

**Economy, Skills, Transport &
Environment Scrutiny Board**

**Thursday 18th January, 2018 at 5.30 pm
Committee Room 2
at the Sandwell Council House, Oldbury**

Agenda

(Open to Public and Press)

1. Apologies for absence.
2. Members to declare:-
 - (a) any interest in matters to be discussed at the meeting;
 - (b) the existence and nature of any political Party Whip on any matter to be considered at the meeting.
3. To confirm the minutes of the meeting held on 16th November, 2017 as a correct record.
4. Statutory Section 19 Flood report.
5. Black Country Core Strategy – Consultation.
6. Air Quality Action Plan.
7. Vice-Chairs Working Group updates.

J Britton
Chief Executive

Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution:

Councillor Hickey (Chair);
Councillor Ashman, Tagger (Vice-Chairs);
Councillors Ahmed, Allcock, Crompton, Dhallu, Frear, I Jones,
B Price, Rouf.

Agenda prepared by Deb Breedon
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Apologies

To receive any apologies from members

Declarations of Interest

Members to declare:-

- (a) any interest in matters to be discussed at the meeting;
- (b) the existence and nature of any political Party Whip on any matter to be considered at the meeting.

**Minutes of the Economy, Skills, Transport and Environment
Scrutiny Board**

**16th November, 2017 at 5.30 pm
at the Sandwell Council House, Oldbury**

Present: Councillor Hickey (Chair);
Councillors Allcock and Ashman.

Apologies: Councillors Ahmed, Crompton, Dhallu, Rouf and
Tagger.

9/17 **Minutes**

Resolved that the minutes of the meeting held on 14th
September, 2017 be confirmed as a correct record.

10/17 **Road Safety Plan 2017- 2022**

The Cabinet Member – Highways and Environment provided an introduction to the Strategic Road Safety Plan 2017- 2022, thanked officers of the Road Safety Team for the work they had done and welcomed the invitation to bring the draft plan to Scrutiny Board for its views and comments prior to Cabinet sign off.

The Highways Traffic and Road Safety Team provided a presentation to highlight the objectives of the Road Safety Plan 2017 – 2022 and the effects of road traffic accidents (RTAs) on Society.

The presentation gave further detail of the objectives of the Road Safety Plan in relation to the following:

- How it supports the UN and Government road safety strategies.
- Contribution to the 2030 Vision ambitions 2,6,7,8.
- The headlines for Sandwell road traffic casualty analysis.
- The vulnerable groups.

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The Board was advised that the Council had a statutory duty under the Road Safety Act to provide a Road Safety Plan. The purpose of the plan was to work together to build a safer road system, working with partners, particularly with Police and highways agency.

The Board welcomed the reduction of casualties and noted that this may in part have been due to people using vehicles less due to rising motoring costs and austerity measures. The Board was mindful of the challenge to prevent a rise in incidents in light of the population increase in Sandwell and a reduction in petrol prices in recent years.

The Cabinet Member welcomed the various initiatives introduced by the team to involve schools and communities in road safety including an initiative at St Matthew's C.E. School, Windmill Lane, Smethwick called 'Kid's Court'. The Board viewed a video of the 'Kid's Court' initiative and was advised that this was only the third of its kind in the Country; one in Liverpool, one in Birmingham and one in Sandwell.

The Kid's Court was about working closely with partners and school children to identify drivers who were clearly breaking the rules in a speed check area. Once pulled over by the appropriate authority the driver was given a choice whether to attend Kid's Court or be fined. 13 people were escorted into Kid's Court during the initiative, which was to be rolled out to other schools in Sandwell.

The Board was advised that modern technology and interactive games were also being used to educate young people in relation to road safety.

In response to questions the Board was advised that traditional ways of delivering road safety messages through visits to schools were still delivered and that the message to wear bright clothes on dark evenings, the 'be bright, be seen' campaign was delivered in this way as part of the Safer 6 campaign.

The Board heard that everything that could be done to reduce casualties was being done and that 20 mile per hour speed initiatives on main roads and 'rat runs' with higher than normal casualty statistics was being rolled out. The Board recognised that there had to be a range of initiatives to deter and reduce road incidents. It was explained to the Board that preventable accidents were incidents that happened when the driver had acted outside the normal driving rules. The police and fire service also had targets to reduce accidents and raise awareness.

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The Board considered that incidents were more prevalent in areas of deprivation and was advised that there had been more accidents in the Smethwick area where there were more 'new to UK' families and where there were over 70 languages spoken. The Board was advised that pictorial cards were being considered in these areas to get the messages of road safety across to residents and particularly for children and parents for whom English was not the first language.

In relation to cyclist accidents, the Board was reminded that the cycling strategy would be considered by the Board early in 2018.

The Board was advised that there was discussion about adding noise generation to electric cars to reduce the risks associated with silent running vehicles and that further initiatives were being considered to raise awareness of the risks of wearing headphones on the road and pavements in relation to road safety.

The Chair thanked the Cabinet Member and officers for the presentation and video.

Resolved that the Scrutiny Board endorse the Strategic Road Safety Plan 2017-2022 to inform road safety delivery within the Borough over the next five years.

11/17 **Regeneration Update**

The Executive Director - Neighbourhoods provided a report to respond to a request for information as to how suitable sites are identified for funding support from the Back-Country City Deal and the West Midlands Combined Authority Land and Property Fund, and to provide an update on the progress being made on the current major development programmes and projects that were underway or were being advanced for future funding applications.

The Board was advised that the Sandwell Site Allocations and Delivery Development Plan (SADD) underpinned the Joint Core Strategy which provided direction for location based regeneration to address economic, transportation, social and environmental needs. The SADD provided detailed land use allocations and designations to guide development until 2021. The Board was advised that there would be Council refresh of how to deal with land allocations in the

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future, pulling together a funding plan and looking for future loan funding and potential grants.

For larger sites that had not been developed, the team would be visiting them to discuss how to progress and for smaller sites, such as derelict public houses, the team would be looking to use building control notices to make improvements.

The Board received an update on the current position for a number of major developments in Sandwell as follows:

- West Bromwich Town Centre
- North Smethwick Black Patch area
- Grove Lane Smethwick
- Friar Park Housing Site (Bescot)
- Dudley Port area Tipton
- Midlands Metro, Wednesbury to Brierly Hill
- Bromford Road, Oldbury
- Strategic Housing Plan.

The Chair was pleased to note that 80 houses had already been built in Sandwell and that opportunities were being considered to increase numbers of houses being built. In response to Members concerns relating to land banking, the Executive Director advised that there was a need for more local powers and that discussions were being held at Land and Housing Group to move things forward.

Members were mindful that the delays in house building were not necessarily due to a delay in the planning system but often because the developer did not carry the development out straight away. The Chair advised that she had recently spoken with Councillor Ian Shires who was leading a work stream for the West Midlands Combined Authority Overview and Scrutiny Committee relating to land banking.

The Chair referred to a recent recommendation to the Board to consider alternative methods of housing construction and requested scrutiny to progress arrangements to visit to alternative construction methods in Walsall.

The Chair thanked the Executive Director for a comprehensive update.

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Resolved that the update be received and a further update be submitted in 6 months to the Board.

12/17 **Vice-Chairs Working Group update**

Councillor Ashman, Vice-Chair, advised that the work group would meet to consider Employment and Skills for the over 50's, and work around 'Fuller Working Lives' and 'No Desire to Retire' programmes.


Councillor Hickey, Chair, advised that the Town Leads would be contacted to ask about the six-town offer in relation to Night time economy, visitor economy and the cultural offer.

(Meeting ended 7:25 pm)

Contact Officer: Deb Breedon Democratic Services Unit 0121 569 3896

REPORT TO ECONOMY, SKILLS, TRANSPORT AND ENVIRONMENT SCRUTINY BOARD

18 January 2018

Subject:	Section 19 Flood Investigation Report June 2016 Flood Event
Presenting Cabinet Member:	Councillor David Hosell - Cabinet Member for Highways and Environment
Director:	Executive Director - Neighbourhoods Dr Alison Knight
Contribution towards Vision 2030:	
Contact Officer(s):	Robin Weare Services Manager, Highways Robin_weare@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Economy, Skills, Transport and Environment Scrutiny Board:

1. consider the draft Flood Investigation Report for the June 2016 Flood Event and that any observations or comments made be referred to the Cabinet Member for Highways and Environment and taken into account when the report is considered for approval by Cabinet.

1 PURPOSE OF THE REPORT

- 1.1 This Flood Investigation Report has been produced by Sandwell Metropolitan Borough Council under the Flood and Water Management Act 2010 (FWMA) as the Lead Local Flood Authority (LLFA).
- 1.2 Lead Local Flood Authorities (unitary authorities or county councils) are responsible for developing, maintaining and applying a strategy for local flood risk management in their areas and for maintaining a register of

flood risk assets. They also have lead responsibility for managing the risk of flooding from surface water, groundwater and ordinary watercourses.

- 1.3 Under Section 19 of the FWMA the council on becoming aware of a flood as lead local flood authority must to the extent that it considers necessary and appropriate investigate.
 - (a) which risk management authorities have relevant flood risk management functions, and
 - (b) whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.
- 1.4 Where an authority carries out an investigation it must—
 - (a) publish the results of its investigation, and
 - (b) notify any relevant risk management authorities.
- 1.5 LLFAs and the Environment Agency and all other Risk Management Authorities need to work closely together and ensure that the plans they are making both locally and nationally link up. An essential part of managing local flood risk is taking account of new development in land use plans and strategies.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 On Wednesday 8th June 2016, Sandwell was affected by sporadic thunderstorms accompanied by intense rainfall, leading to flooding of a number of local areas and communities. Further storms on Tuesday 14th June 2016, gave rise to similar but less extensive flooding. Over the two events around 218 properties suffered internal flooding, with 138 reported near misses where external flooding occurred outside the property or along the highway.
- 2.2 All 6 Town areas Sandwell (West Bromwich, Wednesbury, Rowley Regis, Smethwick, Oldbury & Tipton) suffered incidents of internal property, external property and highway flooding.
- 2.3 The aim of this Flood Investigation Report is to bring together all useful information captured from communities and various sources across Sandwell, where we have been made aware of flooding. Other authorities that have relevant flood risk management responsibilities and functions are Severn Trent Water (STW) and Environment Agency (EA)

3 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

3.1 Data has been collected from a number of sources, including:

- Information captured by the Risk Management Authorities
- Online Survey hosted on the council's website
- Local Site Visits and Surveys
- Highway, Operations, Emergency Callout/Highway Resilience Unit
- Media and social media
- Contact from MPs and Councillors
- Contact from Residents, Social Housing, Road Users and Businesses
- Environment Agency analysis of rainfall return periods

4 ALTERNATIVE OPTIONS

4.1 There is no recommended affordable alternative

5 STRATEGIC RESOURCE IMPLICATIONS

5.1 Local Strategy for Flood Risk Management is funded from the target revenue budget for Flood Protection managed by Highway Services..

5.2 The Corporate Risk Management Strategy has been complied with – to identify and assess the significant risks associated with this decision. This includes (but is not limited to) political, legislation, financial, environmental and reputation risks. Based on the information provided, it is the officers' opinion that for the significant risks that have been identified, arrangements are in place to manage and mitigate these effectively. This assessment has identified there are no current "red" risks to be reported.

6. LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 Sandwell Metropolitan Borough Council is the Lead Local Flood Authority (LLFA) under the Flood and Water Management Act 2010 (FWMA).

6.2 Under section 21 FWMA a lead local flood authority must establish and maintain—

(a) a register of structures or features which, in the opinion of the authority, are likely to have a significant effect on a flood risk in its area, and

(b) a record of information about each of those structures or features, including information about ownership and state of repair.

- 6.3 The lead local flood authority must arrange for the register to be available for inspection at all reasonable times.
- 6.4 Under the FWMA, the Council as Lead Local Flood Authority lead in managing local flood risks (i.e. risks of flooding from surface water, ground water and ordinary (smaller) watercourses and will work with all relevant organisations and local communities as far as reasonably possible to reduce the chance of a repeat flood event.
- 6.5 Under the Civil Contingencies Act 2004, the council as Lead Local Flood Authority is a category one responder and has a lead role in emergency planning and recovery after a flood event to protect and assist local communities.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 An equality impact assessment has not been carried out as maintaining the highway infrastructure is not believed to impact significantly against the protected characteristics.

8. DATA PROTECTION IMPACT ASSESSMENT

- 8.1 Not applicable.

9. CRIME AND DISORDER AND RISK ASSESSMENT

- 9.1 Not applicable.

10. SUSTAINABILITY OF PROPOSALS

- 10.1 Not applicable.

11. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 11.1 This flood investigation report supports 2030 Ambitions as follows

5. Our communities will feel safe, more protected and confident in their homes and neighbourhoods.

6. Our residents will have excellent public transport that connects them to jobs in Birmingham, Wolverhampton, the airport and the wider West Midlands.

10. Sandwell will have a national reputation for getting things done, focussing on what really matters in people's lives and their wider community.

12. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

12.1 Highway maintainable at public expense. The report is consistent with the aims and objectives as set out in the Corporate Asset Management Plan and Highway Asset Management Plan in particular ensuring the safety of the highway network.

13. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

13.1 Approval of Flood Investigation Report will meet the statutory obligations of the Council as Lead Local Flood Authority by with regard to relevant considerations as set out in legislation and statutory guidance.

14. BACKGROUND PAPERS

14.1 Sandwell MBC Highway Asset Management Plan


15. APPENDICES:

15.1 Flood Investigation Report for the June 2016 Flood Event

Dr Alison Knight
Executive Director – Neighbourhoods

REPORT TO ECONOMY, SKILLS, TRANSPORT AND ENVIRONMENT SCRUTINY BOARD

18 January 2018

Subject:	Black Country Core Strategy Update
Cabinet Portfolio:	Councillor Paul Moore - Cabinet Member for Regeneration and Economic Investment
Director:	Executive Director - Neighbourhoods - Alison Knight
Contribution towards Vision 2030:	
Exempt Information Ref:	N/A
Contact Officer(s):	Andy Miller Strategic Policy Manager 0121 569 4249 andy_miller@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Economy, Skills, Transport and Environment Scrutiny Board:

- 1.1 This report is to be considered the Economy, Skills, Transport & Environment Scrutiny Board.
- 1.2 The purpose of the report is to firstly provide a briefing relating to the Black Country Core Strategy consultation process and to then advise of the next stages.

2 PURPOSE OF THE REPORT

- 2.1 To provide members of the Board with an overview of the consultation process and content for the Black Country Core Strategy Review Issues and Options.

3 IMPLICATION FOR THE COUNCIL'S AMBITION

- 3.1 The Black Country Core Strategy is a key component of the Council's Local Plan. As such it is fundamental to the delivery of new homes, economic prosperity, social and community facilities, access to jobs for local people and to the continued vitality and viability of our town centres.
- 3.2 The Core Strategy review will provide the updated statutory framework within which the Council should make decisions about the use and development of land. It will enable the progression of key corporate priorities including regeneration plans, transportation strategies etc. The final stage of the plan will allocate land for housing development (including affordable housing), for industry and business, including investment in strategic and town centres, as well as including policies to protect the environment and important heritage assets. As such it contributes to all of the Council's 2030 Vision ambitions.

4 BACKGROUND AND MAIN CONSIDERATIONS

- 4.1 The Black Country Local Planning Authorities adopted a joint Core Strategy in 2011 which sets out the overarching planning and regeneration strategy and the development priorities for the period 2006-2026.
- 4.2 When this strategy was adopted there was a clear commitment to review it after 5 years – this is necessary to ensure that the spatial objectives and strategy are up to date, and reflects local issues including the aspirations of the West Midlands Combined Authority and the Local Enterprise Partnerships.
- 4.3 It is crucial in terms of planning law that local authorities have an up-to-date Local Plan in place which has been passed as 'sound' by the Planning Inspectorate so that there is a framework for local planning decisions to be made and, if necessary, defended at planning appeals. The Core Strategy Review is planned to take us up to 2036 and work began on gathering evidence for the Core Strategy Review in 2016, in particular to establish future housing and employment requirements across the Black Country as a whole. From this evidence it became apparent that, whilst the majority of this growth could be accommodated on brownfield sites, there was still a considerable shortfall for both

housing and employment land that could not be accommodated on identifiable land within the urban area.

- 4.4 *The Issues and Options Consultation* - The first statutory stage of preparing Local Plans is to set out what issues need to be addressed within the Plan and consult on what options exist for addressing those issues. The overwhelming key issue facing the Black Country is the need to find a significant amount of land outside of the existing urban area to accommodate future housing and employment requirements. This issue, because of its significance, was placed at the centre of the consultation.
- 4.5 Initial calculations presented in the document showed that 56,000 additional homes could be accommodated in the urban area across the Black Country but there was a need for 78,000 new homes up to 2036; a 22,000 shortfall. In addition, it was also estimated that there was an estimated shortfall of around 300 hectares of employment land which could not be accommodated in the urban area in the period to 2036. The document was therefore clear that the Core Strategy Review, in order to comply with national guidance, had no alternative but to carry out a review of the Black Country's green belt land because the evidence was that the 'exceptional circumstances' existed to trigger such a review. The document continues to emphasise throughout that this is still a 'brownfield land first' development strategy with greenbelt development considered only as a last resort.
- 4.6 Prior to the consultation, this issue, along with an early draft of the document was reported to Black Country Leaders and Chief Executives at a meeting of the Association of the Black Country Authorities where it was agreed to seek approval from the four Black Country Local Authority Cabinets to proceed with the consultation process.
- 4.7 *The Summary Questionnaire* - The Issues and Options consultation document was by necessity long and complex with over 100 questions contained within it. In order to make the consultation meaningful and more a summary document and questionnaire to accompany the main document was produced. The questionnaire summarise the key issues of the consultation and picked out the key important questions from the document. The Summary and Questionnaire were appended to the document and both documents were subsequently approved by all four Councils during June/July 2017; Sandwell's Cabinet gave approval at its meeting on 28th June 2017.
- 4.8 *Consultation Strategy and Response Rates* - During the ten week consultation period between 3rd July and 8th September, which included a launch event for key stakeholders at the Black Country Living Museum, a range of local events were held across the Black Country and a number

of press articles and press releases were published in local newspapers. Information was also placed in local libraries and a social media campaign, including a series of videos was used to promote the consultation. This resulted in a total of approximately 1,600 formal responses and over 300 social media comments. The social media campaign had a reach of 340,000, the videos were viewed 175,000 times, and the Black Country Core Strategy website was viewed over 8,000 times during the consultation period.

- 4.9 A key part of the consultation included a 'call for sites'. This asks potential developers/land owners to suggest sites to the Councils as part of the review. Whilst the call for sites remains ongoing, to date 130 site specific submissions have been received.

5 THE CURRENT POSITION

- 5.1 The review of the Black Country Core Strategy will be undertaken in key stages – all of which are informed by legislation as part of the wider statutory planning system. This report covers the first stage of the formal review and plan preparation – the Issues and Options document and its associated consultation.
- 5.2 The responses to the Issues & Options consultation and the Call for Sites are currently being collated and assessed. This will necessarily be a protracted process. The results will then be used to inform the next stage of the review – the Preferred Options stage. It is anticipated that, subject to approval by all four Councils' Cabinets, consultation on this stage will take place in the autumn of this year.
- 5.3 The current programme, allowing of the Examination in Public in late 2020 envisages the reviewed Core Strategy being adopted in autumn 2021. It should, however, be noted that the programme is subject to amendment to reflect any changes in Government policies and legislation, and to the outcome of each stage of the consultation process; it should therefore be treated as indicative at this stage.
- 5.4 Future consultation stages of the Core Strategy review will incorporate a Member Engagement Strategy so that Members across all four Black Country authorities are fully aware of the issues and recommendations going forward prior to any consultation stage.

6 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 6.1 The report concerns a consultation process. The details are all contained in section 3 above.

7 ALTERNATIVE OPTIONS

- 7.1 The report concerns consultation of options. The details are all contained in the Issues & Options document at the link below.

8 STRATEGIC RESOURCE IMPLICATIONS

- 8.1 This report is for information only.

9 LEGAL AND GOVERNANCE CONSIDERATIONS

- 9.1 It is a statutory requirement of planning legislation that local authorities have an up-to-date Local Plan in place which has been passed as 'sound' by the Planning Inspectorate so that there is a framework for local planning decisions to be made and, if necessary, defended at planning appeals.
- 9.2 It is necessary to ensure that the Core strategy review is undertaken in accordance with various legal provisions as set out in the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework or NPPF (and associated guidance) 2012.

10 EQUALITY IMPACT ASSESSMENT

- 10.1 Preparation of the Core Strategy includes the carrying out of an integrated Sustainability Appraisal at each formal stage – and at later stages an Equality Impact Assessment and Health Impact Assessment. The Core Strategy seeks to ensure that sufficient homes, shops and employment, social and recreational facilities are planned and provided for in that time to meet the needs of the communities in the Borough. This will include meeting the needs of children and young people by seeking to provide sufficient facilities for them as well as having a positive effect for future generations.

11 DATA PROTECTION IMPACT ASSESSMENT

- 11.1 This report is for information only.

12 CRIME AND DISORDER AND RISK ASSESSMENT

- 12.1 This report is for information only.

13 SUSTAINABILITY OF PROPOSALS

- 13.1 This report is for information only.

14 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

14.1 This report is for information only.

15 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

15.1 This report is for information only.

16 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

16.1 Report is for information purposes.

17 BACKGROUND PAPERS

17.1 Report to Cabinet – 28:06:17

17.2 Black Country Core Strategy Issues & Options Report

17.3 Black Country Core Strategy Issues & Options Consultation Leaflet

All three documents available at

<https://cmis.sandwell.gov.uk/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/36801/Committee/6063/Default.aspx>

18 APPENDICES:


None

**Alison Knight
Executive Director – Neighbourhoods**

REPORT TO

Economy, Skills, Transport and Environment Scrutiny Board

18 January 2018

Subject:	Air Quality in Sandwell
Cabinet Portfolio:	Councillor Elaine Costigan - Cabinet Member for Public Health and Protection
Director:	Director – Prevention and Protection – Stuart Lackenby
Contribution towards Vision 2030:	
Contact Officer(s):	Margaret Gardiner Group Environmental Health Officer margaret_gardiner@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Health and Adult Social Care Scrutiny Board:

1. Consider the measures to reduce air pollution in Sandwell described in the draft Air Quality Action Plan (AQAP) 2018 – 2023 and the proposed public consultation process.
2. Recommend the inclusion of any additional measures they wish to be incorporated within the draft AQAP
3. Recommend any additional steps officers should take in conducting public consultation of the draft AQAP

1 PURPOSE OF THE REPORT

- 1.1 Cabinet has recently considered the measures to reduce air pollution in Sandwell described in the draft AQAP and agreed that a public consultation exercise be conducted to receive the views of statutory and non-statutory consultees.

- 1.2 Before embarking on the public consultation exercise, the views of Scrutiny Panel are sought regarding the draft AQAP and the proposed consultation process.

2 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 Ambition 2: "Sandwell is a place where we live healthy lives and live them for longer and where those of us who are vulnerable feel respected and cared for." Poor air quality is known to be a significant factor in premature deaths; the Committee on the Medical Effects of Air Pollutants estimate that particulate emissions and nitrogen dioxide account for nearly 40,000 premature deaths per year in the UK.
- 2.2 Ambition 6: "We have excellent and affordable public transport that connects to tall local centres and to jobs in Birmingham, Wolverhampton, the airport and the wider West Midlands." The AQAP will promote the use of low emissions public transport vehicles on these routes to reduce the exposure of residents to air pollution.
- 2.3 Ambition 7: "We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes." The AQAP will encourage consideration of air quality issues at the planning stage of new residential developments to ensure that there is no conflict between this ambition and that described in 2.1 above.
- 2.4 Ambition 9: "Sandwell has become a location of choice for industries of the future where the local economy and high performing companies continue to grow." The AQAP will promote the consideration the impact on air quality at the planning stage of industrial developments to ensure there is no conflict between this ambition and that described in 2.1 above.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 In the past, the main source of air pollution in the UK was the burning of fossil fuels, such as coal, in homes and factories. This produced high levels of smoke and sulphur dioxide, which were usually visible and this has greatly improved since the Clean Air legislation were enacted. Today we have a complex mixture of pollutants, most of which we cannot see. They are a mixture of gases and fine particles, largely resulting from processes of fuel combustion.
- 3.2 They originate from a combination of domestic, commercial, industrial and transport sources. Traffic pollution has become worse and is now the major threat to lung health and contributor to climate impacts. In Sandwell, elevated nitrogen dioxide (NO₂) levels are observed at busy junctions, narrow congested streets and in town centres

- 3.3 Air pollution is associated with adverse health impacts and early deaths. It is recognised as a contributing factor in the onset of heart disease and cancer. Air pollution particularly affects the most vulnerable in society: including children and older people with heart and lung conditions. There is often a strong correlation with equalities issues, because areas with poor air quality are also less affluent. The annual health cost to society of the impacts of particulate matter alone in the UK is estimated to be around £16 billion.
- 3.4 Evidence has emerged that the burden of ambient particulate pollution on health is significant at relatively low concentrations, there is no safe lower limit and that public health benefits will result from any reduction in concentrations. Interventions to reduce levels of particulate pollution require a concerted action by a host of sectors with a vested interest in air quality management (environment, transport, energy, health, housing) at regional, national and international levels.
- 3.5 The significant toll of ill health brought about by traffic-related particulates means that forward-looking and integrated transport policies are critical for the improvement of urban environments. Traffic must be reduced and we must ensure a cleaner and greener element to what remains on the road.
- 3.6 The council has already taken action in 5 key areas to reduce air pollution arising from vehicle emissions, these include:
- Promoting health initiatives that support sustainable transport and behavioural change
 - Reduce congestion and minimise transport emissions through traffic management and highway improvements.
 - Implementation of guidance and policy, working in partnership with key stakeholders to improve air quality outcomes.
 - Improve understanding of pollutant behaviour particularly at hot spot locations.
 - Review the council's impact on air quality through an assessment of its vehicle fleets, taxi licencing and employee vehicle use

4 THE CURRENT POSITION

- 4.1 The aims of the draft action plan 2018 2023 are:
- To reduce the overall health impacts and burdens or poor air quality
 - To achieve the national air quality NO₂ annual mean objective across the Borough in the shortest possible timeframe.
 - To reduce PM₁₀ and PM_{2.5} concentrations in order to protect human health

4.2 Priority 1 - Hot-spot Locations

Hot spots have already been identified for further investigation however; it is intended to develop an air pollution model of the borough to ensure all hot spot locations are identified. These locations will be prioritised and source apportionment undertaken where necessary. Transport planning and traffic infrastructure management will be reviewed at each hot-spot location to identify where additional resource is needed and prepare a programme of works for each zone

4.3 Priority 2 - Sustainable Transport Initiatives

To continue promoting walking, cycling, car sharing and public transport initiatives and to undertake additional health promotion campaigns to increase physical activity and the use of low emission vehicles.

4.4 Priority 3 - Review what impact the council has on air quality and develop a plan to reduce emissions from its activities.

It is intended to carry out a full review of council vehicle fleets, licencing activities and employee vehicle use to understand and prioritise council related air quality initiatives.

4.5 The AQAP outlines how the council will tackle poor air quality within its control. It will continue to work with regional and central government on policies, such as vehicle emission standards, to secure further reductions in vehicle emissions.

5 **CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)**

5.1 In formulating and adopting an air quality action plan the Environment Act 1995 (Schedule 11) requires local authorities to consult the following:

- Environment Agency;
- Highways England;
- The Mayor of London (for London Boroughs only);
- All local authorities neighbouring the local authority in question;
- The County Council (if a District Council);
- Any National Park authority as appropriate;
- Other public authorities as appropriate; and
- Bodies representing local business interests and other organisations as appropriate.

The consultation will also include the local communities and existing neighbourhood groups. A summary leaflet and display material will be produced to raise awareness of the consultation in public places. People wishing to respond to the consultation can do by variety of means, including post, email or completing an on-line survey.

5.2 The views of Scrutiny Board are sought on the draft action plan approved by Cabinet on the 20 October 2017. Board members are asked to consider the following:

5.2.1 Do you agree with the priorities set out in the draft plan and are there any others you feel need to be included?

5.2.2 How do you think the draft action plan can be improved?

5.2.3 What other actions/measures, if any, would you suggest that should be included, which have not been included already within the draft Air Quality Action Plan (see pages 29-35)?

5.2.4 Should any other individuals or groups be consulted regarding the AQAP?

5.2.5 Should any other methods be used to draw the attention of the general public to the draft AQAP and receive their comments?

6 ALTERNATIVE OPTIONS

6.1 The purpose of conducting a consultation exercise is to give statutory and non-statutory consultees the opportunity to comment on the draft AQAP. It is possible that alternative or additional proposals will emerge from the consultation and these will be considered before the AQAP is finalised.

7 STRATEGIC RESOURCE IMPLICATIONS

7.1 The purpose of this report is to recommend conducting a consultation exercise, the cost of which will be met from within the target budget for Regulatory Services.

7.2 Many of the actions described within the AQAP rely on additional funding or will need to be carried out jointly with partner agencies.

7.3 Actions that require changes in policy or significant investment will be the subject of future reports to Cabinet.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

8.1 The Environment Act 1995 (Part IV) requires all local authorities to regularly review and assess air quality within their boundaries. Where pollutant concentrations exceed national objectives, the local authority must declare an Air Quality Management Area (AQMA) and produce an action plan detailing how they intend to improve air quality within these areas. The borough was declared as an Air Quality Management Area

(AQMA) on 26 July 2005 due to of the annual mean concentration of NO₂ being exceeded at a number of locations.

- 8.2 The Air Quality Action Plan (AQAP) sets out what action the council will take to improve air quality in Sandwell between 2018 and 2023. This action plan will replace the current one which was adopted in September 2009. The principle aim of the plan is to secure reductions in NO₂ concentrations and comply with the national air quality objective. Although there are no areas where the objective for particulate matter (PM₁₀) has been exceeded, we will continue to work with our partners to secure reductions in concentrations.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 A screening assessment has been carried out which indicates that the proposal does not discriminate against any disadvantaged or vulnerable people. A full Impact Assessment is therefore not required.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 No personal information will be collected as part of the proposed consultation exercise.
- 10.2 The requirements of the General Data Protection Regulations will be observed in the design and management of any data collection exercises that form part of the final action plan.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 There are no crime and disorder implications arising from the recommendations of this report.
- 11.2 The Corporate Risk Management Strategy (CRMS) has been complied with – to identify and assess the significant risks associated with this decision. This includes (but is not limited to) political, legislation, financial, environmental and reputation risks. Based on the information provided, it is the officers' opinion that for the significant risks that have been identified, arrangements are in place to manage and mitigate these effectively. This assessment has identified there are no current "red" risks that need to be reported.

12 SUSTAINABILITY OF PROPOSALS

- 12.1 The draft AQAP which is the subject of this report, when finalised is intended to have a life of five years, but the council is required to conduct an annual review and submit an Annual Status Report to Defra.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 13.1 In 2010 the Committee on the Medical Effects of Air Pollutants (COMEAP) estimated that air pollution in the UK resulted in 29,000 premature deaths and an associated loss to the population of 340,000 life-years.
- 13.2 These findings were updated in 2016 in a subsequent report published jointly by the Royal College of Paediatrics and Child Health (RCPCH) and the Royal College of Physicians (RCP). Whilst the COMEAP report estimated the health impact of particulate emissions, the more recent report accounts for the additional impact of nitrogen dioxide on health and estimated that the mortality burden of air pollution is closer to 40,000 deaths per year.
- 13.3 The implementation of a revised AQAP will contribute to a reduction of premature deaths in Sandwell due to air pollution, currently estimated to be more than 200 per year.

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 14.1 There are no immediate implications regarding the council's assets arising from the proposed consultation exercise.
- 14.2 Implementation of actions in the AQAP which are designed to encourage the use of low emissions vehicles may require the installation of electric charging points in council owned car parks and at council buildings.

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 All local authorities are required to regularly review and assess air quality within their boundaries. Where pollutant concentrations exceed national objectives, the local authority must declare an Air Quality Management Area (AQMA) and produce an action plan detailing how they intend to improve air quality within these areas.

15.2 The original AQAP produced in 2009 has been reviewed and this report seeks approval to carry out a public consultation on the revised action plan. This outlines the actions to be delivered between 2018 and 2023 to reduce population exposure to air pollution and improve the health and quality of life for its residents and visitors to the borough.

16 BACKGROUND PAPERS

16.1 These are referenced within the draft AQAP.

17 APPENDICES:

Draft Air Quality Action Plan 2018 – 2023



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