

1 September 2017

## **WHITTLE OVERVIEW AND SCRUTINY COMMITTEE – 11 SEPTEMBER 2017**

A meeting of the Whittle Overview and Scrutiny Committee will be held at 5.30pm on Monday 11 September in Committee Room 1, Town Hall, Rugby.

Councillor Neil Sandison  
Chair of Whittle Overview and Scrutiny Committee

### **A G E N D A**

#### **PART 1 – PUBLIC BUSINESS**

1. Minutes

To confirm the minutes of the meeting held on 12 June 2017.

2. Apologies

To receive apologies for absence from the meeting.

3. Declarations of Interest

To receive declarations of:

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

***Note: Members are reminded that they should declare the existence and nature of their non-pecuniary interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a pecuniary interest, the Member must withdraw from the room unless one of the exceptions applies.***

***Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.***

4. Finance and Performance Monitoring 2017/18 Quarter 1 - Members are reminded to bring copies of the relevant Cabinet report from 4 September 2017 to the meeting.
5. Air Quality Monitoring and Management – Annual Update.
6. Review of Public Spaces Protection Orders – revised one-page strategy.
7. Joint Overview and Scrutiny Meeting – to discuss arrangements for the meeting scheduled on 6 November.
8. Overview and Scrutiny Work Programme 2017/18.

***Any additional papers for this meeting can be accessed via the website.***

**Membership of the Committee:**

Councillors Sandison (Chair), Brader, Butlin, Douglas, Gillias, Lowe, Mrs O'Rourke, Roberts and Ms Watson-Merret

*If you have any general queries with regard to this agenda please contact Linn Ashmore, Democratic Services Officer (01788 533522 or e-mail [linn.ashmore@rugby.gov.uk](mailto:linn.ashmore@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.*

*If you wish to attend the meeting and have any special requirements for access please contact the Democratic Services Officer named above.*

**AGENDA MANAGEMENT SHEET**

<b><i>Name of Meeting</i></b>	Whittle Overview and Scrutiny Committee
<b><i>Date of Meeting</i></b>	11 September 2017
<b><i>Report Title</i></b>	Air Quality Monitoring and Management – Annual Update
<b><i>Ward Relevance</i></b>	All
<b><i>Contact Officer</i></b>	David Burrows, Regulatory Services Manager, Tel: 01788 533806
<b><i>Summary</i></b>	The Regulatory Services Manager will attend the meeting to provide an update on air quality monitoring by the Council.
<b><i>Financial Implications</i></b>	There are no financial implications arising from this report at present. There are risks associated with future developments where a decision to object or not object may be challenged. The council could also be challenged on its action plan.
<b><i>Risk Management Implications</i></b>	There are risk management implications arising from this report as detailed in the Financial Implications.
<b><i>Environmental Implications</i></b>	Air quality monitoring and management delivers environmental and public health benefits.
<b><i>Legal Implications</i></b>	The Council is required to review and assess air quality under the Environment Act 1995.
<b><i>Equality and Diversity</i></b>	No new or existing policy or procedure has been recommended.

**Public Report to the Whittle Overview and Scrutiny Committee**

**11 September 2017**

**Air Quality Monitoring and Management – Annual Update**

**Summary**

The Regulatory Services Manager will attend the meeting to provide an update on air quality monitoring by the Council.

**1. BACKGROUND**

The Committee has an ongoing role in scrutinising air quality monitoring reports and management arrangements. The Regulatory Services Manager will attend the meeting to update the Committee on:

- The Council's latest statutory Air Quality Annual Status Report
- Progress made on the Local Air Quality Management Action Plan Annual Status Report
- Implications of new residential and infrastructure developments planned in the borough

The council has launched a public consultation on its 2017 Air Quality Annual Status Report and Air Quality Action Plan Annual Status Report and submitted a report to the Department for Environment, Food and Rural Affairs (Defra) for review and approval. The full document is available via the following link  
[https://www.rugby.gov.uk/info/20021/pollution/349/2017\\_air\\_quality\\_annual\\_status\\_report\\_public\\_consultation](https://www.rugby.gov.uk/info/20021/pollution/349/2017_air_quality_annual_status_report_public_consultation)

**2. ANNUAL STATUS REPORT**

This report provides an overview of air quality in the Rugby Borough during 2016. It fulfils the requirements of Local Air Quality Management (LAQM) as set out in Part IV of the Environment Act (1995) and the new relevant Policy and Technical Guidance documents for 2017 issued by Defra.

The LAQM process places an obligation on Rugby Borough Council to regularly review and assess air quality, and to determine whether or not the air quality objectives are likely to be achieved within the Borough. Where an exceedance is considered likely, Rugby Borough Council must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures put in place in pursuit of the objectives. This Annual Status Report (ASR),

before 2015 titled a Progress Report, is an annual requirement showing the strategies employed by Rugby Borough Council to improve air quality and any progress that has been made. The report is submitted to Defra for appraisal and approval. However, an ASR is not required when an Updating and Screening Assessment (USA) report is stipulated which is required every 3 years (next submission scheduled for 2018).

## **2.1 PM<sub>2.5</sub>**

A fundamental difference in the ASR compared with previously titled Progress Reports is a requirement by Defra to report on PM<sub>2.5</sub> (particulate matter with an aerodynamic diameter of 2.5 µm or less). RBC is expected to work towards reducing emissions and/or concentrations of PM<sub>2.5</sub>.

RBC is therefore working closely in partnership with Public Health Coventry (Coventry City Council) and Public Health Warwickshire (Warwickshire County Council) to combat PM<sub>2.5</sub> and has established the joint Arden Health Protection Committee. Included in the members are the Environmental Health managers in Warwickshire and Coventry comprising representatives from Public Health England, NHS, Public Health Coventry, Public Health Warwickshire and local authority Environmental Protection/Health officers.

RBC is currently assisting in developing a new Health Protection Strategy with an action plan, which will include actions to improve air quality under an Air Quality Alliance.

The Air Quality Alliance will provide a multi-professional partnership forum for the sharing of ideas and evidence-based practice related to reducing the negative health and environmental impacts of poor air quality, and to identify opportunities for collaboration.

## **2.2 Annual Status Report Findings**

During 2016, the annual mean NO<sub>2</sub> objective was exceeded at five diffusion tube locations (S10, S24, W1, W3 and AD1). Site S10 located near the Webb Ellis Pub on Corporation Street and S24 in Dunchurch Square are the only two diffusion tube sites to have consistently exceeded the air quality objective, year on year, since 2013. Both sites are both positioned within the existing AQMA and are considered locations of relevant exposure. At both locations, although the annual mean NO<sub>2</sub> concentration remained above the national air quality objective in 2016, a decrease in NO<sub>2</sub> concentration was observed relative to 2015, putting an end to the gradual upward trend in NO<sub>2</sub> concentrations that had been measured at site S10 since 2012 and at S24 since 2014.

At sites W1 and W2, both located at the roadside of the Warwick Street gyratory system near the centre of town within the existing AQMA, concentrations of 47.4µg/m<sup>3</sup> and 45.5µg/m<sup>3</sup> were measured. The major improvement works to the gyratory system, part of the AQAP, were completed in May 2015. Therefore, 2016 was the first year where it was possible to assess whether changes to the road layout has had the intended impact of decreasing the impact of traffic on the town centre, in particular the annual mean NO<sub>2</sub> concentration. At site W2 and W3, a small

decrease in annual mean NO<sub>2</sub> concentrations were recorded during 2016, however at site W1 an increase of similar magnitude was observed. Therefore, it is too early to determine the impact that the improvements to the gyratory system have had on air quality in the town centre and it is therefore recommended that monitoring is continued at the Warwick Street locations (W1 – W3).

As well as the four sites located within the current AQMA, site AD1, which was commissioned in March 2016, on Church Road in Shilton indicated an annual mean NO<sub>2</sub> concentration of 47.1µg/m<sup>3</sup>, after annualisation. The result is lower than the 60 µg/m<sup>3</sup> threshold that would indicate the possibility of an exceedance of the NO<sub>2</sub> hourly objective and as the site is a kerbside location (within 1m of road) the result is not considered of particular concern. Continued monitoring at this location is recommended to determine whether the NO<sub>2</sub> concentration on Church Road is significant and needs to be acted upon.

On the basis of these results, with four sites within the current AQMA exceeding the annual mean NO<sub>2</sub> objective, there is no justification for amendment of the currently declared Rugby AQMA.

Rugby Borough Council does not currently operate any automatic monitoring stations for PM<sub>10</sub> that are equipped with reference method analysers. Prior to June 2012 Rugby Borough Council operated an extensive network of automatic monitoring stations measuring PM<sub>10</sub> concentrations throughout the Borough. Following several years of monitored PM<sub>10</sub> concentrations being well below the relevant air quality objectives, these monitoring stations were decommissioned.

No new significant sources have been identified that could give rise to air quality issues in the Borough.

The main priorities for addressing air quality set out by Rugby Borough Council are:

- Maintain existing AQMA declaration for NO<sub>2</sub>.
- Continue to monitor NO<sub>2</sub> concentrations at existing long-term locations, and supplement these with additional sites at pollution hotspots and narrow roads to gain better understanding of spatial variation of pollutant concentrations.

In addition, the key high-priority measures listed in the draft Air Quality Action Plan to be addressed in the coming year include:

- Public awareness campaigns for active travel – the promotion of walking and cycling, and in particular at schools and workplaces. Coventry and Warwickshire Air Quality Alliance are starting a 12 month campaign on Active Transport starting in August 2017. It will cover Coventry and Warwickshire and will involve apps and a website. The aim is to encourage more active and sustainable ways of transport, e.g. cycle routes, car sharing, and integration of public transport. Its success will be monitored via use of the apps and website.
- Greater provision of cycle infrastructure to encourage greater uptake of cycling
- Road improvement works to remove bottlenecks and alleviate congestion

- Green procurement for promotion of low emission transport, and vehicle fleet efficiency improvements.

One of the key challenges to improving air quality in Rugby is predominantly in the form of planning applications for developments that may impact negatively on existing air quality, as is the case for most local authorities. There have been several recently completed major developments in Rugby, along with a considerable number of large-scale developments in the pipeline and numerous smaller developments.

The most significant planning applications are listed below:

- A new secondary school development at Rokeby Estate, Rugby.
- Cotton Park East – Anticipated submission for up to 855 dwellings.
- Gala & Cemex House, Evreux Way – Outline application for redevelopment of the site for up to 7040 m<sup>2</sup>.
- Mill Road (former ALBA Site) – Mixed use development including offices, employment and 29 residential houses with 103 apartments.
- Land to the North of Ashlawn Road – Now approved following an appeal decision for proposed development of up to 1,000 dwellings and associated school Planning Inspectorate APP/E3715/W/16/3147448.
- Lodge Farm Development – New settlement comprising of up to 1,500 dwellings, potential extra care provision, a new Local Centre, employment, education and open space. Currently outlined in new Local Plan, which is currently being considered by the Secretary of State.
- Urban Expansion South West of Rugby – Up to 5,000 residential dwellings with associated infrastructure comprising of link road, health/community services facilities, employment zone. Local Centres and Schools. Allocation of this site is outlined in the new Local Plan, which is currently being considered by the Secretary of State.

The following developments are either under construction or are completed / occupied:

- Rugby Radio Station (SUE) – Urban extension to Rugby providing up to 6,200 dwellings, up to 130,000 M<sup>2</sup> of space for various land uses, including mixed use district centres, 3 primary schools and 1 senior school. Phase 2 is currently under construction.
- Rugby Gateway (Eden Park) – Outline application for up to 1,300 residential units and employment zone. Phase I and the employment zone has been completed. Phase II (230 dwellings) is pending.
- Leicester Road/ Technology Drive – Permission granted for 635 dwellings, with all but phase 4 being constructed.
- Elliot's Retail Park (Phase I) – 27,000 m<sup>2</sup> retail development now fully constructed and occupied.
- Elliots Retail Park (Phase II) – bulky goods Retail Park under construction.
- Junction 1 Retail Park – 5,670 m<sup>2</sup> retail park completed and partly occupied.
- Coton House (R12/1353) – Hybrid application of 76 residential properties - construction nearing completion.

- Cawston Extension – Up to 600 plus homes. First phases are started to be constructed.

Environment and Public Realm will compile and submit an Updating and Screening Assessment and Air Quality Action Plan Status Report in 2018.

### **3. PRIORITY JUNCTIONS**

The continued development of the town is causing issues with air quality and especially at the two key sites where exceedances are occurring which are the Warwick Street Gyratory and Dunchurch crossroads.

This is becoming an increasing problem for planning applications where not only do they contribute to an increasing levels of pollution at these junctions but objectors are using air quality as a major reason for objecting, and expecting support from the council's air quality officers, which is often not possible due to government guidelines.

The council is under a government directive to provide more housing and employment. The town layout means that these will continue to be problem junctions unless action is taken, e.g. relief roads, or they reach capacity.

The Warwick Street gyratory, in particular, is necessary for traffic north-south and east-west in the town, and for customers and employees to be able to get to the town centre to ensure a vibrant town centre.

However, it is clear the Warwick Street Gyratory remains a significant issue arising from the convergence of flows at the Gyratory within central Rugby. This is compounded by 'street canyon' areas that create poor dispersion of pollutants. Analysis of the junction has indicated that there is little more that can be done to improve the junction.

This creates a problem for future growth requirements in Rugby. Despite the recent improvements to the Gyratory, the NO<sub>2</sub> annual mean air quality objective is still likely to be breached for future years. This indicates that the proposed bypass and distributor links are unlikely to provide sufficient relief to the Gyratory from traffic approaching the junction from either the north or the south. This location is likely to remain a traffic pinch point. Concentrating on improvements to arms to the Gyratory to reduce congestion or provide alternative to the Gyratory is now a new focus.

For Dunchurch improvements will be made following the approval of the Ashlawn Road housing development, but the improvements will not be sufficient for further developments. The proposed action is the Southwest Broad Location Bypass and link roads. While this requires funding from developments and will take several years to deliver, it is the best option for the long term reduction of air pollution in Dunchurch until low and ultra-low emissions become the dominant vehicles.

The Southwest Broad Location Bypass and link roads compliment proposed junction improvements at the Dunchurch Crossroads, while also providing a significant contribution to mitigation capacity to accommodate Rugby Borough Council's future growth needs.



Government guidance is vague and requires the council to build more homes and employment, but also balance this with air quality. While air quality is now a national issue following action by ClientEarth, practical guidance about how a town can develop to meet government targets and still meet air quality targets has not been published.

The council has not been identified by the government as requiring a statutory Clean Air Zone, which are being applied to the cities with the highest pollution.

The new West Midlands Combined Authority also has the authority to impose AQMAs and action plans. We are aware that this is currently being considered by the mayor of the WMCA but has not progressed significantly.

Road infrastructure improvements are principally determined by WCC Highways. However collaborative work is continuing and any future developments will be reported in 2018.

#### **4. OUTCOME OF THE WARWICKSHIRE COUNTY COUNCIL TRANSPORT RELATED AIR QUALITY TASK AND FINISH GROUP**

In January 2017 the Warwickshire County Council Transport Related Air Quality Task and Finish Group reported to their Cabinet. Their report is 101 pages long and is available at

<https://democratic.warwickshire.gov.uk/Cmis5/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=N238oWfSi0%2BE6te7ujNJxY7N8OTLesZ%2B%2Bo%2B1os4q%2FR7ujizB0N57qQ%3D%3D&rUzwRPf%2BZ3zd4E7lkn8Lyw%3D%3D=pwRE6AGJFLDNIh225F5QMaQWCtPHwdhUfCZ%2FLUQzgA2uL5jNRG4jdQ%3D%3D&mCTIbCubSFfXsDGW9lXnlq%3D%3D=hFflUdN3100%3D&kCx1AnS9%2FpWZQ40DXFvdEw%3D%3D=hFflUdN3100%3D&uJovDxwdjMPoYv%2BAJvYtyA%3D%3D=ctNJFf55vVA%3D&FgPIIEJYlotS%2BYGoBi5oIA%3D%3D=NHdURQburHA%3D&d9Qji0aq1Pd993jsyOJqFvmyB7X0CSQK=ctNJFf55vVA%3D&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFf55vVA%3D&WGewmoAfeNQ16B2MHuCpMRKZMwaG1PaO=ctNJFf55vVA%3D>

This was a comprehensive assessment of air quality and involved all the local authorities in Warwickshire, including rugby Borough Council.

The recommendations, which were approved by their Cabinet subject to suitable budgets, were:

1. That all residents are informed of the benefits of all active/sustainable travel options and the impact of poor air quality through:
  - a) exploring the development of travel information/air quality website and linking with other social media channels;
  - b) utilising new channels of communication of these messages, e.g. MECC (making every contact count) and local radio;
  - c) purchasing and piloting the use of portable air quality monitoring equipment (wristbands, tags, apps) to use with communities to monitor air quality in local

- areas, recruiting and feeding back through communication channels identified in a) and b); and
- d) design, purchase and install static signs on known heavy congestion routes on outskirts of towns linking air quality message with behaviour change (e.g. alternative travel options such as park & ride, car share).
2. That Warwickshire County Council officers work with District and Borough Councils to review NO2 monitoring sites across the County;
  3. That Warwickshire County Council ensures air quality is modelled on all Warwickshire County Council major transport and construction projects;
  4. That Warwickshire County Council (through the Air Quality Alliance and Members) promotes best practice air quality planning guidance to districts and boroughs;
  5. That officers are commissioned to:
    - a) Establish evidence of the size of impact of regularly used congestion and safety mitigation measures in new developments, including:
      - Travel plans
      - Signalised junctions
      - Bus routes
    - b) Where possible incorporate this evidence base into policy and procedures for Highway responses to planning applications, to ensure a more robust approach to developer claims of effectiveness;
    - c) Ensure objectives of the Healthy Travel Choices in Warwickshire evidence review are included in policy and procedures.
  6. That Warwickshire County Council officers investigate the cost and likely effectiveness of the following bike schemes to reduce congestion:
    - a) A Boris-Bike like initiative;
    - a) Brompton boxes outside stations; and
    - b) The Green Commute initiative.
  7. That officers evaluate the effectiveness of Bikability and whether investment and a fresh approach could increase its impact and reach, whilst ensuring a cost neutral service;
  8. That Warwickshire County Council officers carry out research to evidence and highlight the economic value of sustainable travel and improved air quality, and introduce a performance indicator in the Warwickshire Quality of Life Report, to illustrate the physical activity levels of adults and the impact on health (reports to be produced for the Communities OSC within six months of the adoption of this recommendation by Cabinet);

9. That Cabinet task Corporate Board to identify how it is meeting the objectives of the Green Travel Plan;
10. That the Lorry Route Map is reviewed and that all county councillors are given the opportunity to feed into the review. The information from this to be submitted to companies responsible for HGV SAT-NAV with recommendation to include 'air friendly' routes for drivers;
11. That the relevant Cabinet Portfolio Holder facilitates an event with Eco Stars and businesses with vehicle fleets to raise environmental standards and promote environmental accreditation;
12. That the County Council include a requirement in bus service tenders that companies produce a report on how they plan to reduce emissions over the life time of the contract, including whether they intend to sign up to accreditation such as Eco Starts; and
13. That Cabinet contacts the LGA to request support with air quality issues beyond the control of the County Council in order to increase pressure regarding targeting key policies relating to air quality, in particular:
  - Measures to improve vehicle emission standards;
  - Making air quality measures a requirement in planning;
  - Measure to improve sustainable travel infrastructure; and
  - A national active travel campaign.

Rugby Borough Council is a member of the Coventry and Warwickshire Air Quality Alliance made of public health, environmental health, planning and transport professionals from all the Coventry and Warwickshire local authorities and these are being considered by the group.

Some of the more specialist work may require direct working with Warwickshire County Council.

## **5. RESPONSE FROM DEFRA TO THE ASR CONSULTATION**

On 25<sup>th</sup> August 2017, the Department for the Environment, Food and Rural Affairs (Defra) who are the main national regulator for air quality issued their appraisal of the Council's 2017 Air Quality Annual Status Report and Air Quality Action Plan Annual Status Report (see Appendix 1 and 2).

Key outcomes were:

- The Council acknowledges that further measures, in addition to those within the current action plan are likely to be needed to achieve compliance with air quality objectives, within the Borough.
- On the basis of the evidence provided by the local authority the conclusions reached are acceptable for all sources and pollutants.

- The next step for Rugby Borough Council is to submit their next Annual Status Report in 2018.

However, they do, in their Commentary section make some points which do need attention, most importantly Commentary 7 which states:

‘The persistent levels of exceedances do suggest that a co-ordinated approach involving key stakeholders is required the development of further effective measures to address the air quality issues across the whole of the road network in Rugby. We consider it is likely to require further assessment and prioritisation of options that can deliver emissions reductions cross the network.’

Officers are of the view that further dialogue with Warwickshire County Council Highways is required, and working with the Council’s Planning colleagues on the Local Plan, but Defra have failed to understand that in towns such as Rugby which have medieval road layouts, and which are required to meet government housing and business premises targets, that there will be local areas of high air pollution that will not be controlled until national policies are introduced to reduce air pollution e.g. discouraging diesels (tax incentives still encourage their purchase), investment in electric charging infrastructure and subsidising electric vehicles, engine stop-start on all new vehicles. Too much emphasis is being put on local authorities to resolve a national issue the government are unable to solve, while the number of air quality management areas (about 250) confirms local authorities do not have the ability to realistically control air quality without national strategies and support.

Name of Meeting: Whittle Overview and Scrutiny Committee  
Date of Meeting: 11 September 2017  
Subject Matter: Air Quality Monitoring and Management – Annual Update

#### **LIST OF BACKGROUND PAPERS**

There are no background papers relating to this item other than those referenced in the body of the report that refer to 2017 RBC Air Quality Annual Status Report.



Department  
for Environment  
Food & Rural Affairs

Area 2C, Nobel House  
17 Smith Square  
London SW1P 3JR

T: 03459 335577  
helpline@defra.gsi.gov.uk  
[www.gov.uk/defra](http://www.gov.uk/defra)

25 August 2017

Dear Rugby Borough Council,

## **LOCAL AIR QUALITY MANAGEMENT: 2017 ANNUAL STATUS REPORT**

Thank you for consulting the Department for Environment, Food and Rural Affairs on Rugby Borough Council's 2017 Air Quality Annual Status Report (ASR).

Defra's response is contained in the appraisal report, which you can now access on the Report Submission Website.

The ASR for 2018 is due in June 2018. Defra expects local authorities to upload a copy of the ASR to the Report Submission Website <http://laqm.defra.gov.uk/1rsw/> no later than 30 June 2018.

The Local Air Quality Management Helpdesk is available to help with queries about the LAQM Framework:

<https://laqm.defra.gov.uk/>  
Telephone: 0800 0327 953  
Email: [LAQMHelpdesk@uk.bureauveritas.com](mailto:LAQMHelpdesk@uk.bureauveritas.com)

Yours Sincerely,

Defra Local Air Quality Team

**Defra Air Quality**  
**WEB:** <http://uk-air.defra.gov.uk>  
**TWITTER:** @defraukair

Local Authority:	<b>Rugby Borough Council</b>
Reference:	<b>ASR17-086</b>
Date of issue	<b>August 2017</b>

## Annual Status Report

The Report sets out the Annual Status Report, which forms part of the Review & Assessment process required under the Environment Act 1995 and subsequent Regulations.

AQMA Name	Date of Declaration	Pollutants and Air Quality Objectives	City / Town	One Line Description	Is air quality in the AQMA influenced by roads controlled by Highways England?	Level of Exceedance (maximum monitored/modelled concentration at a location of relevant exposure)		Action Plan (inc. date of publication)
						At Declaration	Now	
Rugby AQMA	16/12/2004	NO <sub>2</sub>	Rugby	The area covers the whole urban area of Rugby bounded by the southern boundary with Daventry District Council, A5, M6, minor roads to the west of Long Lawford, A45 and M45.	YES	Annual average levels of NO <sub>2</sub> identified as at risk of exceeding 40µg/m <sup>3</sup> on a number of major roads in the centre of Rugby town and in Dunchurch	Predicted to be exceedances of annual mean NO <sub>2</sub> at various locations with relevant exposure in Rugby town centre (within the AQMA)	Rugby Borough Council Air Quality Action Plan (2010), <a href="http://aqma.defra.gov.uk/action-plans/RugbyBC%20AQAP%202010.pdf">http://aqma.defra.gov.uk/action-plans/RugbyBC%20AQAP%202010.pdf</a>

The Borough Council have declared a single AQMA covering the whole of the urban area in Rugby, for exceedance of the annual mean objective for nitrogen dioxide.

The Local Authority currently monitors for concentrations of nitrogen dioxide, with diffusion tubes. Monitoring sites have been increased from 16 sites in 2009 to 56 sites in 2016. Long term trends in monitoring results identify a set of locations close to the main traffic network with sustained exceedances, more sites discovered with increased monitoring coverage.

Further monitoring for particulates takes place, and uses a non-reference method to monitor PM<sub>10</sub> and PM<sub>2.5</sub> at an industrial installation.

An Action Plan was issued in 2010, and the measures in the current ASR reflect the measures within the original Action Plan. There have been a series of significant measures completed within the Action Plan, including cycleway infrastructure, Warwick Street Gyratory improvements. Further potential key improvements to Church Street/ North Street are now subject to consideration within the feasibility study for the Town Centre Action Plan for a public realm enhancement scheme in 2017.

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Local Authority:	<b>Rugby Borough Council</b>
Reference:	<b>ASR17-086</b>
Date of issue	<b>August 2017</b>

The Council acknowledges that further measures, in addition to those within the current action plan are likely to be needed to achieve compliance with air quality objectives, within the Borough.

On the basis of the evidence provided by the local authority the conclusions reached are acceptable for all sources and pollutants.

The next step for Rugby Borough Council is to submit their next Annual Status Report in 2018.



Local Authority:	<b>Rugby Borough Council</b>
Reference:	<b>ASR17-086</b>
Date of issue	<b>August 2017</b>

## Commentary

The report is well structured, detailed, and provides the information specified in the Guidance, using the latest template. The following comments are made:

For

1. The Council have acknowledged that further measures are likely to be required in Rugby, in order to achieve the air quality objectives.
2. Historical monitoring trends highlight locations in central Rugby with sustained exceedances of the annual mean objective for nitrogen dioxide. Recent monitoring also highlights new locations of exceedances, including one site in Shildon outside of the AQMA.
3. The historic results show some significant variability in years when the local bias factor was applied. It would be useful for the Council to consider the application of either a local factor or a national factor applying to all years. There has clearly been a mix of factors applied, when for consistency it would be more appropriate to continue with either a national or local factor applied from year to year.
4. The report refers to Air Quality Strategy links in the Local Transport Plan for Warwickshire, but it is not clear to what extent future traffic management options for Rugby are being considered.
5. It is clear from the current action plan, that many significant measures have been implemented within Rugby, but it is not clear to what extent measures have been targeted or prioritised in relation to delivering improvements in air quality across the road network.
6. The report acknowledges the potential impact of traffic schemes in Southern Coventry on the Rugby traffic network.
7. The persistent levels of exceedances do suggest that a co-ordinated approach involving key stakeholders is required the development of further effective measures to address the air quality issues across the whole of the road network in Rugby. We consider it is likely to require further assessment and prioritisation of options that can deliver emissions reductions cross the network.
8. We recommend that the Council should consult the latest guidance for the development of effective action plans, within the latest Technical Guidance issued by Defra, in LAQM TG(16).

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Local Authority:	<b>Rugby Borough Council</b>
Reference:	<b>ASR17-086</b>
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This commentary is not designed to deal with every aspect of the report. It highlights a number of issues that should help the local authority either in completing the Annual Status Report adequately (if required) or in carrying out future Review & Assessment work.

**Issues specifically related to this appraisal can be followed up by returning the attached comment form to Defra, Welsh Assembly Government, Scottish Government or DOE, as appropriate**

For any other queries please contact the Local Air Quality Management Helpdesk:

Telephone: 0800 0327 953

Email: [LAQMHelpdesk@uk.bureauveritas.com](mailto:LAQMHelpdesk@uk.bureauveritas.com)

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Local Authority:	<b>Rugby Borough Council</b>
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Date of issue	<b>August 2017</b>

## **Appraisal Response Comment Form**

Contact Name:	
Contact Telephone number:	
Contact email address:	

**Comments on appraisal/Further information:**

**AGENDA MANAGEMENT SHEET**

<b><i>Name of Meeting</i></b>	Whittle Overview and Scrutiny Committee
<b><i>Date of Meeting</i></b>	11 September 2017
<b><i>Report Title</i></b>	Review of Public Spaces Protection Orders – revised one-page strategy
<b><i>Ward Relevance</i></b>	None
<b><i>Contact Officer</i></b>	David Burrows, Regulatory Services Manager, Tel: 01788 533806
<b><i>Summary</i></b>	Members are asked to consider the revised one-page strategy.
<b><i>Financial Implications</i></b>	There is a budget of £500 available in 2017/18 to spend on the delivery of the overview and scrutiny work programme.
<b><i>Risk Management Implications</i></b>	There are no risk management implications arising from this report.
<b><i>Environmental Implications</i></b>	There are no environmental implications arising from this report.
<b><i>Legal Implications</i></b>	There are no legal implications arising from this report.
<b><i>Equality and Diversity</i></b>	No new or existing policy or procedure has been recommended.

## Public Report to Whittle Overview and Scrutiny Committee

11 September 2017

### Review of Public Spaces Protection Orders – revised one-page strategy

#### Summary

Members are asked to consider the revised one-page strategy for the review.

#### 1. BACKGROUND

At its meeting on 12 June 2017 the committee considered the progress, objectives and future work of the review.

Due to a lack of available resources and service delivery demands that required other business activities to take a higher priority the original Public Space Protection Order Task Group had only met once since it was convened in the autumn of 2016.

One of the consequences of the delay in progress of the task group was the necessity to split the work relating to the development of replacement and new PSPO's and the 4 Dog Control Orders in their current form have been converted to PSPO's as agreed by Cabinet on 26<sup>th</sup> June and endorsed by Council on 18<sup>th</sup> July 2017.

#### 2. FUTURE WORK OF THE REVIEW

At its last meeting the committee had considered the key objectives for the review which highlighted a number of possible options based on:

- the benefits and disadvantages of other more innovative methods to promote responsible dog ownership and to drive behavioural changes in line with the new corporate strategy and priorities; and
- the use of PSPO's to address other behaviours that the Council may wish to reflect upon which may benefit from new powers and controls. The controls could include positive requirements and not just prohibitions.

Following the changes made at Annual Council to committee memberships and the appointment of Mayor, the committee decided the original task group membership should be reconsidered. A call for members to volunteer for the refreshed task group had been unsuccessful and committee decided to set up a scrutiny sub-group which would also be open to members of Brooke Overview and Scrutiny Committee. Councillors Douglas, Lowe, Mrs New, Mrs O'Rourke and Sandison volunteered to become members of the sub-group.

### **3. REVISED ONE-PAGE STRATEGY**

The process of carrying out a scrutiny review consists of a number of stages and the first of these is for the parent scrutiny committee to approve the one-page strategy for the review.

The original one-page strategy was approved by the committee at its meeting on 13<sup>th</sup> June 2016 but due to the change of rationale it has been necessary to revise this and a copy of the revised version is attached at appendix 1.

### **4. CONCLUSION**

The committee is asked to:

- consider and approve the revised one-page strategy
- agree the membership of the sub-group

Name of Meeting: Whittle Overview and Scrutiny Committee

Date of Meeting: 11 September 2017

Subject Matter: Review of Public Spaces Protection Orders – revised one-page strategy

## **SCRUTINY REVIEW OF DOG CONTROL ORDERS AND PUBLIC SPACES PROTECTION ORDERS**

### **ONE-PAGE STRATEGY**

#### **What is the broad topic area?**

How can we encourage a change of behaviour on the part of those dog owners who do not comply with the present dog control orders?

How effective are the current PSPOs (e.g. dogs, intoxicating drinks in the town centre)

What other PSPOs should the council consider introducing?

#### **What is the specific topic area?**

The review of public spaces protection orders (PSPOs) introduced to replace the dog control orders before they become invalid in September 2017.

The inclusion in the PSPOs of other categories of persistent or continuing behaviour that has a detrimental effect on quality of life.

The enforcement of the new PSPOs, including clarification of the roles of the various wardens and rangers.

#### **What is the ambition of the review?**

Creation of an environment for the enjoyment of open spaces by all.

#### **How well does the service perform at the moment?**

There is a wide variety of open spaces and these are used in different ways by a range of different people. Consequently, some conflict arises, leading to community tension and complaints. There is limited ability to modify behaviour or enforce change because of limitations in the legislation.

The task group will seek to learn from the experience of the existing PSPO for the control of the anti-social consumption of intoxicating substances in the town centre area.

#### **Who shall we consult about the current service and about how we can improve it?**

Parish councils, users of parks such as sports clubs, dog club, model engineers and the general public, specific groups identified during the review.

#### **What other help do we need?**

Information from other councils, Legal Services.

#### **How long should it take?**

Six months maximum.

#### **What will be the outcome?**

Establishment of need for regulation to encourage appropriate behaviour in public spaces and to control inappropriate behaviour. Recommendations for implementing and enforcing this.



**AGENDA MANAGEMENT SHEET**

<b><i>Name of Meeting</i></b>	Whittle Overview and Scrutiny Committee
<b><i>Date of Meeting</i></b>	11 September 2017
<b><i>Report Title</i></b>	Overview and Scrutiny Work Programme 2017/18
<b><i>Ward Relevance</i></b>	None
<b><i>Contact Officer</i></b>	Linn Ashmore, Democratic Services Officer, Tel: 01788 533522
<b><i>Summary</i></b>	The report updates the Committee on the progress of task group reviews within its remit and details the overview and scrutiny forward work programme for 2017/18.
<b><i>Financial Implications</i></b>	There is a budget of £500 available in 2017/18 to spend on the delivery of the overview and scrutiny work programme.
<b><i>Risk Management Implications</i></b>	There are no risk management implications arising from this report.
<b><i>Environmental Implications</i></b>	There are no environmental implications arising from this report.
<b><i>Legal Implications</i></b>	There are no legal implications arising from this report.
<b><i>Equality and Diversity</i></b>	No new or existing policy or procedure has been recommended.

**Public Report to the Whittle Overview and Scrutiny Committee**

**11 September 2017**

**Overview and Scrutiny Work Programme 2017/18**

**Summary**

The report updates the Committee on the progress of task group reviews within its remit and details the overview and scrutiny forward work programme for 2017/18.

**1. PROGRESS ON SCRUTINY REVIEWS**

**1.1 Public Spaces Protection Orders**

Consideration of the revised one-page strategy is covered by item 5 on the agenda.

**1.2 Town Centre Heritage Task Group**

The task group has met three times and set a programme of work. So far, the following areas have been reviewed:

- Current town centre history and heritage - identifying gaps in knowledge and reviewing the extent to which the current town centre events programme focuses on heritage, making initial recommendations on how this could be improved.
- Enhancing access to information and marketing activities for existing initiatives i.e. the Blue Plaque trail, Pathway of Fame and Town Guides.

It was anticipated two further meetings would be required to consider:

- Green Plaque Scheme – progress with the original Notice of Motion proposal of a new trail focusing on heritage sites and places of interest in the town.
- ‘Augmented reality’ mobile apps - allowing people to view town centre environments through the lens of their camera phones with the addition of interesting and engaging content. Examples include interaction with 3D characters, video or visitor interpretation and QR codes.

Information about the review has been printed in local newspapers and an online consultation form has been published on the council website.

The review outcomes are likely to be reported back to this committee in January 2018.

## **2. FUTURE WORK PROGRAMME**

The content of each committee's work programme has been agreed by the Chairs and a copy of the future work programme is attached at Appendix 1. Committee members are invited to suggest items for inclusion.

A joint meeting of Brooke and Whittle has been arranged with all four portfolio holders present to be held on 6 November. This topic is covered under item 6 of the agenda.

A further joint meeting has been scheduled with the Leader and Executive Director to be held on 29 January 2017.

## **3. CONCLUSION**

The committee is asked to:

- note the progress in the task group reviews; and
- agree the future work programme for the committee.

Name of Meeting: Whittle Overview and Scrutiny Committee  
Date of Meeting: 11 September 2017  
Subject Matter: Overview and Scrutiny Committee Work Programme 2017/18

**LIST OF BACKGROUND PAPERS**

There are no background papers relating to this item.

## Overview and Scrutiny Work Programme 2017/18

**Brooke 12 October 2017**

Topic	Description
<b>Reviews of Recycling and Waste, Fly Tipping and Street Cleaning</b>	Scoping of the reviews and draft one-page strategy.
<b>Review of Housing Maintenance and Repairs</b>	Scoping of the review on issues, delays, managing customer expectations and to review the new working arrangements.

**Whittle 17 October 2017**

Topic	Description
<b>Review of Communication, Engagement and Public Consultation – draft one-page strategy</b>	Scoping of the review on: <ul style="list-style-type: none"> <li>• Internal and external communication</li> <li>• How to better engage with the public.</li> <li>• Improvements to the website</li> <li>• Addition of a meetings calendar.</li> <li>• Improved engagement with rural wards.</li> </ul>

**Joint Overview and Scrutiny Meeting 6 November 2017**

Topic	Description
<b>Meeting with Portfolio Holders</b>	Question and answer style discussion on performance with the portfolio holders

**Brooke 7 December 2017**

Topic	Description
<b>Finance and Performance Monitoring 2017/18 Q2</b>	Monitoring of finance and performance
<b>Benn Hall</b>	Review of the marketing and business plan

<b>Topic</b>	<b>Description</b>
<b>Review of Members' IT and Digitalisation</b>	Scoping of the review on reducing paper and making savings, the use of IT equipment and software, Members' use of Office 365 and improvements to the Council Chamber.
<b>Review of The World Rugby Hall of Fame</b>	Review report and recommendations prior to submission to Cabinet.

**Whittle 15 January 2018**

<b>Topic</b>	<b>Description</b>
<b>Town Centre Heritage Review</b>	Review report and recommendations prior to submission to Cabinet.

**Joint Overview and Scrutiny Meeting 29 January 2018**

<b>Topic</b>	<b>Description</b>
<b>Leader and Executive Director</b>	Discussion of performance and future strategy with Leader and Executive Director

**Brooke 15 February 2018**

<b>Topic</b>	<b>Description</b>
<b>Homelessness</b>	12 month update
<b>Finance and Performance Monitoring 2017/18 Q3</b>	Monitoring of finance and performance

**Work Programme Workshop 7 March 2018**

<b>Topic</b>	<b>Description</b>
<b>Work Programme Workshop</b>	Public workshop to discuss topics for scrutiny reviews during 2018/19

**Whittle 12 March 2018**

<b>Topic</b>	<b>Description</b>
<b>Crime and Disorder</b>	Annual review

<b>Topic</b>	<b>Description</b>
<b>SLA's with external organisations</b>	Progress since report to Cabinet on 28 November 2016

**Brooke 12 April 2018 – agenda to be agreed by Chairs**

**Items for the 2017/18 work programme to be allocated to future meetings**

<b>Topic</b>	<b>Description</b>
<b>Scoping of review of the Town Hall Complex and Asset Management Plan</b>	Should the Town Hall move out of town? Should the site be developed to offer a multi-functional building with office space above? Review of the Asset Management Strategy.
<b>Rugby's Heritage, Heritage Quarter and Promoting Rural Rugby</b>	Recognise Rugby's engineering past and promote attractions outside the town centre. Boost town centre economy. Promote rural heritage assets. Encourage visitors to venture wider than the town centre. Rugby Festival of Culture – include events outside the town centre?

**Items removed from the work programme**

<b>Topic</b>	<b>Description</b>
<b>Links between the North and South of Rugby</b>	<b>Transport links. Section 106 funds.</b>