAP was prepared by Bureau Veritas and the Environmental Health Department of Sevenoaks District Council with the support and agreement of the following officers and departments:

- Deputy Chief Executive and Chief Officer Planning and Regulatory Services
- Environmental Health Manager
- Strategic Planning Team
- Head of Direct Services
- Net Zero Working Group
- Transformation and Strategy Team
- Communications Manager
- Economic Development and Property

This AQAP has been approved by:

- Sevenoaks District Council Senior Management Team
- Cleaner & Greener Advisory Committee
- Cabinet
- Full Council at Sevenoaks District Council

This AQAP will be subject to an annual review, appraisal of progress and reporting to the Cleaner and Greener Advisory Committee Progress each year will be reported in the Annual Status Reports (ASRs) produced by Sevenoaks District Council as part of our statutory Local Air Quality Management duties.

If you have any comments on this AQAP please send them to Nick Chapman, Environmental Health Manager at:

Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks, Kent, TN13 1HG

Telephone: 01732 227000

Email: environmental.health@sevenoaks.gov.uk

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1 Introduction

This report outlines the actions that Sevenoaks will deliver between 2022 - 2027 in order to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the district.

It has been developed in recognition of the legal requirement on the local authority to work towards Air Quality Strategy (AQS) objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part and to meet the requirements of the Local Air Quality Management (LAQM) statutory process.

This Plan will be reviewed every five years at the latest and progress on measures set out within this Plan will be reported on annually within the SDC air quality ASR.

This Plan focuses on actions to improve air quality across the entire district, with a specific focus on four AQMAs declared by Sevenoaks District Council. Five AQMAs are planned for revocation following the acquisition of supporting monitoring data to verify modelled predictions and have therefore not been included within this action plan. AQMA No.8 (Swanley Town Centre) and AQMA No.14 (Junction of Birchwood and London Roads, Swanley) have not had a detailed assessment carried out due to a lack of traffic data available to undertake the dispersion modelling. Additionally, as a result of the COVID-19 pandemic, no ANPR surveys were able to be undertaken. Nonetheless, AQMA No.8 and AQMA No.14 are still discussed in relation to the monitoring carried out within these areas.

This AQAP considers measures that can be applied to the entire district and will therefore also improve air quality within these AQMAs.

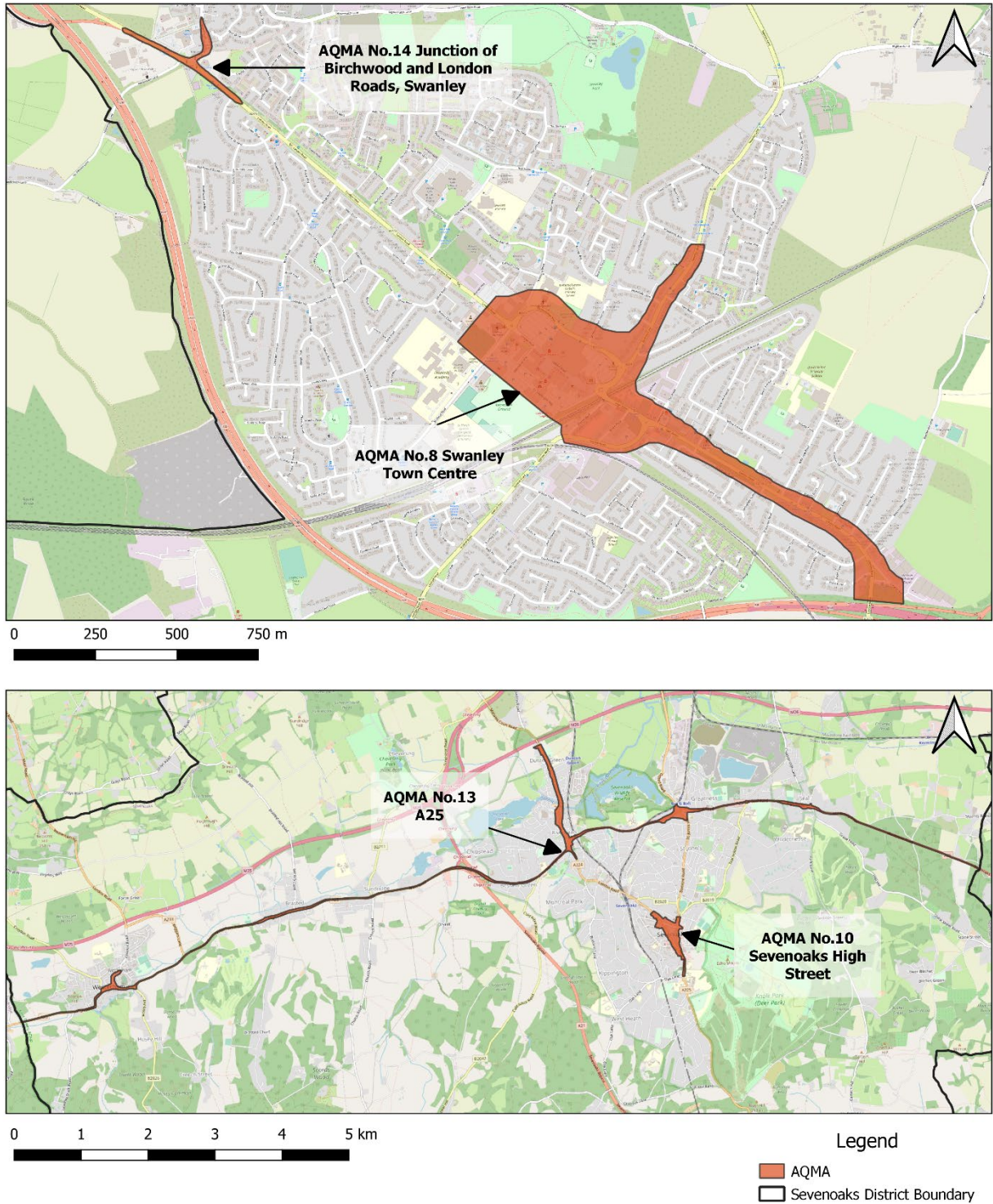
The AQMAs are presented in Figure 1.1, and are as follows:

- AQMA No.8 (Swanley Town Centre) - An area encompassing Swanley Town Centre, High Street and London Road. Declared for exceedances of the NO₂ annual mean objective;
- AQMA No.10 (Sevenoaks High Street) - An area encompassing Sevenoaks High Street and London Road. Declared for exceedances of the NO₂ annual mean objective;

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- AQMA No.13 (A25) - The entire length of the A25 from the border with Tonbridge and Malling in the East to the border with Tandridge on the West. Declared for exceedances of the NO₂ annual mean objective; and
- AQMA No.14 (Junction of Birchwood and London Roads, Swanley) - Junction of Birchwood Road and London Road, Swanley. Declared for exceedances of the NO₂ annual mean objective.

Figure 1.1 – Overview Map of AQMAs within Sevenoaks District



2 Summary of Current Air Quality in Sevenoaks District

Sevenoaks District is located within Kent, just south-east of London, and is home to approximately 120,750 residents⁴. The main source of air pollution within the district originates from vehicular emissions of nitrogen dioxide (NO₂) and particulate matter. The major roads passing through the district include the M25, M26, A21 and A25, linking many parts of London to the Dover port and the Channel Tunnel. As a result, there is a significant amount of continental traffic that passes through the District, including HGVs, as well as the presence of local traffic and commuters passing through into London from other areas within Kent. This creates several air pollution hotspots, chiefly in the towns of Sevenoaks, Swanley and Westerham.

Air quality monitoring is carried out across the district via a network of 51 diffusion tube sites and 2 automatic monitoring locations. Monitoring data for the past 5 years is presented in the following sections so that the trends and the frequency of any exceedances can be considered. It should be noted that there is a degree of uncertainty with regard to the 2020 monitoring data following the COVID-19 pandemic and its impacts on traffic volumes and air quality.

Detailed dispersion modelling was undertaken at relevant sensitive receptors across the district for the year 2018. A summary of the results of this are also discussed in the following sections where applicable.

There have been no exceedances of any of the AQS objectives outside any AQMA in the last 5 years once considered at the nearest relevant exposure.

2.1 AQMA No.8 Swanley Town Centre

AQMA No.8 was designated in 2006 for exceedances of the annual mean NO₂ objective. The current boundary covers Swanley Town Centre and along the B2173 London Road up to the M20. Figure 2.1 shows the extent of this AQMA.

There are 3 existing monitoring locations within the boundary of AQMA No.8. The annual mean NO₂ concentration over the past 5 years are presented in Table 2.1.

- Concentrations have largely been decreasing since 2016.

⁴ Office for National Statistics: Mid-2019 Estimates of the population for the UK, England, Wales, Scotland and Northern Ireland. Available at: <https://www.ons.gov.uk/>

- Following distance correction, the predicted annual mean NO₂ concentrations are below the AQS objective in all years reported.

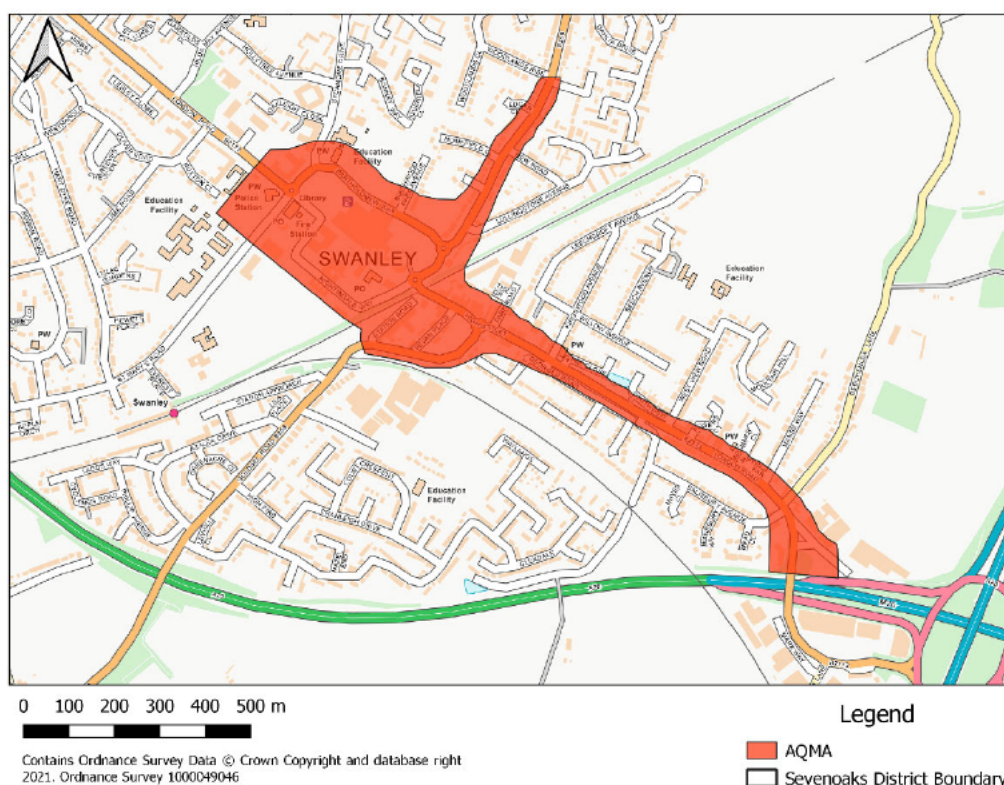
This AQMA was not included within the detailed modelling assessment due to a lack of available traffic data.

Table 2.1 – AQMA No.8 Annual Mean NO₂ Concentrations

Site ID	X OS Grid Ref.	Y OS Grid Ref.	Site Type	Annual mean NO ₂ concentration (µg/m ³)				
				2016	2017	2018	2019	2020
DT39	551492	168695	Roadside	40.9	34.5	36.4	34.8	28.1
DT40	551575	168508	Kerbside	51.5	40.9	45.6	37.5	28.4
DT41	552174	168162	Roadside	42.7	40.1	38.6	32.6	27.2

Note:
Exceedances of the NO₂ annual mean AQS objective are in bold

Figure 2.1 – Map of AQMA No.8 Swanley Town Centre



2.2 AQMA No.10 Sevenoaks High Street

AQMA No.10 was designated in 2006 for exceedances of the annual mean NO₂ objective. The current boundary covers Sevenoaks High Street from the junction of the A225 Oak Lane to where the A225 splits from the B2019. It also incorporates

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London Road up to just south of The Drive, Pembroke Road and parts of Suffolk Way, Eardley Road and Argyll Road. The extent of this AQMA is shown in Figure 2.2.

There are 7 existing monitoring locations within the current boundary of AQMA No.10. The annual mean NO₂ concentrations reported at these sites over the past 5 years are presented in Table 2.2.

- DT02, DT28, DT48 and DT51 have all reported at least one exceedance of the annual mean NO₂ AQS objective within the past 5 years. None of these are located at relevant exposure.
- Overall, concentrations have been decreasing since 2016.

Table 2.2 – AQMA No.10 Annual Mean NO₂ Concentrations

Site ID	X OS Grid Ref.	Y OS Grid Ref.	Site Type	Annual mean NO ₂ concentration (µg/m ³)				
				2016	2017	2018	2019	2020
DT02	553157	154415	Roadside	54.7	48.1	49.9	40.4	29.6
DT27	553139	154259	Roadside	39.8	38.2	37.7	33.2	21.6
DT28	553043	154890	Kerbside	44.1	36.7	36.8	31.5	23.5
DT29	553073	155026	Roadside	31.5	28.0	28.2	23.7	17.6
DT48	552863	154873	Roadside	27.7	40.7	23.9	20.0	13.6
DT49	553018	154654	Roadside	33.7	28.2	29.1	25.1	17.2
DT51	552662	155153	Kerbside	40.4	35.1	39.0	30.2	22.3

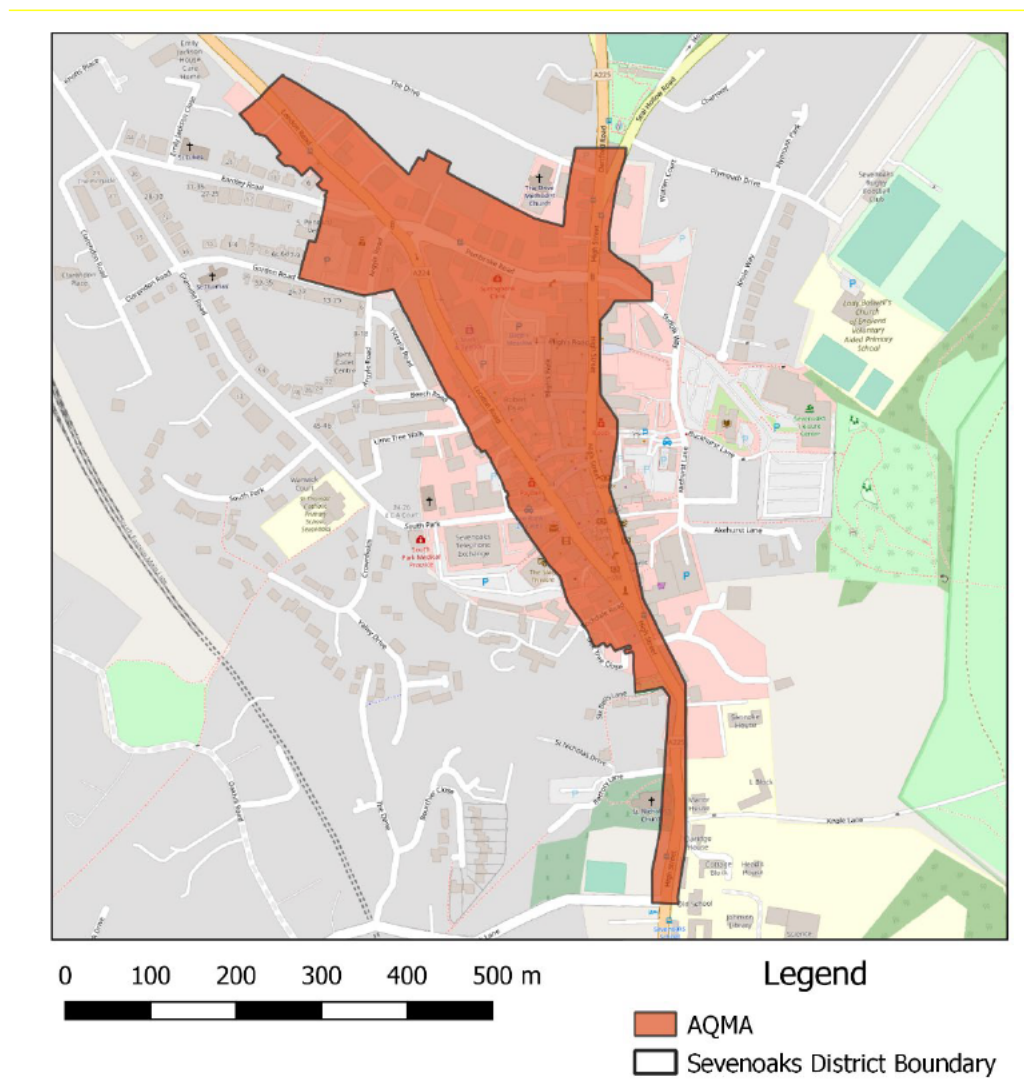
Note:
Exceedances of the NO₂ annual mean AQS objective are in **bold**

Modelled receptors were positioned at numerous existing residential receptor locations throughout the AQMA, both within and in close proximity to the AQMA boundary, inclusive of receptors at Sevenoaks School.

- Exceedances of the annual mean objective were predicted in two areas of the High Street. Northwards of Rectory Lane, a narrow bend near Six Bells Lane and at the High Street where it splits off from the A224 up until the junction to Pembroke Road/Suffolk Way.
- Additional exceedances were predicted along the A224 London Road/Tubs Hill in Sevenoaks.
- There was a predicted concentration greater than 60µg/m³ in a narrow section of the High Street between Dorset Street and Locks Yard. This indicates a potential exceedance of the hourly-average AQS objective, as per LAQM.TG(16) guidance.

- The receptors modelled at Sevenoaks School are predicted to have concentrations less than $40\mu\text{g}/\text{m}^3$.

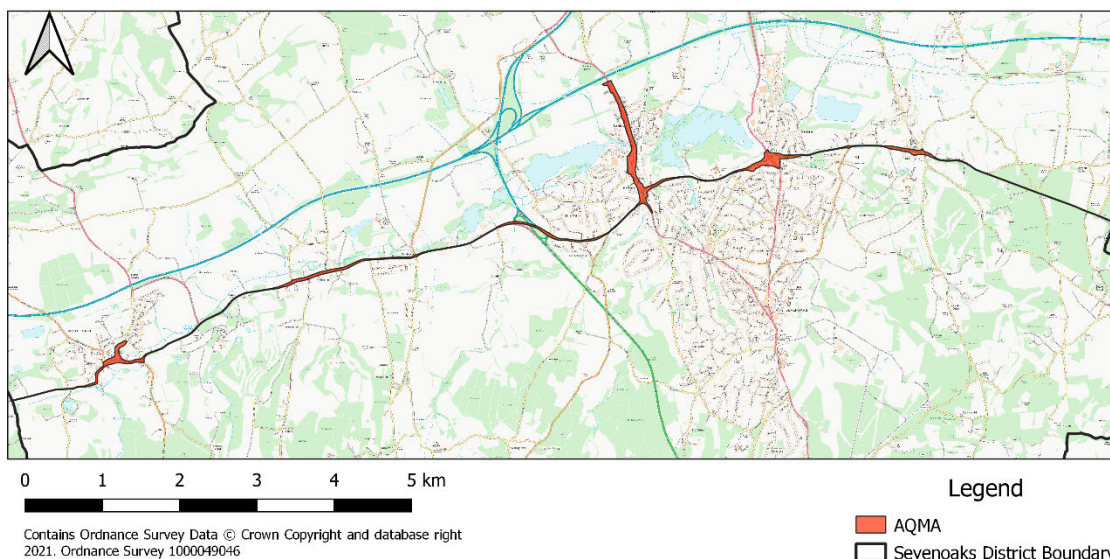
Figure 2.2 – Map of AQMA No.10 Sevenoaks High Street



2.3 AQMA No.13 A25

AQMA No.13 has been declared since 2014 for exceedances of the annual mean NO_2 AQS objective. The AQMA covers the entire stretch of the A25, from the border of Tonbridge and Malling in the east to the border of Tandridge in the west. It also covers the A224 London Road heading northwards from Riverhead until it meets the M26, a section of the A224 Amherst Hill heading south from Riverhead until the junction to Montreal Road, and a section of London Road heading northwards from Market Square in Westerham until it reaches the junction to Quebec Avenue. **Error! Reference source not found.** shows the full extent of this AQMA.

Figure 2.3 – Map of AQMA No.13 A25



There are 26 monitoring locations within or in close proximity to the AQMA boundary. Table 2.3 displays the annual mean NO₂ concentrations reported over the past 5 years at these monitoring locations. 12 monitoring locations have reported at least one exceedance of the annual mean NO₂ objective in the past 5 years (2016-2020). Overall, concentrations have been gradually decreasing over the past 5 years.

- Of these 12 sites, only 3 continue to report exceedances in 2019 (DT31, DT32, DT87). These 3 sites have continuously reported exceedances in previous monitoring years. The other 9 sites no longer report exceedances in 2019 following the gradual decrease of concentrations.
- Following distance correction where monitoring is not conducted at relevant exposure, no sites have reported a concentration to be exceeding the AQS objective in 2019. DT32 does however report a concentration to be within 10% of the AQS objective (39.8µg/m³).
- DT31 and DT32 are located on the southern and eastern arms of the A25 Seal Road to A225 junction respectively. This junction experiences heavy congestion, and the southern and eastern sections leading up to the junction are narrow, further amplifying this congestion.
- DT87 is located along the A27 Bradbourne Vale Road approaching the Riverhead junction.

Table 2.3 – AQMA No.13 Annual Mean NO₂ Concentrations

Site ID	X OS Grid Ref.	Y OS Grid Ref.	Site Type	Annual mean NO ₂ concentration (µg/m ³)				
				2016	2017	2018	2019	2020
CM2	553044	156690	Roadside	31.0	28.0	25.0	23.0	18.0
DT05	551414	156197	Kerbside	47.0	42.7	39.3	34.4	30.3
DT06	551440	156165	Roadside	47.1	40.2	41.7	34.8	27.3
DT07	555092	156694	Roadside	46.8	42.7	41.3	36.6	26.2
DT08	554991	156726	Roadside	35.2	26.9	28.3	23.7	19.2
DT23	553059	156624	Roadside	40.5	34.3	39.2	33.0	26.6
DT24	544415	153914	Roadside	35.3	30.4	35.8	28.2	23.0
DT25	544770	154000	Roadside	29.8	25.9	26.1	23.5	18.4
DT31	553165	156685	Roadside	57.9	51.2	51.1	43.6	35.0
DT32	553151	156558	Roadside	56.3	47.6	51.9	40.7	32.5
DT33	555068	156711	Roadside	48.1	40.5	40.5	34.6	26.3
DT34	549427	155691	Roadside	31.7	27.5	26.1	23.5	18.3
DT35	554093	156798	Roadside	39.6	32.5	33.7	30.0	24.3
DT36	544594	154025	Kerbside	45.1	39.6	40.1	33.5	28.2
DT42	551318	156373	Roadside	39.3	35.5	34.5	27.4	23.6
DT43	551281	156860	Roadside	34.1	29.5	28.5	26.5	19.3
DT54	551216	157007	Roadside	36.0	33.8	32.7	28.8	24.8
DT71	548239	155353	Roadside	33.5	30.0	31.3	25.6	22.5
DT74	550768	155584	Roadside	37.1	35.4	35.9	30.7	22.2
DT76	551026	155710	Roadside	40.0	33.9	37.9	33.3	27.4

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DT77	551529	155967	Roadside	40.0	38.8	38.7	31.6	25.0
DT84	546802	155000	Roadside	35.4	31.2	32.5	26.5	23.0
DT85	547097	155099	Roadside	51.1	43.9	43.7	35.7	31.5
DT86	550308	155593	Roadside	40.8	36.0	34.7	30.7	21.1
DT87	551640	156335	Roadside	51.7	45.7	47.0	42.3	35.7
DT88	552963	156583	Roadside	32.9	28.7	30.3	28.1	20.7
Note: Exceedances of the NO ₂ annual mean AQS objective are in bold								

Discrete modelled receptors within this AQMA have predicted 5 areas of exceedances within this AQMA. These are:

- Westerham, along the A25 between the junction to the B2024 and Mill Lane, and where London Road joins the A25;
- Brasted along the High Street, in particular near to junctions to Church Road and Chart Lane, as well as an additional predicted exceedance near the junction to Rectory Lane;
- The junctions of the A25 and A224 in Riverhead, with the majority of exceedances predicted along the eastern stretch of the A25;
- The junction between the A225 and A25 in Bat & Ball, in particular the southern and eastern stretches where there have been monitored exceedances; and
- The eastern section of the A25 leaving Seal.

2.4 AQMA No.14 Junction of Birchwood and London Roads, Swanley

AQMA No.14 was designated in 2014 for exceedances of the annual mean NO₂ objective. The current boundary covers the junction of Birchwood Road and London Road in Swanley, as shown in Figure 2.4.

There are 3 existing monitoring locations within or near to the boundary of AQMA No.14. The annual mean NO₂ concentrations monitored at these sites over the past 5 years are presented in Table 2.4.

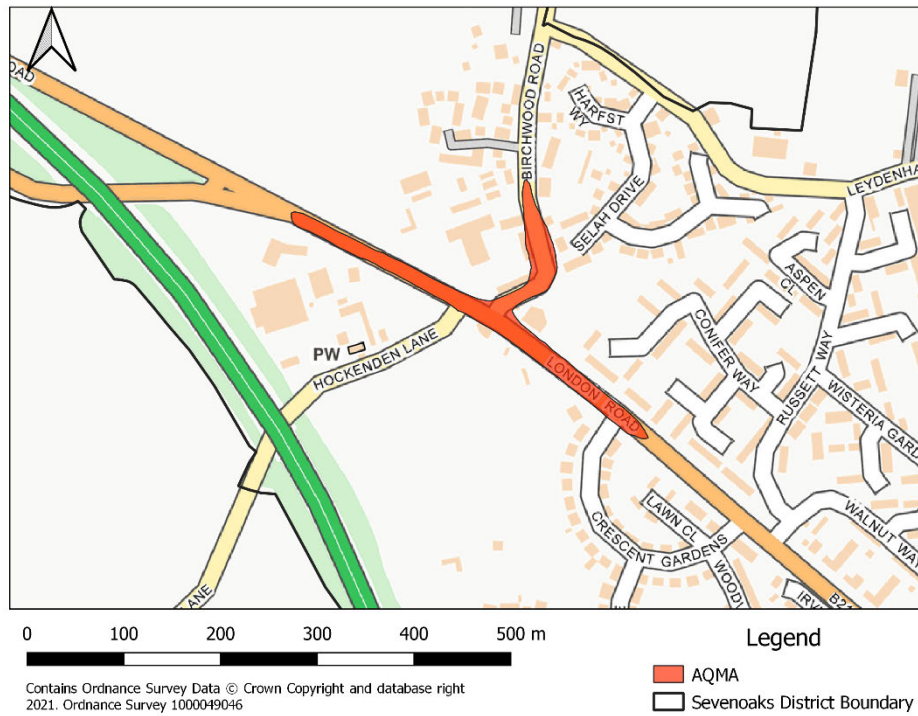
- Exceedances have been reported at DT83 within the past 5 years. This is not located at a site of relevant exposure.
- Concentrations have been decreasing since 2016.
- Following distance correction at DT83, the predicted annual mean NO₂ concentrations continue to be exceeding in 2016, 2017 and 2018.

Table 2.4 – AQMA No.14 Annual Mean NO₂ Concentrations

Site ID	X OS Grid Ref.	Y OS Grid Ref.	Site Type	Annual mean NO ₂ concentration (µg/m ³)				
				2016	2017	2018	2019	2020
DT83	550297	169682	Roadside	60.5	49.8	46.7	42.4	33.3
DT94	550258	169575	Roadside	36.9	32.2	33.8	28.6	22.8
DT95	550351	169499	Roadside	38.0	33.6	33.0	30.2	25.0
Note: Exceedances of the NO ₂ annual mean AQS objective are in bold								

This AQMA was not included within the detailed modelling assessment due to a lack of available traffic data.

Figure 2.4 – AQMA No.14 Junction of Birchwood and London Roads, Swanley



3 Sevenoaks District Council's Air Quality Context and Priorities

This chapter presents the main drivers and the approach taken by Sevenoaks District Council for the development and subsequent selection of measures that have been included within this AQAP. Included within this section of the AQAP are descriptions of the existing strategies and policies that relate to air quality within the district.

A source apportionment study has been completed across the district, focusing on the seven AQMAs whereby a detailed assessment was completed (AQMAs 1, 2, 3, 4, 6, 10 and 13). The source apportionment study has allowed the most significant sources of oxides of Nitrogen (NO_x) vehicle contributors to be identified. NO_x are predominantly emitted into the atmosphere in the form of nitric oxide (NO) which is then converted to nitrogen dioxide (NO₂) through chemical processes in the atmosphere. Under most atmospheric conditions, the dominant pathway for NO₂ formation is via the reaction of NO with ozone (O₃).

In conjunction, with the strategies and policies that are currently in place, the conclusions of this apportionment exercise have been used to identify and prioritise the action measures presented within Section 5.

3.1 Public Health Context

There is increasing scientific evidence that poor ambient air quality has a significant negative impact on health. Research shows that the most common air pollutants of concern, NO₂, PM₁₀ and PM_{2.5} (particulate matter in the fractions of less than 10 microns and 2.5 microns in diameter), are linked to various health complications, impacting the cardiovascular and respiratory systems. Exposure to these pollutants can bring about symptoms such as nose and throat irritation, followed by bronchoconstriction and dyspnoea, alongside increasing reactivity to natural allergens, increasing the risk of respiratory infections through the pollutants interaction with the immune system⁵, and may lead to reduced lung function. Alongside this, there is increasing interest and pressure from members of public for Local Authorities to actively tackle and reduce air pollution in their areas. Previously, there had been no deaths officially linked to air pollution, however in 2020 the first person in the UK had 'air pollution' listed as a cause of death. Although currently

⁵ Marilena Kampa and Elias Castanas, Human Health Effects of Air Pollution, June 2007

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there are no legislative outcomes as a result of this, this further increases the pressure and duty of care that Local Authorities have in order to protect their residents. Poor air quality is considered to be a significant contributory factor to the loss of life, shortening lives by an average of 5 months. In 2010, the Department of Health's Committee on the Medical Effects of Air Pollutants (COMEAP) reported that long-term exposure to outdoor air pollution contributes to the equivalent of 29,000 deaths in 2008 in the UK, and an associated loss to the population of 340,000 life-years. A further report by the Royal College of Physicians reported in 2016 that it contributed to the equivalent of 40,000 deaths in 2015.

Local authorities have a range of powers which can effectively help to improve air quality. However, the involvement of public health officials is crucial in playing a role to assess the public health impacts and providing advice and guidance on taking appropriate action to reduce exposure and improve the health of everyone within Sevenoaks District Council.

The Air Quality Indicator in the Public Health Outcomes Framework (England) provides further impetus to join up action between the various local authority departments which impact on the delivery of air quality improvements. The "Air Quality – A Briefing for Directions of Public Health" document published in March 2017 provides a one-stop guide to the latest evidence on air pollution, guiding local authorities to use existing tools to appraise the scale of the air pollution issue in its area. It also advises local authorities how to appropriately prioritise air quality alongside other public health priorities to ensure it is on the local agenda.

The document comprises the following key guides:

- Getting to grips with air pollution – the latest evidence and techniques
- Understanding air pollution in your area
- Engaging local decision-makers about air pollution
- Communicating with the public during air pollution episodes
- Communicating with the public on the long-term impacts of air pollution
- Air Pollution: an emerging public health issue: Briefing for elected members

Besides NO₂, there is an increasing focus on fine particulate matter. PM_{2.5} is a pollutant of concern meaning particulate matter which is 2.5 microns or less in

diameter. The AQMA has not been declared for PM_{2.5} and the modelling as part of the detailed assessment has shown predicted levels below the annual mean objective of 25µg/m³.

The Public Health Outcomes Framework data tool compiled by Public Health England quantifies the mortality burden of PM_{2.5} within England on a county and local authority scale. The 2019 fraction of mortality attributable to PM_{2.5} pollution in Sevenoaks is 5.3%, which is above the national average of 5.1%, and the regional average (South East) 5.2%. It should be noted that this figure only accounts for one pollutant (PM_{2.5}) for which stronger scientific evidence on links with mortality exist, and not NO₂, for which the AQMA is declared, so the true figure is possibly even higher.

Furthermore, following on from a review of research into the death burden associated with the air pollution mixture rather than single pollutants acting independently, the Committee on the Medical Effects of Air Pollutants (COMEAP) are currently reviewing the ability to link deaths to one specific pollutant.

With regards to health impacts as a result of air pollution within Sevenoaks, this is largely associated to concentrations of NO₂ exceeding the annual mean objectives, as well as the hourly-mean objective in some areas. Levels of PM₁₀ are currently shown to comply with the AQS objectives. Evidence continues to show that there is no real safe threshold for PM_{2.5} and the UK government should achieve reductions in levels of PM_{2.5} as low as reasonably practicable below the current air quality standard. Monitoring of PM_{2.5} shows that concentrations reported are considerably well below the recommended AQS objective. It is expected that some of the measures implemented within this action plan for the achievement of reductions in NO₂ will have co-benefits in additionally reducing concentrations of PM₁₀ and PM_{2.5}.

3.2 Planning and Policy Context

This Air Quality Action Plan outlines the Sevenoaks District Council's plan to effectively tackle air quality issues within its control. There are numerous existing and impending policies and strategies adopted at all levels (local, regional and national) that can exert significant effects, both positive and negative, on air quality across Sevenoaks. It is important to identify and consider these plans and strategies at an early stage of the development of the plan, as these will aid the establishment of the

context in which specific options for improving air quality can be implemented.

Whilst certain policies and / or strategies may be outside of the influence of Sevenoaks District Council, there are a number of related policies and strategies at local and regional levels that can be tied directly with the aims of this AQAP. Some of these have a focus on air quality improvements within the district, whilst others relate to transportation issues and therefore have the added benefit of contributing to overall improvements in air quality across Sevenoaks.

The review of these strategies and policies also assists in preventing duplication of work within the AQAP but can instead work in concordance for mutual benefit whilst also focusing on direct measures outside those considered within the already developed strategies and policies. This section outlines the strategies and policies that have the most significant potential to impact on pollutant concentrations within Sevenoaks District. Given their importance, the majority of measures listed below have been included as action measures within this Action Plan.

The most relevant policies and strategic documents are detailed below.

3.2.1 Clean Air Strategy 2019

The Clean Air Strategy⁶ has been published to set out the case for action at a national level, identifying a number of sources of air pollution within the UK including road transportation (relevant in terms of the AQMAs currently present within Sevenoaks) and sets out the actions required to reduce the impact upon air quality from these sources. It has been developed in conjunction with three other UK Government Strategies; the Industrial Strategy, the Clean Growth Strategy, and the 25 Year Environment Plan.

Key actions that are detailed within the strategy aimed at reducing emissions from transportation sources include the following:

- The publication of the Road to Zero strategy, which sets out plans to end the sale of new conventional petrol and diesel cars and vans by 2040;
- New legislation to compel vehicle manufacturers to recall vehicles and non-road mobile machinery for any failures in emission control systems, and to take effective action against tampering with vehicle emissions control systems;

⁶ Department for Environment, Food and Rural Affairs (2019), Clean Air Strategy

- Develop new standards for tyres and brakes to reduce toxic non-exhaust particulate emissions from vehicles. This action would not necessarily target reductions in NO₂ for which the majority of AQMAs within Sevenoaks has been declared;
- The encouragement of the cleanest modes of transport for freight and passengers; and
- Permitting approaches for the reduction of emissions from non-road mobile machinery, especially in urban areas.

3.2.2 UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations

Published in July 2017, the UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations (Detailed Plan)⁷ is the UK governments plan for bringing concentrations of NO₂ within statutory limits within the shortest possible time. It is identified that the most immediate air quality challenge within the UK is tackling the issue of NO₂ concentrations close to roads, especially within towns and cities. The plan identifies a number of local authorities that were required to complete feasibility studies to define NO₂ concentrations on road links identified by the national Pollutant Climate Mapping (PCM) model as being in exceedance of the NO₂ annual mean AQS objective.

Sevenoaks District Council were not one of the authorities identified, regardless, the UK Plan provides a high level of detail on possible solutions, and their implementation, to reduce NO_x emissions from vehicles, and therefore lower NO₂ concentrations. The actions detailed within the UK Plan include the following:

- Implementation of Clean Air Zones (CAZs);
- New real world driving emissions requirements for light passenger and commercial vehicles;
- Additional funding to accelerate the uptake of low emissions buses and also for the retrofitting of older buses;
- Additional funding to accelerate the uptake of hydrogen vehicles and associated infrastructure;

⁷ Department for Environment, Food and Rural Affairs, Department for Transport (2017), UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations (Detailed Plan)

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- New mandatory emissions standards for non-road mobile machinery; and
- Local cycling and walking investment plans.

3.2.3 Sevenoaks District Council Plan

The SDC Council Plan⁸ was adopted in April 2019 and focuses on 5 themes, two of which are the Environment and Health. There is a strong focus on “protecting the very special environment of the district” whilst also delivering “first class health prevention”. Through reducing air pollution and improving air quality within the district, this will help preserve the high quality environment that exists within Sevenoaks. This in turn is strongly linked to improving the overall health of the residents, by helping promote a more active lifestyle but also reducing the burden on the existing health service and infrastructure. Another one of the 5 themes is the Economy. By improving the environmental conditions and overall quality of life in the district, it will become a more attractive place for both new residents and businesses and aid in strengthening the District’s economy.

3.2.4 Sevenoaks District Council Local Plan

Sevenoaks District Council’s Core Strategy⁹ (adopted in February 2011) and the Allocations and Development Management Plan (ADMP) form the adopted Local Plan for Sevenoaks District, however, this is currently being updated. The Core Strategy sets out the long-term vision and objectives of the district together with strategic policies for shaping new development up until 2026. Specific development management policies and site specific allocations are set out in the ADMP. Strategic objectives are set out for both the urban population centres within the district, which includes the towns of Sevenoaks, Swanley, Edenbridge and Westerham, but also in rural areas and across the district as a whole. There is a significant focus on maintaining and enhancing the quality of environment across the district in a sustainable manner, reducing the need to travel, encouraging sustainable transport modes and to mitigate and adapt to climate change.

In direct relation to air quality, the Core Strategy states that:

⁸ [The Council Plan](#)

⁹ [Core Strategy](#)

“Poor air quality is an issue in certain parts of the District alongside main roads. Eleven Air Quality Management Areas have been declared and the Council has an Air Quality Action Plan (2009) that includes measures to improve air quality.

Road traffic is the main contributor to poor air quality and the level of traffic, particularly through traffic is largely outside the control of the District. Policies in the LDF will have some impact on traffic levels though they can only be part of the solution. Locating new development where it is accessible to services and facilities will have a beneficial impact in reducing the need to travel, while applying policies to retain services and facilities that meet a local need together with promoting alternatives to car travel should also reduce the need to travel by car to reach essential services.

Future development should avoid adverse impact on air quality, particularly in Air Quality Management Areas where there is a need to improve air quality. In areas of poor air quality careful design of new development will be needed to ensure an acceptable environment for future occupiers.”

In addition, Policy SP 2 is relevant to air quality and transport:

Transport

The Council will support and promote measures to reduce reliance on travel by car both in providing for new development and in supporting measures promoted through the Transport Strategy. Specifically it will:

- 1. Support improvements to enhance the safety and convenience of public and community transport.*
- 2. Seek improved facilities for cyclists and pedestrians*
- 3. Require the inclusion of Travel Plans and other appropriate measures in new developments that generate significant traffic volumes*

Air Quality

The design and location of new development will take account of the need to improve air quality in accordance with the District’s Air Quality Action Plan. Development in areas of poor air quality or development that may have an adverse impact on air quality will be required to incorporate mitigation measures to reduce impact to an acceptable level. New development in areas of poor air quality will be required to

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incorporate measures in the design and orientation that demonstrate an acceptable environment will be created for future occupiers. Permission will be refused where unacceptable impacts cannot be overcome by mitigation.

3.2.1 Sevenoaks District Strategy for Transport

The Sevenoaks District Strategy for Transport 2010 – 2016¹⁰ was adopted in July 2010 and prepared in parallel with the Core Strategy. The strategy identifies four priority objectives:

- Improving accessibility;
- Tackling congestion;
- Providing safer roads; and
- Improving air quality

It recognises that air pollution is a key challenge with a significant impact on local communities. There are a range of initiatives that link into the air quality action plan, such as developing a traffic management control system to reduce congestion, designating lorry routes and developing a freight quality partnership, and promoting alternative forms of transport. The priority objectives and initiatives have been used to identify priorities in different parts of the district. In direct relation to air quality, these are as follows:

Sevenoaks Urban Area

- Improve public transport interchange facilities, in particular at the main bus and train stations in Sevenoaks District;
- Bring forward measures to alleviate congestion and tackle air quality issues at Riverhead, Bat and Ball and Sevenoaks Town Centre; and
- Improve facilities for walking and cycling.

Swanley

¹⁰ [Strategy for Transport](#)

- Improve accessibility to Swanley Station by walking and cycling;
- Ensure that development in Swanley does not have a significant negative impact on traffic on the Strategic Road Network;
- Improve bus interchange facilities in Swanley;
- Improve facilities for walking and cycling; and
- Bring forward measures to alleviate congestion and tackle air quality issues near Swanley town centre.

Edenbridge

- Increasing the number of destinations that can be accessed via train services from Edenbridge, including services to Gatwick Airport / improved services to Redhill; and
- Improve facilities for walking and cycling.

Villages and Rural Areas

- Maintain and improve accessibility to jobs, shops and services by non-car means, including walking, cycling, public transport and community transport; and
- Bring forward measures to alleviate congestion and tackle air quality issues, including those along the A25 corridor, at Seal and Westerham, and on the Strategic Road Network.

Sevenoaks District Transport Assessment

A transport study¹¹ for Sevenoaks District was conducted in December 2018 as part of the evidence base for the emerging Local Plan. This identifies existing transport issues and opportunities from the delivery of the emerging Local Plan in addition to mitigation measures.

¹¹ [Sevenoaks District Transport Assessment](#)

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In relation to air quality, the study identifies Sevenoaks District being situated within a network of strategic roads including the M25, M20, A21 and A25. Traffic on the motorway and strategic road network, particularly during peak hours, causes congestion and air quality problems exacerbating this on local roads and in town centres. The study's analysis has indicated that where new development is proposed, it will need to be focused in sustainable locations that enable trips to be made by foot, cycle and public transport. To mitigate further exacerbating the district's congestion and air quality issues, the study identifies active travel as an emerging transport mitigation measure. It is considered that encouraging active travel is not only a way to promote healthy living but can also be an important intermediary function of the public transport network. The following infrastructure measures are suggested to encourage active travel:

- Ensure all existing pedestrian crossing facilities and bus stops comply with current DDA requirements.
- Enhance pedestrian footways and crossings throughout the District to provide a connected, permeable and safe pedestrian environment that will help encourage modal shift away from the car.
- Ensure that the current and future cycle route network conforms with currently applicable Cycle Design Standards upgrading where necessary.
- Enhance connectivity through the provision of new cycle routes
- Ensure safer cycling is developed across all wards using a systematic approach to ensure consistency in standard of provision.
- Support the implementation of quietways throughout the District to reduce any network gaps.
- Ensure sufficient off-road cycle parking is provided at key destinations
- Use the planning process to ensure sufficient active travel infrastructure is provided through developer funding.

3.2.2 Sevenoaks District Cycling Strategy

The Sevenoaks District Cycling Strategy¹² was developed in partnership with Kent County Council and adopted in 2012. This aims to enable the residents of the district to cycle more safely and to encourage a shift towards more sustainable transport choices. A number of priority areas for action have been identified to achieve this:

1. **Creating New Routes and Linkages** – seeking opportunities to develop new routes and linkages which 1) connect population centres to key services such as local schools, employment areas and transport interchanges in the main urban areas of Sevenoaks, Swanley and Edenbridge; and 2) promote leisure cycling through the identification of attractive longer leisure routes which connect to the main urban centres
2. **Safer Cycling** – ensuring infrastructure is well designed, prioritising routes on quiet residential streets away from busy main roads and junctions and providing road safety education
3. **Improvements to Cycle Parking** – identifying locations for additional cycle parking facilities and positioning them to maximise security
4. **Promotion and Encouragement** – raising awareness of cycling and its benefits amongst the community
5. **Maintenance** – ensuring existing and any future facilities are well maintained

3.2.3 Net Zero 2030

The Council have committed to working towards achieving Net Zero emissions by 2030 on Council assets and services.

It has also been agreed that the Council will be a “community leader” and encourage low carbon measures across the District through education, best practice, incentives, policy and opportunities. This includes working collaboratively with Kent County Council, Parish and Town Councils, Local Interest Group and the Local Government Association.

¹² [Cycling Strategy](#)

Sevenoaks District Council

Reducing carbon emissions goes hand in hand with improving air quality. Transport remains the largest carbon emitting sector in the UK and accounts for 63% of total carbon emissions in Sevenoaks District. By reducing vehicle emissions, we will improve air quality and also reduce carbon emissions from transport.

3.2.4 Low Emission and Electric Vehicle Strategy

The Low Emission and Electric Vehicle Strategy for Sevenoaks District Council¹³ was adopted in September 2021. This intends to assist the Council in achieving net zero carbon emissions by 2030, which also has benefits to improving air quality. The focus of this strategy is on promoting low carbon travel, improving the electric vehicle charging network across the district, and continuing the transition to a zero-carbon emissions vehicle fleet. This strategy identifies that ownership of electric vehicles has rapidly increased over the past decade and has the highest level of electric vehicle ownership in Kent.

3.3 Source Apportionment

The AQAP measures presented in this report are intended to be targeted towards the predominant sources of emissions within the district. Vehicular activity has been identified as the principal source of emissions, therefore the relative contributions from different vehicle types (cars, HGVs, LGVs, Buses) have been determined to identify whether a particular vehicle type represents the most significant source of pollution within each AQMA.

A source apportionment exercise was carried out using ADMS-Roads air dispersion modelling to assess the overall emission profiles of the vehicles present within each AQMA. It should be noted that emission sources of NO₂ are dominated by a combination of direct NO₂ (f-NO₂) and oxides of nitrogen (NO_x), the latter of which is chemically unstable and rapidly oxidised upon release to form NO₂. Reducing levels of NO_x emissions therefore reduces levels of NO₂. As a consequence, the source apportionment study has considered the emissions of NO_x which are assumed to be representative of the main sources of NO₂.

¹³ [Low Emission and Electric Vehicle Strategy](#)

The following sections describe the source apportionment results in each of the AQMAs. A breakdown of NO_x is given according to vehicle class within the AQMAs and based on the following criteria:

- Contributions based on average NO_x levels across all monitored locations;
- Contributions based on NO_x levels across all modelled locations where NO₂ concentrations exceed 40µg/m³ (where applicable); and
- Contributions based on NO_x levels at the highest NO₂ concentration receptor in the AQMA.

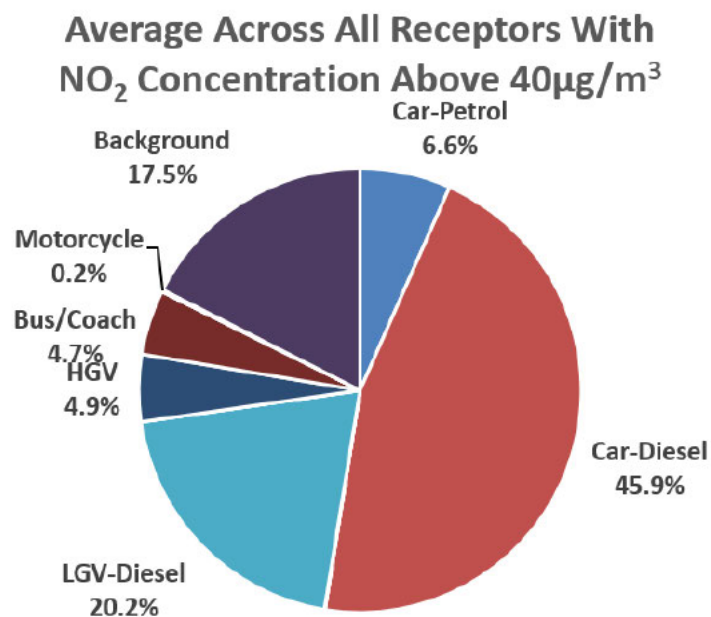
3.3.1 AQMA No.10 Sevenoaks High Street

Table 3.1 provides a breakdown in NO_x emissions according to vehicle class within AQMA No.10, and Figure 3.1 displays the average NO_x emissions at across all modelled receptors within AQMA No.10 where the modelled annual mean NO₂ concentration was greater than 40µg/m³. At modelled locations where the annual mean NO₂ concentration exceeds 40µg/m³, the average NO_x emissions are predominantly associated with diesel cars whereby they contribute 55.7% of the total road NO_x concentration. This is followed by diesel LGVs at 24.4%, and petrol cars at 8.0% closely followed by HGVs (5.9%) and Buses/Coaches (5.7%). This is consistent with both the average across all modelled receptors and the worst-case receptor, located along the A225 High Street in between Dorset Street and Locks Yard. This indicates that measures to reduce emissions from diesel cars and LGVs are considered to be most important as they have the most significant influence on emissions within this AQMA.

Table 3.1 – NO_x Source Apportionment Results: AQMA No.10

Results	All Vehicles	Car			LGV			HGV	Bus and Coach	Motorcycle	Background
		Petrol	Diesel	EV/LPG	Petrol	Diesel	EV/LPG				
Average across all modelled receptors											
NO _x Concentration (µg/m ³)	54.6	4.4	30.3	0.0	0.0	13.4	0.0	3.2	3.1	0.1	16.7
Percentage of Total NO _x	76.6%	6.1%	42.5%	0.0%	0.0%	18.9%	0.0%	4.6%	4.3%	0.1%	23.4%
Percentage Contribution to Road NO _x	100.0%	8.0%	55.5%	0.0%	0.1%	24.6%	0.0%	5.9%	5.7%	0.2%	-
Average Across All Receptors With NO₂ Concentration exceeding the AQS Annual Mean Objective											
NO _x Concentration (µg/m ³)	78.6	6.3	43.8	0.0	0.0	19.2	0.0	4.6	4.5	0.1	16.7
Percentage of Total NO _x	82.5%	6.6%	45.9%	0.0%	0.0%	20.2%	0.0%	4.9%	4.7%	0.2%	17.5%
Percentage Contribution to Road NO _x	100.0%	8.0%	55.7%	0.0%	0.1%	24.4%	0.0%	5.9%	5.7%	0.2%	-
At the Receptor With the Maximum Road NO_x Concentration (ID 32)											
NO _x Concentration (µg/m ³)	121.9	10.2	71.1	0.0	0.1	26.6	0.0	5.9	7.8	0.2	16.7
Percentage of Total NO _x	88.0%	7.3%	51.3%	0.0%	0.0%	19.2%	0.0%	4.2%	5.7%	0.2%	12.0%
Percentage Contribution to Road NO _x	100.0%	8.3%	58.4%	0.0%	0.0%	21.8%	0.0%	4.8%	6.4%	0.2%	-

Figure 3.1 – Average NO_x Contribution by Vehicle Class, where Modelled Annual NO₂ Concentrations are >40µg/m³ within AQMA No.10



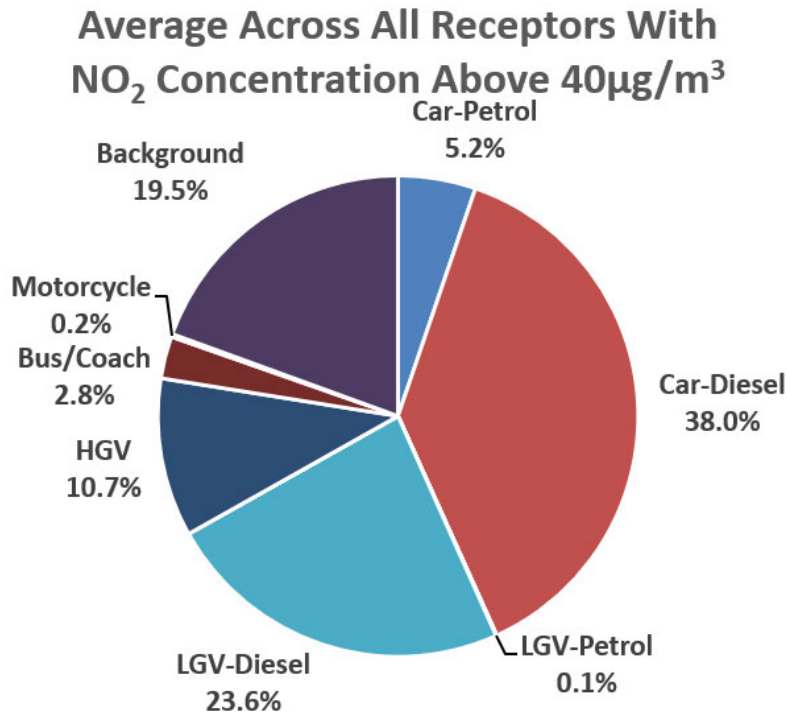
3.3.2 AQMA No.13 A25

Table 3.2 provides a breakdown in NO_x emissions according to vehicle class within AQMA No.13 and Figure 3.2 displays the average NO_x emissions at across all modelled receptors within AQMA No.13 where the modelled annual mean NO₂ concentration was greater than 40µg/m³. The majority of NO_x emissions at locations where annual average NO₂ concentrations were exceeding the AQS objective, and the worst-case location (along London Road off of the A25 in Westerham) results from vehicles (80.5% and 87.6% of the total, respectively). At the locations where the AQS objective was exceeded, the majority of the road emissions come from diesel cars (47.2%), followed by diesel LGVs (29.2%). Additionally, HGVs also have a significant proportion, being 13.2%. This indicates that measures to reduce emissions in this AQMA should largely be focused on diesel cars and LGVs, however some consideration should also be taken to reducing emissions from HGVs as well.

Table 3.2 – NO_x Source Apportionment Results: AQMA No.13

Results	All Vehicles	Car			LGV			HGV	Bus and Coach	Motorcycle	Background
		Petrol	Diesel	EV/LPG	Petrol	Diesel	EV/LPG				
Average across all modelled receptors											
NO _x Concentration (µg/m ³)	42.3	2.7	19.8	0.0	0.0	13.0	0.0	5.3	1.4	0.1	18.5
Percentage of Total NO _x	69.6%	4.4%	32.6%	0.0%	0.0%	21.4%	0.0%	8.8%	2.3%	0.2%	30.4%
Percentage Contribution to Road NO _x	100.0%	6.3%	46.8%	0.0%	0.1%	30.7%	0.0%	12.6%	3.3%	0.2%	-
Average Across All Receptors With NO₂ Concentration exceeding the AQS Annual Mean Objective											
NO _x Concentration (µg/m ³)	76.2	4.9	36.0	0.0	0.0	22.3	0.0	10.1	2.7	0.2	18.4
Percentage of Total NO _x	80.5%	5.2%	38.0%	0.0%	0.1%	23.6%	0.0%	10.7%	2.8%	0.2%	19.5%
Percentage Contribution to Road NO _x	100.0%	6.5%	47.2%	0.0%	0.1%	29.2%	0.0%	13.2%	3.5%	0.2%	-
At the Receptor With the Maximum Road NO_x Concentration (ID 268)											
NO _x Concentration (µg/m ³)	111.1	7.8	55.9	0.0	0.1	32.1	0.0	13.2	1.8	0.2	15.7
Percentage of Total NO _x	87.6%	6.2%	44.0%	0.0%	0.1%	25.3%	0.0%	10.4%	1.4%	0.2%	12.4%
Percentage Contribution to Road NO _x	100.0%	7.0%	50.3%	0.0%	0.1%	28.9%	0.0%	11.9%	1.6%	0.2%	-

Figure 3.2 – Average NO_x Contribution by Vehicle Class, where Modelled Annual NO₂ Concentrations are >40µg/m³ within AQMA No.13



3.4 Required Reduction in Emissions

In line with the methodology presented in Box 7.6 of LAQM.TG(16), calculations have been carried out to determine the necessary reduction in road NO_x required to bring AQMA No.10 and No.13 to compliance. These focus largely on the reductions required at the worst-case scenarios, however the reductions at all exceeding locations within the AQMAs have been considered. It is important to understand that although reducing NO_x emissions from vehicles will in turn reduce NO₂ concentrations, there is a non-linear relationship between NO_x and NO₂ concentrations and therefore a greater relative reduction in NO_x may be required.

3.4.1 AQMA No.10 Sevenoaks High Street

The worst-case receptor within AQMA No.10 is located along the High Street between Dorset Street and Locks Yard. The reduction in NO_x required to achieve compliance with the annual mean NO₂ objective of 40µg/m³ at this location is **59.0%**. Across all modelled receptors where an annual average NO₂ concentration of 40µg/m³ or greater was reported, a reduction of **25.0%** NO_x is required, which would lead to general improvements overall throughout the AQMA but it will not achieve compliance at the worst-case location. This therefore suggests that a target NO_x

reduction of between 25% and 59% will have improvements on NO₂ concentrations throughout this AQMA.

3.4.2 AQMA No.13 A25

The worst-case receptor within AQMA No.13 is located along London Road, just off of the A25 in Westerham. The reduction in NO_x required to achieve compliance with the annual mean NO₂ objective at this location is **49.2%**. Across all modelled receptors where the annual average NO₂ objective was exceeded, a reduction of **25.8%** in NO_x emissions is required, however similarly as noted in Section 3.4.1, this will not achieve compliance at the worst-case location. A target NO_x reduction of between 26% and 49% is therefore required to have improvements on NO₂ concentrations throughout this AQMA.

3.5 Key Priorities

- **Priority 1 – Public Health and Wellbeing** (Behaviour change/modal shift, Health Promotion)
 - Air pollution has a significant impact on public health and is therefore a major reason why the Council wishes to improve air quality. This will largely be driven by a change in attitude and travel behaviours, and as a Council, we have strong role in encouraging and facilitating this change.
 - We will seek to show the health impacts associated with poor air quality and provide information and guidance to our residents as to how they can help to bring about improvements. This will include changing travel patterns and providing information about lower emission alternatives for domestic heating.
 - We will seek to promote the health benefits associated with ‘greener travel’ and will develop policies to remove perceived barriers.
- **Priority 2 - Transport** (Licensing, Parking, Public Transport, Procurement)
 - Road traffic and transport is the major contributor for emissions within the district. The Council therefore wishes to control these via measures contained within this AQAP as a priority.

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- The Council is able to influence this via areas of direct control, such as taxi licensing, the composition of its own fleet, encouraging the use of, and facilitating electric charging points to encourage electric vehicle uptake.
- The Council will work with its wider strategic partners, such as Kent County Council, on matters of traffic management and public transport that extend beyond the SDC's direct control. This will help mitigate existing areas of traffic and transport issues, whilst also allowing us to seek opportunities for alternatives and improvements.
- We will lead by example by looking to improve our own vehicle fleet and operations in order to reduce harmful emissions whilst increasing efficiency.
- We will look to reduce the need to travel by supporting sustainable development and initiative that help support the local economy, services and facilities. Additionally, where travelling is required, we will encourage the uptake of alternatives to private and single occupancy vehicles. There will be a focus on active travel, but also supporting sustainable multi-occupancy modes of travel and encouraging the uptake of electric vehicles.
- **Priority 3 - Planning and Infrastructure**
 - As the local planning authority our objectives are:
 - To strengthen and broaden the local economy;
 - To provide sufficient housing to meet local housing need and support economic growth;
 - To protect the built and natural environment; and
 - To develop sustainable communities, and seek to ensure adapt community facilities are provided
 - We believe that applicants should be aware of the air quality impact of their development and that they consider appropriate mitigation as part of the design process.

- We will ensure that new developments do not exasperate any areas of existing poor air quality and provide appropriate mitigation measures where this is unavoidable.
- **Priority 4 - Policy Guidance**
 - A number of relevant and related policy documents are already in place within the Council. It is therefore considered a priority to utilise these and introduce measures that share benefits with other policies and strategies as key mechanisms to reduce emissions from road transport. For example, the Council's Cycling Strategy and Low Emission and Electric Vehicle Strategy identifies that uptake of electric vehicles within Sevenoaks' has increased rapidly over the past decade, already focuses on continuing to encourage this shift to low emission vehicles alongside encouraging the update of alternative modes of transport.

4 Development and Implementation of Sevenoaks District Council AQAP

4.1 Consultation and Stakeholder Engagement

In developing this AQAP, we have worked with other local authorities, agencies, businesses and the local community to improve local air quality. Schedule 11 of the Environment Act 1995 requires local authorities to consult the bodies listed in Table 4.1.

The response to our consultation stakeholder engagement is given in Appendix A.

Table 4.1 – Consultation Undertaken

Yes/No	Consultee
Yes	the Secretary of State
Yes	the Environment Agency
Yes	the highways authority
Yes	all neighbouring local authorities
No	other public authorities as appropriate, such as Public Health officials
Yes	bodies representing local business interests and other organisations as appropriate

In addition we have consulted the following bodies:

- All Sevenoaks District Council Departments
- Kent County Council
- Kent Health Protection Team
- Local Clinical Commissioning Groups
- Local Chambers of Commerce
- Federation of Small Businesses
- Logistics UK
- Friends of the Earth

- Green Peace
- Natural England
- Places for People
- Greater London Authority
- Surrey County Council
- East Sussex County Council
- West Kent Housing Association

The public consultation completed on the draft AQAP was undertaken in Spring 2022.

4.2 Consultation Outcomes

The results of the consultation were...

4.3 Steering Group

A steering group was established at the start of the update process to drive forward the development of the new AQAP. The core aim of the steering group was to identify measures for inclusion within the AQAP that would be effective both in terms of reducing NO₂ concentrations and also feasible in terms of implementation and delivery.

Sevenoaks District Council set up a steering group in Summer 2021, chaired by the Environmental Health Manager. Membership of the group includes representatives from: Environmental Health, Development Control, Planning Policy, Net Zero Working Group, Parking Services, Direct Services, Economic Development, Communications Team and the Transformation and Strategy Team. This group meets quarterly alongside the Net Zero Working Group and is chaired by the Deputy Chief Executive and Chief Officer for Planning and Regulatory Services. The group reports progress via the Cleaner and Greener Advisory Committee.

5 Indicative AQAP Measures

Table 5.1 shows the Sevenoaks District Council indicative AQAP measures to be considered. It contains:

- a list of the actions that form part of the plan
- the responsible individual and departments/organisations who will deliver this action
- estimated cost of implementing each action (overall cost and cost to the local authority)
- expected benefit in terms of pollutant emission and/or concentration reduction
- the timescale for implementation
- how progress will be monitored

NB: Please see future ASRs for regular annual updates on implementation of these measures

Table 5.1 – Air Quality Action Plan Measures

Measure No.	Measure	Category	Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Initial Thoughts/Comments
1	Local Plan policy and guidance	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	SDC / KCC	2021	Local Plan progress – Local Development Scheme	Implementation of policy	NO ₂ Whilst guidance already exists, it is important to keep these up-to-date as policies and strategies evolve.	Draft policies and allocations	Local Plan timetable: Adoption 2024 Local Plan dated to 2040	Guidance is already provided to developers on a case by case basis. The emerging Local Plan will include a policy on Air Quality. Air Quality will be considered in the site selection for allocations.
2	Junction improvements at Bat & Ball and the A224/A25 in Riverhead	Traffic Management	UTC, Congestion management, traffic reduction	SDC	2021	Local Plan	Reduction in NO ₂ concentrations	NO ₂ To be confirmed if considered for further assessment.	Draft policies and allocations Transport evidence base	Local Plan timetable: Adoption 2024	Bat & Ball junction is currently under review by KCC.. Difficulties in improving A224/A25 junction in Riverhead, however, could benefit from further assessment. The Local Plan will consider the impact of development on these junctions and potential improvements.
3	Road improvements along the A225 in Sevenoaks High Street, A25 in Seal, and the A25 in Brasted	Traffic Management	UTC, Congestion management, traffic reduction	SDC	2021		Reduction in NO ₂ concentrations	NO ₂ To be confirmed if considered for further assessment.	SDC working with KCC	Ongoing	Sevenoaks Town centre was previously considered to be made one way however was later discounted. Councillors raised concerns about traffic entering and exiting Knoke Park

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Measure No.	Measure	Category	Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Initial Thoughts/Comments
4	Bike rental schemes	Transport Planning and Infrastructure	Public cycle hire scheme	SDC	2021		Number of bikes available and rentals	NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m ³ based upon a low to medium uptake.	Feasibility work	Linked to Net Zero 2030	Currently being considered for feasibility
5	Promotion of active travel schemes	Promoting Travel Alternatives	Promotion of cycling	SDC	2021		Number of promotion events	NO ₂ Measure is more an awareness raising tool to encourage uptake and use of existing schemes	Movement Strategy to be adopted Spring 2022 Recruitment of an Air Quality Promotions Officer	Part of the Net Zero 2030 work	Consider promoting to a wider audience as part of the Movement Strategy and the Net Zero 2030 work
6	Development of new walking and cycle routes	Transport Planning and Infrastructure	Cycle network	SDC / KCC	2021		Completion of cycle routes	NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m ³ based upon a low to medium uptake.	Procurement stages	LCWIP for SUA 2022/23	The first Local Cycling and Walking Infrastructure Plan for Sevenoaks Urban Area in early stages. Expected to be completed during 2022 LCWIPs will be prepared for other parts of the District.
7	District wide promotion of active travel	Promoting Travel Alternatives	Intensive active travel campaign & infrastructure	SDC	2021		Number of promotion events	NO ₂ Measure to increase public awareness	Movement Strategy to be adopted Spring 2022 Recruitment of an Air Quality Promotions Officer	Part of the Net Zero 2030 work	Part of the Movement Strategy and the Net Zero 2030 work

Measure No.	Measure	Category	Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Initial Thoughts/Comments
8	Behavioural change campaigns to reduce single use occupancy car journeys	Public Information	Other	SDC	2021		Number of campaigns	NO ₂ Measure to increase public awareness	Recruitment of an Air Quality Promotions Officer	Part of the Net Zero 2030 work	Would need to consider how best to reach audiences
9	Reducing vehicle idling	Traffic Management	Anti-idling enforcement	SDC	2021		Reduction in NO ₂ concentrations	NO ₂ Measure largely to increase public awareness, but will help reduce pollutant levels in key hotspot areas	Recruitment of an Air Quality Promotions Officer	Part of the Net Zero 2030 work	Could be cost effective, especially if focused around primary schools
10	Educational campaigns for schools	Public Information	Other	KCC	2021		Number of campaigns	NO ₂ Measure to increase public awareness	Recruitment of an Air Quality Promotions Officer		DEFRA grant has been received in Kent for the production of educational resources.
11	Collaboration with bus operators to introduce ultra-low emission vehicles into the fleets	Vehicle Fleet Efficiency	Promoting Low Emission Public Transport	KCC	2021		Fleet composition	NO ₂ To be confirmed if considered for further assessment. NO _x emission reduction will be able to be calculated annually depending on the change in fleet composition	Initial discussions with KCC following the national bus strategy		Working with KCC to consider how we can work together to bring forward low emission schemes
12	Transitioning the Council's fleet to low emission vehicles	Promoting Low Emission Transport	Company Vehicle Procurement - Prioritising uptake of low emission vehicles	SDC / KCC	2021		Fleet composition	NO ₂ To be confirmed if considered for further assessment. NO _x emission reduction will be able to be calculated annually depending on the change in fleet composition	Part of the recently published Low Emission and Electric Vehicle Strategy	Part of the Net Zero 2030 work	Part of the recently published Low Emission and Electric Vehicle Strategy Vehicle Replacement Plan to be considered by Members in 2022

Measure No.	Measure	Category	Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Initial Thoughts/Comments
13	Improving and developing the EV infrastructure within the district	Promoting Low Emission Transport	Procuring alternative Refuelling infrastructure to promote Low Emission Vehicles, EV recharging, Gas fuel recharging	SDC / KCC	2021		Number of EV charging points	NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m ³ based upon a low to medium uptake.	Part of the recently published Low Emission and Electric Vehicle Strategy	Part of the Net Zero 2030 work	Part of the recently published Low Emission and Electric Vehicle Strategy EV Technical Study to be undertaken in 2022
14	Installing EV charging points within all Council owned carparks	Promoting Low Emission Transport	Procuring alternative Refuelling infrastructure to promote Low Emission Vehicles, EV recharging, Gas fuel recharging	SDC / KCC	2021		Number of EV charging points	NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m ³ based upon a low to medium uptake.	Part of the recently published Low Emission and Electric Vehicle Strategy	Part of the Net Zero 2030 work	Part of the recently published Low Emission and Electric Vehicle Strategy
15	Improving public transport infrastructure	Transport Planning and Infrastructure	Public transport improvements- interchanges stations and services	KCC	2021		Public transport usage	NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m ³ based upon a low to medium uptake.	Movement Strategy to be adopted Spring 2022	Ongoing	Continue working with KCC
16	Promote the use of public transport	Promoting Travel Alternatives	Promote use of rail and inland waterways	SDC	2021		Number of promotional events	NO ₂ Measure is more an awareness raising tool to encourage uptake and use of available infrastructure	Recruitment of an Air Quality Promotions Officer	Ongoing	Public transport within SDC is fragmented, but initiatives are currently underway to encourage use of rail (Rail Projects Community Officer has been employed).

Measure No.	Measure	Category	Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Initial Thoughts/Comments
17	On and off-street parking charges linked to vehicle emissions standards	Promoting Low Emission Transport	Priority parking for LEV's	SDC	2021		Number of discounted permits	NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m ³ based upon a low to medium uptake.	Residential on-street permits are already discounted for hybrid vehicles.	Part of the Net Zero 2030 work	Residential on-street permits are already discounted for hybrid vehicles.
18	Car Club / Sharing schemes	Alternatives to private vehicle use	Car Clubs	SDC	2021		Number of car sharing individuals	NO ₂ Small impact upon NO ₂ concentrations from measure individually, estimated to be less than 1µg/m ³ based upon a low to medium uptake.	Movement Strategy to be adopted Spring 2022	Ongoing – Local Plan dated to 2040	Car Club schemes to be encouraged in new development through the Local Plan. Included within the Movement Strategy
19	Exploring flexible working and home working	Promoting Travel Alternatives	Facilitate flexible and home-working	SDC	2021		Levels of home working	NO ₂ Measure to increase public awareness	Initial Local Plan work	Ongoing	Local Plan to facilitate flexible working options. Working with businesses to explore how flexible working can contribute to reducing emissions
20	Working to school incentives/encouragement	Promoting Travel Alternatives	School Travel Plans	SDC	2021		Reduction in school vehicle drop-offs / pick-ups	NO ₂ Measure to increase public awareness	Recruitment of an Air Quality Promotions Officer	Part of the Net Zero 2030 work	Could have a big impact and is supported by Councillors

Measure No.	Measure	Category	Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Initial Thoughts/Comments
21	Complete a detailed modelling assessment of the Swanley Area to quantify the local air quality	Traffic Management	Other	SDC	2021/2022	2022	Completion of the report			2022	A number of developments are due to take place in and near to Swanley, therefore understanding the existing air quality will help inform planning decision making.
22	Hire an Air Quality Promotions Officer	Public Information	Other	SDC	2021	2022	Vacancy fulfilled			2022	This role will be specific to focusing efforts on achieving the measures as set out within this action plan.

Appendix A: Response to Consultation

Table A.1 – Summary of Responses to Consultation and Stakeholder Engagement on the AQAP

Consultee	Category	Response
e.g. Chamber of Commerce	Business	E.g. Disagree with plan to remove parking on High Street in favour of buses and cycles; consider it will harm business of members.

Appendix B: Reasons for Not Pursuing Action Plan Measures

Table B.1 – Action Plan Measures Not Pursued and the Reasons for that Decision

Action category	Action description	Reason action is not being pursued (including Stakeholder views)
Active Travel Campaigns	Permanent or temporary lane closures	Not considered to be appropriate unless supported by evidence of health and AQ benefit
Behavioural Change Campaigns	Provision of high quality, bespoke and accessible information on sustainable travel, e.g. on a dedicated travel website with route/mode options	SDC are not the highways authority and therefore have limited resources for a dedicated resource. However, SDC will work with KCC to deliver the priorities in the AQAP and the Movement Strategy which include encouraging behaviour change.
Behavioural Change Campaigns	Encourage home working	Although hybrid working is being trialled at SDC, it is not considered appropriate for the District Council to dictate to businesses a mode of operation. An action on encouraging flexible working has been included this could include home working, but also local offices, flexible work hours/commuting times etc. SDC will work with the business community to help reduce emissions.
Behavioural Change Campaigns	District wide Clean Air Days	Would need a very light touch and alternative transport would be necessary. The Net Zero 2030 communications plan includes promotion of sustainable transport events including Car Free Day.
Low Emission Vehicle Encouragement	HGV/LGV recognition schemes, ECO Stars	SDC do not have the expertise or resources to run this scheme independently, however we will work with KCC to

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		reduce emissions from transport and increase the uptake of low emission vehicles.
Low Emission Vehicle Encouragement	Detection and prosecution of vehicles removing diesel particle filter	SDC do not have the resources or expertise to run this scheme
Public Transport Encouragement	Council funding to provide free buses for all schools	KCC Controlled- SDC does not have funding available. We will work with schools and KCC to encourage sustainable transport and active travel.
Public Transport Encouragement	Park and Ride Schemes	Park and Ride schemes have previously been explored and have not been feasible. No such schemes have been included in the Local Plan at this stage.
General Travel Planning Improvements	Business delivery time variations away from peak hours	Unaware of any specific issues that result from delivery times. However, the Local Plan may require mitigation measures for new commercial development if necessary and appropriate.

Appendix C: Add Additional Appendices as Required>

INSTRUCTIONS

The Council should add additional supporting appendices as required.

For example, where the selection of AQAP measures has been supported by further studies, e.g. quantitative appraisal of action plan measures through dispersion modelling, or other feasibility studies, this work should be included here.

Glossary of Terms

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality limit values'
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
AQS	Air Quality Strategy
ASR	Air quality Annual Status Report
Defra	Department for Environment, Food and Rural Affairs
EU	European Union
LAQM	Local Air Quality Management
NO ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxides
PM ₁₀	Airborne particulate matter with an aerodynamic diameter of 10µm (micrometres or microns) or less
PM _{2.5}	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less
SDC	Sevenoaks District Council
KCC	Kent County Council
AQS	Air Quality Strategy

References

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UPDATE ON ANIMAL WELFARE

Cleaner & Greener Advisory Committee - 05 January 2021

Report of: Chief Officer - Planning & Regulatory Services

Status: for consideration

Also considered by: N/A

Key Decision: No

Executive Summary: Animal Welfare is a function of the Environmental Health Team and encompasses a variety of statutory and non-statutory functions including the stray dog service, animal licensing, anti-social behaviour involving dogs, microchipping, and noise complaints about dog barking/ whining. The service is high performing and has a significant public profile and impact.

This report outlines some of the key areas of work within the team, the current challenges which may impact upon service delivery and the team priorities for the next 12 months.

Portfolio Holder: Cllr. McArthur

Contact Officer: Nick Chapman, Ext. 7167

Recommendation to Cleaner & Greener Advisory Committee:

That the contents of the report be noted.

Reason for recommendation: To update Members on the activities undertaken to maintain Animal Welfare within Sevenoaks District.

Introduction and Background

1. The animal welfare function for Sevenoaks District Council is part of the duties undertaken by Environmental Health.
2. This an extremely busy service which covers a number of statutory and non-statutory functions including:
 - a. The stray dog kennelling service.
 - b. Enforcement of microchipping

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- c. The licensing of specified animal activities including zoos and dangerous wild animals.
 - d. Investigation of statutory nuisance complaints
 - e. Investigation of complaints about animal welfare
 - f. Investigation of complaints about 'anti-social' behaviour involving animals.
 - g. Animal welfare promotion
3. The District Council employs one Animal Welfare Officer to undertake these duties. Other officers within the Environmental Protection Team provide additional support as and when required.

Stray Dog Kennelling Service

4. The District Council has a legal duty to provide a 24 hour reception point for stray dogs found within its area. Once a stray is received, we are then required to kennel that dog for a period of 7 days to allow the owner of that dog to come forward and reclaim their animal. After the 7-day period expires, the dog effectively transfers into the ownership of the District Council.
5. Sevenoaks District Council maintains a contract with a private kennels (located near Junction 1 of the M25) who provide the 24hr reception point on our behalf. They also kennel dogs for the statutory period.
6. We encourage the finders of dogs to take them to our designated reception point. However where this is impracticable we will collect them ourselves and transport them to the reception point. A dedicated vehicle is maintained for this purpose.
7. Currently the District Council has an excellent working relationship with a number of local animal charities who take on the stray dog re-homing process on our behalf. These animal charities ensure that all strays collected in Sevenoaks are neutered and microchipped before they are rehomed. They also ensure strays are not rehomed within our area (to prevent potential issues with previous owners) and that new owners are properly assessed to ensure they are suitable.
8. Where a dog is found to have an issue with its temperament, our charity partners are able to transfer dogs to specialists with behavioural expertise.
9. Because of these arrangements, within the past 5 years no dogs have needed to be euthanised. Normally a dog would only be euthanised as a result of an untreatable health defect or injury where it was in the interests of animal welfare.

10. During the Covid-19 Pandemic, the number of strays being collected by the service fell dramatically. However, we are now seeing the number of stray dogs rise and it is anticipated that the number may eventually outstrip that seen in 2018.
11. Table showing the numbers of strays collected by the District Council.

	2016/17	2017/18	2018/19	2019/20	2020/21
Found	184	124	130	72	45
Claimed	90	63	41	30	27
Put to sleep	0	0	0	0	0

Enforcement of Microchipping for Dogs

12. It is a legal requirement for all dogs to be microchipped and for appropriate details to be recorded on one of the specified chip databases. Unfortunately, we continue to collect dogs that have not been microchipped and or where the recorded details are incorrect.
13. The District Council is responsible for investigating and then enforcing breaches of this legislation and can take a prosecution against the owners of dogs who fail to ensure their animals are microchipped.
14. In practice, once the District Council becomes aware of an unchipped dog, our Animal Welfare Officer works with the owners to get them microchipped without the need for enforcement. Our Animal Welfare Officer is sufficiently qualified and suitably experienced to undertake microchipping. The District Council is also often able to offer heavily discounted or even free microchips to dog owners and so many of these issues can be resolved informally

Licensing of Animal Activities

15. The Sevenoaks District Council is responsible for the licensing and regulation of various animal related activities under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
16. These regulations require that the operators of specified animal activities obtain a licence (prior to carrying out that activity) and then adhere to conditions for the purposes of protecting animal welfare.
17. Currently the animal activities covered by the regulations are:
 - a. Selling Animals as Pets

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- b. Providing or arranging for the provision of boarding for cats or dogs including:
 - i. Providing boarding for cats
 - ii. Providing boarding in kennels for dogs
 - iii. Providing home boarding for dogs
 - iv. Providing day care for dogs
 - c. Hiring out horses (for riding or instruction in riding)
 - d. Breeding dogs
 - i. breeding three or more litters of puppies in any 12-month period
 - ii. breeding dogs and advertising a business of selling dogs.
 - e. Keeping or training animals for exhibition (in the course of a business for educational or entertainment purposes)
 - i. to any audience attending in person, or
 - ii. by the recording of visual images of them by any form of technology that enables the display of such images.
18. The activities above are only deemed licensable where the operator makes any sale, or, otherwise carries on the activity with a view to making a profit, or earns any commission or fee from the activity (known as ‘the business test’).
19. The Environmental Health Team administer this process on behalf of Sevenoaks District Council and employ a suitably qualified and experienced Animal Welfare Officer for the purposes of assessing such applications.
20. For each activity licensed by the District Council, the Animal Welfare Officer will:
- a. Assess all documentation submitted by the applicant
 - b. Inspect the premises and the facilities (with a veterinarian where necessary)
 - c. Produce an inspection report detailing the findings at inspection
 - d. Risk rate the business and issue a ‘star rating’
 - e. Authorise the licenses to be issued or renewed,
 - f. Undertake investigations into breaches of conditions
 - g. If necessary, initiate enforcement or revocation of a licence.
21. Once a validated application for an animal licence has been received, it should be processed and the licence issued within a period of 10 weeks.

22. Animal licences (except; keeping or training animals for exhibition) are granted for a period of between 1-3 years and are awarded a ‘star rating’ depending on the level of risk associated with the activity and the confidence in the business operator. Businesses that provide a higher standard of animal welfare and meet at least 50% of possible enhanced conditions are scored more highly. Details of how star ratings are awarded is provided below:
- a. New businesses (without a history of compliance) are high risk and generally restricted to a 1 or 2 star licence.
 - i. A 1 star licence is awarded where there are minor failings which are not significant enough for refusal, but which need to be addressed before the next licensing period (1-year licence).
 - ii. A 2 star licence is awarded where all standard conditions are met by the licence (1-year licence).
 - iii. However if an new business meets at least 50% the ‘higher standards’ they may achieve a 4 star rating (2-year licence).
 - b. Businesses that meet all of the minimal standards **and** have a history of compliance are considered low risk and are awarded ‘3 stars’ (2-year licence).
 - c. Businesses which meet at least 50% of the higher standards and have a history of compliance are awarded ‘5 stars’ (3-year licence)
 - d. A licence for the keeping or training animals for exhibition does not receive a star rating (2-year licence).
23. In addition to licences issued under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, Environmental Health are responsible for issuing licences under the Dangerous Wild Animals Act 1976 (licences for an individual to keep a dangerous wild animal as identified by schedule within the act) and the Zoo Licensing Act 1981.
24. The District Council charges a fee for the processing of all Animal Licences (including DWA and Zoos). This fee was set in 2018 on the basis of cost recovery and varies depending on the regulatory effort associated with each activity.
25. Sevenoaks District Council currently licence the following premises:

Activity	Number licensed	1 star	2 star	3 star	4 star	5 star
Kennels	8	0	1	3	0	4
Catteries	5	0	1	2	0	2
Home Borders	10	0	2	0	3	5

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Activity	Number licensed	1 star	2 star	3 star	4 star	5 star
Doggy Day Care	2	0	0	0	2	0
Selling Animals as pets	8	0	1	2	1	4
Hiring out horses	6	0	0	6	0	0
Breeding of Dogs	5	1	3			1
Keeping or training animals for exhibition	3	N/A	N/A	N/A	N/A	N/A
Dangerous Wild Animals	0	N/A	N/A	N/A	N/A	N/A
Zoos	2	N/A	N/A	N/A	N/A	N/A

26. The District Council publishes a register of licensed animal activities on its website.
27. It is an offence to undertake an animal activity listed above without the benefit of a licence. The Environmental Health Team are responsible for enforcing against any breaches of this legislation.
28. Our officers, regularly review; social media, animal selling websites and intelligence from residents to try and identify unlicensed animal activities. Where these are identified, we seek to get them regulated. Initially the AWO will make an informal approach to provide advice and encourage the activity operator to submit an application. If this is unsuccessful, we will seek to obtain evidence of the offence and then where necessary, institute legal proceedings.
29. Unfortunately and despite our efforts, officers strongly suspect that within Sevenoaks District there remain a number of unlicensed animal activities. Many of these businesses are likely to be actively avoiding regulation by the District Council.

Investigation of statutory nuisance complaints

30. The District Council has a statutory duty to investigate noise complaints including those associated with dog barking/ whining etc, in order to determine if they are a statutory nuisance.
31. Our officers, will initially contact both the complainant and alleged offender to provide advice and information on the investigation process. We will then seek to obtain evidence of the disturbance using both the

NoiseApp, our specialist monitoring equipment and via officer visits as appropriate.

32. As part of our investigations, officers will consider if there may be any welfare issues that are causing the noise disturbances and if so we will seek to address them as appropriate.
33. The vast majority of complaints are dealt with informally but where we determine that a statutory nuisance exists, we are legally required to issue an abatement notice under the Environmental Protection Act 1990.
34. The recipient of an abatement notice is able to submit an appeal to the magistrate's court within 21 days. At an appeal, the validity of the notice and the justifications for service are tested. The notice is then either upheld, quashed or amended.
35. It is offence not to comply with the requirements of an abatement notice. Should a noise nuisance continue, officers will seek to obtain evidence of the ongoing noise and should it be established (beyond reasonable doubt) that the statutory nuisance is continuing we can initiate a prosecution. Upon summary conviction in a magistrate's court a person who has failed to comply with an abatement notice may, at the discretion of the court, be issued an unlimited fine.
36. Table showing the number of noise nuisance complaints relating to dogs received by the Environmental Health Team.

	2016/17	2017/18	2018/19	2019/20	2020/21
Noise complaints about dogs	99	87	104	73	65
Number of abatement notices issued	2	0	0	0	0

Investigation of complaints about animal welfare

37. The District Council is authorised to investigate and enforce complaints about Animal Welfare under the Animal Welfare Act 2006.
38. Whilst we have traditionally referred animal welfare complaints to the RSPCA as the experts in this field, in recent years, they appear to have had less capacity and consequently more complaints are referred back to the Local Authority.

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39. Our Animal Welfare Officer has the authority, in consultation with a veterinarian, to seize an animal which is in alarm or distress as a result of its welfare.
40. In practice, the majority of complaints about animal welfare are dealt with informally through the provision of advice and assistance.
41. Table showing the number of animal welfare complaints received by the Environmental Health Team.

	2016/17	2017/18	2018/19	2019/20	2020/21
Welfare complaints	41	46	51	35	34

Investigation of complaints about anti-social behaviour involving animals.

42. The Environmental Health Team work in partnership with Kent Police to investigate incidents involving aggressive and/ or uncontrolled dogs.
43. Kent Police are responsible for the enforcement of the Dangerous Dogs Act 1991 (DDA 1991). This power is used where a dog is out of control in a public place and is considered dangerous (by virtue of it injuring or potentially injuring a member of the public). Further, this legislation specifies a number of banned breeds, which are subject to enhanced controls. The offences within the DDA 1991 are criminal and consequently the burden of proof is 'beyond reasonable doubt'.
44. Environmental Health are responsible for the investigation of lower level incidents such as those where it is unlikely that a criminal offence can be proved or where property or animals are damaged/ harmed as a result of an aggressive/ uncontrolled dog. The legislation available to the District Council is 'civil' and consequently a lower evidential test applies.
45. Where our investigation shows on the balance of probability that the owner of a dog did not have sufficient control at the time of an incident we may issue a Community Protection Warning (CPW) in accordance with the provisions of the Anti-Social Crime and Policing Act 2014. If/ when further incidents then occur we can issue a legal notice (Community Protection Notice).
46. Similar powers are available where dogs are allowed by their owners to persistently stray.

47. Following the adoption of these powers in 2015, the Environmental Health Team have successfully utilised CPWs and CPNs to tackle the increasing number of incidents reported to us.
48. Table showing the number of complaints about anti-social behaviour involving animals received by the Environmental Health Team.

	2016/17	2017/18	2018/19	2019/20	2020/21
ASB complaints about dogs	127	121	126	71	128
CPW issued	1	2	10	9	11
CPNs Issued	0	1	1	1	0

Animal Welfare Promotion

49. The Animal Welfare Officer works with partners to run community events which promote responsible dog ownership. Events in the past have included:
- a. The Love your Dog Roadshow (partnership with WKHA)
 - b. Free Poo Bags (partnership with CSU)
 - c. Anti-fouling campaigns in problem ‘hot spots’
 - d. Yellow ribbon (to raise awareness of nervous dogs)
 - e. Dogs Trust Partnership Award
 - f. Free Microchipping
 - g. Door to door advice in problem areas.
50. Unfortunately, during the Covid-19 pandemic it has not been possible to run/ attend events to promote responsible dog ownership. We do however anticipate that following a significant increase in dog ownership throughout the pandemic that these events will again be necessary/ useful in the coming year.

Challenges

51. It is known that during lockdown there was a significant increase in the number of households taking on new pets (particularly dogs). This led to a shortage of available animals for prospective owners and saw record high prices being charged for puppies (particularly those from sought after breeds).

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52. In response to increased demand, it is believed that many more dog owners may have become breeders. However, this has not been reflected in the number of licences issued by the District Council and additional work is required to ensure that we do not have dog breeders operating illegally.
53. Many of these new dog owners are likely to be inexperienced and may encounter behavioural difficulties as their new animals mature. Animal rescues are already reporting a sharp rise in the number of dogs being given up for rehoming by owners who are no longer able to cope with these animals. It is anticipated that as the capacity of animal charities to rehome dogs is used up, we will see an increase in the number of strays being found.
54. Owing to the number of new inexperienced dog owners, we may see a rise in the number of dog on dog, straying and fouling incidents. These incidents are highly emotive and generate a large amount of concern amongst the public.
55. Changes in legislation are anticipated which will require the mandatory microchipping of cats (with similar enforcement powers as exist for un-microchipped dogs) and a requirement for those keeping 'primates' (not currently covered by the Dangerous Wild Animals Act 1976) to be licensed by the District Council.

Priorities/ Ambitions for the next 12 months

56. To ensure that all premises within our area that require a licence are appropriately regulated. We also aim to ensure that minimum welfare standards are adhered to within all of our licensed businesses and where possible we help those who are licenced achieve a higher star rating at their next inspection.
57. We will seek to reduce the number of complaints about anti-social behaviour by increasing promotional activities that support responsible dog ownership. We will also ensure that where a complaint is received, we investigate quickly and efficiently and that we determine appropriate action in a timely manner.
58. We will aim to reduce the number of stray dogs that we need to rehome by pursuing measures / initiatives that increase compliance with the requirement to microchip a dog. Where appropriate we will consider pursuing persistent offenders through the legal procedures available to us.

Conclusion

59. The Animal Welfare Service covers a wide range of functions utilising several areas of legislation. It is an exceptionally busy service with a significant public profile and impact.
60. The number and complexity of service requests received continue to increase and the function performs excellently to deliver all of the elements for which we are responsible.

Key Implications

Financial

None

Legal Implications and Risk Assessment Statement.

Many of the functions undertaken by the Animal Welfare Service are statutory and therefore the District Council has a legal duty to ensure that they are undertaken appropriately,

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment

Appendices - none

Background Papers - none

Richard Morris

Deputy Chief Executive and Chief Officer - Planning and Regulatory Services

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Cleaner & Greener Advisory Committee Work Plan 2021/22 (as at 17/12/21)

5 January 2022

- Net Zero 2030 Update
- Bradbourne Lakes Update
- Swanley Sunday Market Proposals
- Scrap Metal License Fees
- Review of Animal Welfare Licensing Regime
- Air Quality Action Plan

19 April 2022

- Annual Review of Parking Management

Summer 2022

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