

# MINUTES OF ENVIRONMENT AND GROWTH OVERVIEW AND SCRUTINY COMMITTEE

3 OCTOBER 2019

## PRESENT:

### Members of the Committee:

Councillors Sandison (Chair), Brader, Mrs Bragg, Mrs Garcia (substitute for Councillor Bearne), Gillias and Picker

### Officers:

Dan Green (Head of Environment and Public Realm), David Burrows (Regulatory Services Manager), Henry Biddington (Principal Environmental Health Officer) and Linn Ashmore (Democratic Services Officer)

### In Attendance:

Adrian Hart, Nick Dauncey and Stephen Rumble (Warwickshire County Council Transport)

## 11. MINUTES

The minutes of the meeting held on 15 July 2019 were approved and signed by the Vice-Chair.

## 12. APOLOGIES

Apologies for absence from the meeting were received from Councillors Bearne, Ellis and Mrs Roberts.

## 13. AIR QUALITY MONITORING AND MANAGEMENT – ANNUAL UPDATE

The committee received a report (Part 1 – agenda item 4) concerning the annual review of air quality monitoring.

A personal air quality monitor was demonstrated. The Committee was informed that Public Health Warwickshire were due to begin testing with them as part of a Warwickshire wide pilot project focusing on the effects of individuals travelling to and from work.

The Principal Environmental Health Officer presented the report and during discussion the following points were made:

The response from Defra to the report had not yet been received. The key findings were:

- There had been a slight increase in levels recorded at Dunchurch crossroads.

- One location at the Hillmorton Road/Whitehall Road junction had seen a fall from 2017 to 2016 levels. This was possibly as a result of roadworks and may have been an anomaly, but monitoring would continue.
- Levels around the gyratory system had fallen below targets. The area had historically seen poor results. However, data was limited during 2018 due an error with the diffusion tube being incorrectly relocated. The data would be checked again for the past year against the improvement works that had been carried out.
- Shilton exceeded air quality objectives with limited data. Data would be reviewed again this year to identify if further action is required.
- Other than Dunchurch crossroads, the gyratory and Shilton, there were no locations close to exceeding.
- Work had been carried out on the Air Quality Monitoring Action Plan through planning policy around the Local Plan. The Local Plan incorporates the requirement that significant developments outside of any Air Quality Management Area (AQMA) must demonstrate being air quality neutral.
- As part of that work planning policy states that WCC use monies to offset mitigation.
- Warwickshire County Council (WCC) was currently reviewing the Rugby Transport Strategy in partnership with Rugby Borough Council as part of a wider review of Warwickshire's Local Transport Plan. This would consider possible measures for addressing congestion and improving safety and air quality at key locations in Rugby, including the Warwick Street Gyratory, to identify strategies for reducing levels of PM2.5. This would include the launch of a social media campaign aimed at residents of the Borough in relation to the use of open fires and wood-burning stoves.
- Rugby Borough Council was currently involved in a bid made by Warwickshire County Council for funding for electric charging points.
- The Council would continue to monitor locations where there had been consistently low concentrations and locations with extensive new housing developments, within the current objectives.

During discussion the following points were raised:

#### *Air Quality*

- A query was raised regarding drivers and the levels they were subjected to inside vehicles.
- In response to a question regarding the Paddock junction, the Committee were informed that the levels recorded were well below objectives but monitoring would continue.
- Air quality monitoring objectives were set by Defra in line with the EU Air Quality Directive.
- The Council currently monitors for NOx. Monitoring of particulate matter had been carried out around the Cemex site in the past but the results were consistently below target and monitoring was discontinued. Cemex continues to carry out its own monitoring.
- Particulate matter is more of an issue in cities rather than smaller towns. However, spot checks are to be carried out.
- Concerns were raised regarding the use of biomass boilers in rural areas causing smoke to drift and affect nearby homes. This was not a specific matter relating to air quality but could be dealt with as a statutory nuisance or Clean Air Act matter.
- It was noted that the Council was aiming to provide up to nine electric vehicle charging points and members asked what action, if any, was being taken to encourage local businesses or landowners to install charging points. Steps were being taken to work with partners at WCC on a bid for funding for

electric charging points. This would be based on a private company providing a half share of the cost and operating the points. There were two private charging points at Elliotts Field Retail Park, but these were not well used.

- The Council was also working with the taxi trade to influence a change.
- In the longer-term work would be required in relation to on street charging points. The number of electric vehicles being used was small and it was not clear whether these would be the preferred option over hybrid or hydrogen powered vehicles.
- Little feedback had been received from local supermarkets over plans for charging points.
- The Market Quarter area continued to be developed and the planting of trees would help in an already congested area air quality, but officers mentioned that trees have little impact on local air quality unless in very large numbers.
- Members asked about bonfires. Guidance exists in relation to wood burners and bonfires, but Government had not introduced enforceable legislation. Defra had issued guidance with approved appliances, but the standard was low. It encouraged proper usage and highlighted the need for users to be more responsible. The Clean Air Act was introduced in the 1950s and the problems were reoccurring due to wood burners.
- A question was raised regarding the Council's plans to become carbon neutral and officers undertook to respond to this later.
- It was early days; local authorities would be judged on policies that come forward and whether they were in line with the wider goals and what they were aiming to achieve. WCC were making initial steps that included the introduction of a pool car fleet and would seek to find ideas within its control and being clear on what could be achieved in the longer term.
- The individual members of the air quality alliance declared a climate emergency and it was important to translate discussion points into outcomes and turn into actions that people can see.
- Members asked about monitoring sites and whether any additional monitoring was planned for new developments or their effects? This would be taken into consideration. There would need to be a receptor close to the emission source. The further away the receptor the lower the level of any pollutant.
- The position of tubes was reviewed constantly. A tube that was mistakenly moved from near Rugby School has been replaced but it will take 12 months to gather data.
- Monitoring tubes were checked monthly.
- Members commented that receptors living at Lesley Souter House, the almshouses on the gyratory and sheltered homes at Union Street were overlooked, but officers indicated they had been assessed and were further away from the road than the current monitoring locations near them.
- It was noted the proposed development on Little Church Street would not meet criteria. The corner of Barby Road was also suggested as a monitoring location, but as there are no receptors, this was unlikely.
- Examples were given where bus stops were situated on opposite sides of the road causing traffic congestion and increased pollution. Bus companies prefer not to use laybys as buses find it difficult to pull out. The siting of bus stops was often historic but new stops could be checked.
- A question of using smaller buses was raised. This was a matter for the operators, but the vehicle size could be considered as part of the tender process and officers from WCC undertook to take this back.
- The use of more environment-friendly buses would involve a big capital outlay. WCC would explore this further.
- Officers would look into air quality monitoring in Long Lawford, Barby Road and the Market Quarter.

## *Transport*

- There was general concern over climate change issues and questions were raised regarding progress of the local transport plan by WCC and associated consultation.
- Officers from WCC supported the view of the role of local government in relation to new technology and stated that ambitious, realistic opportunities existed through working jointly with all Warwickshire districts and having an equal footing across county and the wider midlands area.
- WCC's electric vehicle charging strategy included a number of initiatives with some coming to fruition. Contracts with the private sector to provide electric vehicle charging on commercial basis will bring opportunities. WCC role would be to act as the facilitator to help make that happen.
- A Government grant provided by the Office for Low Emission Vehicles (OLEV) of £500,000 would provide 44 off street points across the county.
- WCC also announced that its new pool car vehicles would be fully electric.
- Councils must keep on top of Government announcement and funding opportunities.
- The National Bus Strategy will be beneficial to the area, including a requirement for all new highway schemes on major road networks to incorporate public transport needs and support public transport provision.
- Hydrogen technology was not fully developed but positive work was happening in relation to trains and announcements regarding buses was awaited. The approach was to take a watching brief and seek the opportunity to bid for electric buses. Stagecoach had expressed a willingness to enter discussion.
- Discussions with colleagues on supplementary planning documents for Coton Park East and South West Rugby were based around business integration, cycle networks and encouraging the use of rail transport.
- There were opportunities following the rail franchise awarded to an Italian rail firm. There were aspirations to make better use of the buildings at Rugby station.
- A new Rugby Parkway station would offer accessibility and parking access. The Department for Transport were responsible, and the project could still come forward next 4/5 years.
- It was hoped that the transport improvements at Avon Mill would come soon.
- In the longer term it was hoped improvements on the Leicester Road corridor would alleviate congestion.
- The priorities were for buses and park and ride.
- WCC hoped to bring engagement on the transport scheme by producing an issue and options paper within the next four to six weeks. It was a challenge to keep up to date on Government aims. This would feed into a wider review of the Local Transport Plan over the next 12-18 months.
- Members asked about evidence on air quality to support an SPD. The issues and options paper would set out critical transport and access issues and explore where there were opportunities to address these.
- A comment was made on conflicting information being received from WCC on planning applications by the use of older Defra data taking priority over local circumstances.
- Members asked whether a left-hand feed could be possible at the Avon Mill roundabout. WCC had explored this option but the position of the toucan crossing meant this was technically not feasible. Crossings were positioned close to desire lines.
- Members also asked about whether it would be possible to have dedicated lanes heading towards the town centre and the relief road. WCC had used a

simulation model and filter lanes were not possible due to constraints but could review what was being proposed.

- Members questioned whether Rugby's position as one of the fastest growing towns meant they were in a more favourable position to be allocated a higher proportion of electric vehicle points. Rugby does not have as many electric vehicles as other Warwickshire towns so the allocation may appear unbalanced. The opportunity exists but demand may be high making the final decision difficult. Rugby would continue to work with WCC on this.
- There was an anticipated increase in traffic travelling from the Gibbet island due to major development at Magna Park. This was creating a route preference for vehicles to by-pass the island by travelling through nearby villages. WCC would work with local parishes on appropriate action.
- Rugby rail station was a great facility but does not benefit from the best services and there will be a push for those.
- Plans for Rugby station as part of a new WCC strategy to become more of a transport interchange, integrating bus, cycle and pedestrian routes and providing greater connectivity. Many of the station buildings were unused and the plans included ways of bringing these back into use through business start-ups.
- A new Rugby Parkway station at Houlton would add a further rail offer and would be seen as a compliment to the established station.
- People prefer the independence of using their own vehicle, and there were many commercial vehicles that were necessary to deliver goods and services. The infrastructure should meet the needs of the 21<sup>st</sup> century. WCC reported that these were the dilemmas that needed to be headed off.
- The issues and options discussion would be the first step to determine what Rugby wants for its future transport network. Curtailing journey times in cars versus catering for those people who do not have a car or travel by other means.
- The focus would be on looking at alternative transport means and policies that seek to match the future growth in Rugby. If the aim was to reduce congestion where was the incentive to create a modal shift?
- The target figure for modal shift was 7% by March 2020. There were many opportunities to create cycle routes to secondary schools and links across the town.
- The Local Transport Plan was not designed to be anti-car but to offer a balanced view and to encourage alternative transport means. There was growing recognition that the future would be different with children now being less likely to drive in favour of using buses and trains.
- New technology and developments were evolving within the subregion on Rugby's doorstep and opportunities could be missed if it was not embraced.
- Members commented there was not enough stand space for buses. Some form of central hub with smaller buses may be preferable.
- Whitehall Road roundabout, Lawrence Sheriff Street and Barby Road junction would be considered by WCC to judge how they work together and whether there were any knock-on implications.
- The crossing at the end of Whitehall Road causes traffic to come to a halt on the Clifton Road roundabout and roads leading off it. This was exacerbated by school buses and cars stopping outside Lawrence Sheriff School. WCC officers acknowledged there was a challenge in encouraging people to not use cars.
- The location of crossings was determined by safety factors and by getting close to the desire line.

**RESOLVED THAT** – Adrian Hart, Nick Dauncey and Stephen Rumble be thanked for attending the meeting.

#### **14. REVIEW OR PUBLIC SPACES PROTECTION ORDERS AND A POLICY RELATING TO GATING ORDERS**

The committee received a report (Part 1 – agenda item 5) concerning the one-page strategy for the review of a policy on the use of Public Spaces Protection Orders (PSPOs) as Gating Orders.

The Highways Act 1980 gave councils powers to make Gating Orders to restrict the use of a 'relevant highway' by the physical placing of gates or barrier as a means to deal with anti-social behaviour or crime related issues, as prescribed under the Highways Act 1980 (Gating Order) (England) Regulations 2006.

The Anti-Social Behaviour, Crime and Policing Act 2014 replaced Gating Orders with PSPOs.

The powers were used sparingly across Warwickshire and no instances in Rugby.

The creation of PSPOs was a complicated and lengthy process that involved a number of phases before it could be considered by full Council, including a full consultation.

There was a long-established problem in Hillmorton that had highlighted the need for a formal consideration of a criteria and policy for PSPOs (Gating Orders). Anti-social behaviour can have a significant impact on local residents.

A report on PSPOs was due to be considered by Cabinet on 4 November. This included a recommendation that this committee carry out a review and produce a draft policy and guidance document relating to the gating of alleyways.

Members commented on the specific problems being faced by residents in Hillmorton over a number of years. This alley was near to a school and it was noted that the school had been involved in discussions about the issues. This could be seen as an example case for benchmarking.

It was agreed that local schools should be included as a consultee on the one-page strategy

#### **RESOLVED THAT –**

- (1) the one-page strategy be approved, subject to the addition of local schools as a consultee; and
- (2) the review be carried out by a task group and a call for volunteers be issued.

#### **15. OVERVIEW AND SCRUTINY WORK PROGRAMME 2019/20**

The committee received a report (Part 1 – agenda item 5) concerning the progress of scrutiny reviews and the overview and scrutiny forward work programme for 2019/20.

It was agreed that the topics of self-build plots and the management and demand of new developments be combined.

A regular item be included in the forward work programme on the topic of the management of recycling and resources to be carried out as an annual review.

**RESOLVED THAT** – the work programme be updated to reflect the changes made.

**CHAIR**