



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW BOARD

TUESDAY, 6TH JANUARY 2009 AT 6.30 P.M.

COMMITTEE ROOM, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors P. M. McDonald (Chairman), L. J. Turner (Vice-Chairman), A. N. Blagg, Mrs. M. Bunker, Miss D. H. Campbell JP, S. R. Colella and Dr. G. H. Lord

AGENDA

1. To receive apologies for absence
2. Declarations of Interest and whipping arrangements
3. To confirm the accuracy of the minutes of the meeting of the Overview Board held on 4th November 2008 (Pages 1 - 4)
4. Verbal update on progress of Anti-Social Behaviour and Alcohol Free Zones Task Group (Task Group Chairman: Councillor C. B. Taylor)
5. Air Quality Strategy and Planning Protocol for Herefordshire and Worcestershire (Pages 5 - 56)
6. Forward Plan of Key Decisions (Pages 57 - 84)
7. Anticipated reports due to be considered by the Cabinet during 2009/10 (Pages 85 - 100)
8. Work Programme (Pages 101 - 102)

9. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature it cannot wait until the next meeting

K DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

18th December 2008

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW BOARD

TUESDAY, 4TH NOVEMBER 2008 AT 6.00 P.M.

PRESENT: Councillors A. N. Blagg, Mrs. M. Bunker, Miss D. H. Campbell JP,
S. R. Colella, Dr. G. H. Lord (during Minute Nos. 8/08 to 9/08),
P. M. McDonald and L. J. Turner

Observers: Councillor D. L. Pardoe and Councillor S. R. Peters

Officers: Mr. T. Beirne, Mr. P. Street, Mrs. C. Felton, Mrs. S. Sellers and
Ms. D. McCarthy

1/08 **ELECTION OF CHAIRMAN**

RESOLVED that Councillor P. M. McDonald be elected as Chairman for the remainder of the municipal year.

2/08 **ELECTION OF VICE-CHAIRMAN**

RESOLVED that Councillor L. J. Turner be elected as Vice-Chairman for the remainder of the municipal year.

3/08 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

4/08 **DECLARATIONS OF INTEREST**

No declarations of interest or whipping arrangements were received.

5/08 **MINUTES**

The minutes of the last meeting of the former Scrutiny Steering Board held on 2nd September 2008 were received.

RESOLVED that the minutes be noted.

6/08 **JOINT COUNTYWIDE SCRUTINY ON FLOODING**

Members were reminded of the Joint Countywide Scrutiny on Flooding which involved all local authorities across Worcestershire. For the benefit of those Members who were new to Overview and Scrutiny, the background to the investigation was briefly mentioned and it was stated that the first Joint Flooding Task Group meeting had been held in February 2008.

The Board was informed that during September 2008, a draft report had been circulated to Task Group Members and representatives who had contributed to the investigation. Due to the comments received, the Task Group Chairman had decided that one further meeting was required and this had been scheduled to take place on 6th November 2008. It was anticipated that the report would be finalised and circulated the following week and therefore would be available in time for the joint meeting of the Overview Board and Scrutiny Board due to be held on 2nd December 2008.

RESOLVED that the update relating to the Joint Countywide Flooding Scrutiny be noted.

7/08 **ANTI-SOCIAL BEHAVIOUR AND ALCOHOL FREE ZONES TASK GROUP**

A brief progress report from Councillor Taylor, Chairman of the Anti-Social Behaviour and Alcohol Free Zones Task Group, was read out to the Board which informed Members that a number of representatives had attended the last Task Group meeting including Mr. Evans, Operations Manager (North Worcestershire) from Worcestershire County Council's Youth Support and the District Council's Principal Licensing Officer, Mrs. Smith. It was stated that a review of the information gathered so far would be undertaken at the next Task Group meeting due to be held on 5th November 2008.

There were concerns from Board Members that the subject area the Task Group had been requested to cover was too great. However, it was believed that the Task Group was on schedule to complete its investigation next month and report back to the next meeting of the Overview Board on 6th January 2009.

RESOLVED that the update on the progress of the Anti-Social Behaviour and Alcohol Free Zones Task Group be noted.

8/08 **FORWARD PLAN OF KEY DECISIONS**

Consideration was given to the Forward Plan which included key and non-key decisions due to be taken by the Cabinet over the forthcoming months.

The Chairman requested that the Forward Plan be extended to cover a 6 month period to: ensure the Overview Board was properly informed of future items the Cabinet would be taking decisions on; and to give the Board sufficient time to investigate such items. The Head of Legal, Equalities and Democratic Service responded that although the information being requested might not be available in the present Forward Plan format, Heads of Service could be requested to ensure their Business Plans, which included an annual projection of items coming forward to Cabinet, were accessible to Members of the Overview Board.

Questions were raised on a number of items including: Bromsgrove Town Centre; Review of Planning and Environment Services; Worcestershire Hub; Countywide Air Quality Strategy; and Future management of the Leisure Centres.

There was a particular concern raised in relation to the Countywide Air Quality Strategy and Members questioned what the Strategy could achieve. The Board briefly considered whether or not further investigation was required into this matter, specifically in relation to what the Council planned to do to address air quality issues facing the District. It was pointed out that a number of recommendations had been put forward by the Air Quality Task Group and the majority had been approved. However, officers had been unable to implement them as speedily as they had wished.

RESOLVED:

- (a) that the Head of Legal, Equalities and Democratic Services liaise with other members of the Corporate Management Team to ensure that in future, the Overview Board has access to relevant information contained within Service Business Plans (i.e. items that were expected to be considered by the Cabinet in 3-6 months time);
- (b) that confirmation on the reasons for the delay of the report relating to the review of Planning and Environment Services be circulated to Members of the Board;
- (c) that information relating to the Worcestershire Hub and the Future Strategic Direction and Establishment of Worcestershire Hub Shared Service be circulated to Members of the Board;
- (d) that an informal meeting (possibly on 26th November 2008) between the Chairman, Vice-Chairman, any other interested Overview Board Members and relevant officers be set up for preliminary discussions to be held regarding the Countywide Air Quality Strategy and future plans of the Council to address air quality, with a view to help the Board decide whether or not further investigation by the Board might be required; and
- (e) that all other items on the Forward Plan be noted.

9/08 **WORK PROGRAMME**

The Board considered all the items included within its Work Programme.

RESOLVED that the Overview Board's Work Programme be noted and updated as necessary.

The meeting closed at 6.45 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

OVERVIEW BOARD

6TH JANUARY 2009

AIR QUALITY STRATEGY AND PLANNING PROTOCOL FOR HEREFORDSHIRE AND WORCESTERSHIRE

Responsible Portfolio Holder	Councillor P. J. Whittaker
Responsible Head of Service	Mr. D. Hammond, Head of Planning and Environment Services

1. SUMMARY

- 1.1 The local authorities of Worcestershire and Herefordshire Council, whilst fulfilling their statutory responsibilities and obligations under the Local Air Quality Management regime within the Environment Act 1995, have also recognised a need to develop a more holistic and unified approach to managing local air quality across the two Counties. The Herefordshire and Worcestershire Pollution Group have therefore initiated the preparation of a cross-County Herefordshire and Worcestershire Air Quality Strategy (AQS). The improvement of air quality requires input from a wide range of planning and other professions. Therefore this AQS identifies commitments, particularly for communication and co-operation within and between local authorities, external organisations and the community.

2. RECOMMENDATION

- 2.1 The Overview Board is requested to recommend that the Cabinet approve and adopt the Air Quality Strategy and Planning Protocol for Herefordshire and Worcestershire attached at Appendix 1 and 2.

3. BACKGROUND

- 3.1 Local authorities have a duty under the Environment Act 1995 to review and assess local air quality within their areas, against a set of health-based air quality objectives for a number of specific air pollutants. Since the publication of the National Air Quality Strategy in 1997, the six local authorities of Worcestershire (Bromsgrove DC, Redditch BC Wyre Forest DC, Wychavon DC, Worcester CC, and Malvern Hills DC) and Herefordshire Council have fulfilled their obligations to identify any areas where there is a likelihood of exceeding the objectives. Where exceedences exist, the local authorities are then required to declare Air Quality Management Areas (AQMAs) and to prepare Air Quality Action Plans

(AQAPs) setting out measures to reduce concentrations of air pollutants in pursuit of the objective levels.

- 3.2 Whilst fulfilling statutory responsibilities and obligations to identify hot spots, the local authorities have recognised a need to develop a more holistic and unified approach to managing local air quality across the two Counties. Herefordshire and Worcestershire Pollution Group, consisting of environmental health professionals, have thereby initiated the preparation of a cross-County Herefordshire and Worcestershire Air Quality Strategy and Planning Protocol. The improvement of air quality requires input from a wide range of planning and other professions. Therefore this Strategy identifies broad actions, particularly for communication and co-operation within and between local authorities and wider bodies and the community.
- 3.3 Consultation has been confined to environmental health and planning professionals within the local authorities involved along with the Worcestershire County Council Transport Policy Section, this is because the document is non statutory.
- 3.4 It is important to point out that the Air Quality Strategy and Planning Protocol are separate to the Cabinet approved recommendations from the Air Quality Scrutiny Task Group. The implementation of the approved recommendations from the Task Group has previously been monitored by the former Scrutiny Steering Board and in future, will be monitored by the Overview Board via the recommendation tracker report.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications.

5. LEGAL IMPLICATIONS

- 5.1 Environment Act 1995 is the enabling legislation; statutory duties are currently being complied with. Additionally, Planning Policy Statement guidance has been incorporated into the Protocol.

6. COUNCIL OBJECTIVES

- 6.1 CO1 Regeneration - The adoption of this Strategy and Protocol will help to ensure that any proposed developments do not give rise to adverse pollution impacts in the town centre.
- 6.2 CO2 Improvement & CO3 Sense of Community & Well Being – the work relating to this will help to generate Well Being
- 6.3 CO4 Environment – the Climate Change element is interlinked with the aims of the Strategy

7. RISK MANAGEMENT

7.1 The main risks associated with the details included in this report are:

Failing to meet Government targets for Local Air Quality monitoring are included on the Planning and Environment Risk Register.

Failing to adopt the Strategy would be a reputation risk to the Council in relation to its joint working and partnerships objective

7.2 These risks are being managed as follows:

Risk Register: Planning and Environment

Key Objective Ref No: 3

Key Objective: Effective, Efficient and Legally compliant Environmental Health Service

8. CUSTOMER IMPLICATIONS

8.1 The recommendations will have a positive impact on residents throughout the Counties and will enable businesses and developers to be treated consistently in relation to air quality matters from all Authorities within the Counties. It will also act as the first point of contact and source of information relating to local air quality policy for regional bodies and others (for example, the Regional Development Agency, Highways Agency and Environment Agency). The Strategy will be available on the Councils website upon adoption.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 There are no implications of this report which adversely affect the Council's Equalities and Diversity Policies.

10. VALUE FOR MONEY IMPLICATIONS

10.1 There are no value for money implications

11. OTHER IMPLICATIONS

Procurement Issues - None
Personnel Implications - None
Governance/Performance Management - None
Community Safety including Section 17 of Crime and Disorder Act 1998 – None

Policy - The Environment and Climate Change have been identified as Council Priorities and Objectives
Environmental - Assessment of local air quality is an important part of the Council's Environment Objective.

12. **OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	Yes
Chief Executive	No
Executive Director - Partnerships and Projects	No
Executive Director - Services	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	No
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. **WARDS AFFECTED**

All Wards

14. **APPENDICES**

Appendix 1 Air Quality Strategy for Herefordshire and Worcestershire

Appendix 2 Planning Protocol for Herefordshire and Worcestershire

15. **BACKGROUND PAPERS**

Air Quality Strategy for Herefordshire and Worcestershire (See Appendices 1 & 2)

CONTACT OFFICER

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Air Quality Strategy for Herefordshire and Worcestershire

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Contents

Executive Summary	2
1 Introduction	3
2 Aims and Objectives of the Air Quality Strategy	4
3 Air Quality Across Herefordshire and Worcestershire.....	6
4 Strategy Commitments.....	10
5 Monitoring the success of the strategy	13
6 Conclusions	16
7 Glossary.....	17

Executive Summary

Local authorities have a duty under the Environment Act 1995 to review and assess local air quality within their areas, against a set of health-based air quality objectives. Herefordshire Council and the local authorities of Worcestershire, whilst fulfilling their statutory responsibilities and obligations under the Local Air Quality Management regime, have also recognised a need to develop a more holistic and unified approach to managing local air quality across the two Counties. The Herefordshire and Worcestershire Pollution Group has therefore initiated the preparation of a cross-County Herefordshire and Worcestershire Air Quality Strategy (AQS). The improvement of air quality requires input from a wide range of planning and other professions. Therefore this AQS identifies commitments, particularly for communication and co-operation within and between local authorities, external organisations and the community. The commitments are grouped under a number of relevant policy sectors, including air quality, planning, transport, climate change and energy management, health and education, industry and domestic sectors.

It has been recognised that the effectiveness of any strategy should be monitored periodically to ensure the aims and objectives are being met. To this effect, a number of indicators have been included, as well as a commitment to review the strategy. The indicators include those relating directly to air quality concentrations, as well as Local Transport Plan indicators, national indicators and targets relating to climate change gas emissions.

Section 2 of this report includes a number of other policy areas which will be crucial to the improvement of air quality across Herefordshire and Worcestershire. The gradual integration of air quality into these other policy areas will ensure that air quality is considered at all levels of decision making. As other strategies and policy processes are gradually updated, it is hoped that this strategy will be used as a key document in the provision of information about air quality. As such, this strategy will need to be kept updated through regular reviews.

1 Introduction

- 1.1 Local authorities have a duty under the Environment Act 1995 to review and assess local air quality within their areas, against a set of health-based air quality objectives for a number of specific air pollutants. Since the publication of the National Air Quality Strategy in 1997, Herefordshire Council and the six local authorities of Worcestershire (Wyre Forest DC, Wychavon DC, Redditch BC, Worcester CC, Bromsgrove DC and Malvern Hills DC) have fulfilled their obligations to identify any areas where there is a likelihood of exceeding the objectives. Where exceedences exist, the local authorities are then required to declare Air Quality Management Areas (AQMAs) and to prepare Air Quality Action Plans (AQAPs) setting out measures to reduce concentrations of air pollutants in pursuit of the objective levels.
- 1.2 Herefordshire Council and the local authorities of Worcestershire, whilst fulfilling their statutory responsibilities and obligations to identify hot spots, have recognised a need to develop a more holistic and unified approach to managing local air quality across the two Counties. Herefordshire and Worcestershire Pollution Group has thereby initiated the preparation of a cross-County Herefordshire and Worcestershire Air Quality Strategy (AQS). The improvement of air quality requires input from a wide range of planning and other professions. Therefore this AQS identifies broad actions, particularly for communication and co-operation within and between local authorities and wider bodies and the community.
- 1.3 Information on policy processes relevant to air quality, and other background information, is included in a separate document (Part 2: Supporting Information).

2 Aims and Objectives of the Air Quality Strategy

2.1 The aims of an AQS are to support the achievement of air quality objectives and to raise air quality as an issue for consideration within a wide range of local government and regional planning frameworks. This is important because working towards achieving air quality objectives will help reduce the risk of the most serious health effects related to pollution. Additionally, for some pollutants there are currently no known safe levels for exposure (i.e. particles and benzene) and therefore reductions of pollutants already achieving air quality objectives can also improve the health of the population. By establishing a strategy framework for the inclusion of air quality considerations within council policies and procedures, a local authority is well placed to maintain good air quality and secure improvements in air quality.

2.2 The key advantages of developing and implementing an AQS at County-wide level can be summarised as follows:

- It provides greater consistency across a range of policy areas for the achievement of improved local air quality, including local planning, transport planning, health, industry, housing and environmental protection, and ensures air quality is addressed in a multi-disciplinary way within the different departments of a local authority and across Herefordshire and Worcestershire;
- It provides the framework for a consistent approach to addressing local air quality considerations in development control processes;
- It is a vehicle for developing a coherent air quality policy across Herefordshire and Worcestershire for local planning processes;
- It provides a link to wider initiatives across both the one and two-tier authorities (for example Local Transport Plans, Climate Change programmes, Community Plans and energy efficiency programmes), and
- It provides the platform for local air quality considerations in future rounds of Local Transport Plans.

2.3 Other advantages of an AQS are that it:

- Maintains the profile of air quality within local authorities at both District and County level, and ensures it remains on political agendas;
- Highlights the link between air quality and the risks to human health as well as to the local environment and biodiversity;
- Raises the profile of air quality amongst the local communities across Herefordshire and Worcestershire;
- Encourages greater co-operation and collaboration between neighbouring local authorities and Herefordshire Council and Worcestershire County Council;
- Complements other County-wide and local strategies and policies produced and supported by the local authorities in Herefordshire and Worcestershire;
- Encourages partnerships between local business, industry and the community, and
- Is the first point of contact and source of information relating to local air quality policy for regional bodies and others (for example, the Regional Development Agency, Highways Agency and Environment Agency).

3 Air Quality Across Herefordshire and Worcestershire

- 3.1 Air quality across Herefordshire and Worcestershire is generally good, although a number of authorities have, through the Review and Assessment process, identified locations that do not currently achieve air quality objectives. These locations and the context of air quality in each of the authorities are discussed below.

Herefordshire Council

- 3.2 Herefordshire Council concluded during its first round of review and assessment that air quality in Herefordshire was generally very good. It was however identified that the annual mean objective for nitrogen dioxide was likely to be exceeded along the A49 corridor through Hereford City Centre, which was subsequently declared an AQMA in 2001.
- 3.3 During the second round of review and assessment Herefordshire Council concluded that there was a likely exceedence of the annual mean nitrogen dioxide objective in Bargates, Leominster, which led to the declaration of this area as an AQMA. The third round of review and assessment has identified the need to declare a third AQMA along the A40 due to exceedences of the annual mean nitrogen dioxide objective, which is soon to be declared. It was confirmed that all the government objectives for air quality are likely to be met across the county at all other sites, except those within the existing or proposed AQMAs. In relation to the Hereford City AQMA, it was also found that the boundary may need to be revised in the future in view of improved pollution levels at Holmer Road and worsening pollution levels at Whitecross Road. This is currently under consideration and is to be reviewed in future reviews and assessments. Hereford City Air Quality Action Plan was released at the beginning of 2008 and proposes and models 15 actions which are designed to improve air quality in the city. Similarly, a public consultation exercise for a Bargates air quality action plan was undertaken over the 2005 to 2007 period, with a draft soon to be released for consultation. A public consultation exercise was also initiated to determine the extent of an A40 AQMA. This involves regular liaison with the Highway Agency who manage this trunk road.

Malvern Hills District Council

- 3.4 During the first round of review and assessment Malvern Hills District Council undertook a detailed study of nitrogen dioxide for two sites located adjacent to the M5 and the M50 together with a number of urban locations. This report concluded that nitrogen dioxide levels at these locations

were well below the national objectives and that there was no need to proceed further. Other objectives were assessed by a desk top study which concluded that no further action was required.

- 3.5 Subsequent reviews and assessments have reaffirmed that there have been no exceedences of the national air quality objectives across Malvern Hills.

Worcester City Council

- 3.6 During the first round of review and assessment Worcester City Council concluded that it was unlikely the air quality objectives would be exceeded. The second round of review and assessment confirmed that exceedences of the air quality objectives were unlikely; however, it identified two locations (Lowesmoor and Bridge Street) where it was necessary to undertake some further monitoring.

- 3.7 Monitoring results during the third round of review and assessment indicated that there were potential exceedences of the annual mean nitrogen dioxide objective at five locations in Worcester; Bridge Street, the Dolday, Whittington Road, Rainbow Hill and Lowesmoor. The Detailed Assessment concluded that Air Quality Management Areas should be declared for the nitrogen dioxide annual mean objective in the Bridge Street/Dolday, Lowesmoor, Rainbow Hill, and Newtown Road areas of Worcester. The AQMAs declared along Bridge Street and Lowesmoor are also to cover the 1-hour nitrogen dioxide objective, as annual mean concentrations are predicted to be above $60 \mu\text{g}/\text{m}^3$ at locations relevant to the objective. Modelling in the Whittington Road area has indicated that there are no exceedences of the annual mean nitrogen dioxide objective at the worst-case relevant locations, and thus no AQMA is required in this area.

Wychavon District Council

- 3.8 During the first and second rounds of review and assessment Wychavon District Council concluded that there were unlikely to be any exceedences of the objectives and that the air quality in the area was satisfactory.
- 3.9 The third review and assessment, indicated that the annual mean objective for nitrogen dioxide was being exceeded at Swan Lane and Port Street, Evesham, and a detailed assessment was subsequently undertaken by the Council. The risk of exceedences of the annual and daily mean PM_{10} objectives in Hartlebury was also assessed, due to the presence of a number of significant potential sources in the vicinity of residential properties. The assessment concluded that the objectives were not being exceeded at Swan Lane or Hartlebury, however an AQMA should be

declared along Port Street, between the Waterside/Port Street traffic lights and the Shore Street junction.

3.10 The formal boundary and AQMA order for Port Street was finalised in August 2007. Wychavon District Council is currently carrying out a further assessment to confirm the original findings and the boundaries of the AQMA. Following completion, Wychavon District Council will develop an Action Plan aiming to reduce the concentration of nitrogen dioxide within the AQMA. The 2008 Progress Report concluded there was no change to this position.

3.11 **Wyre Forest District Council**

3.12 During the first round of review and assessment Wyre Forest District Council concluded that annual mean nitrogen dioxide concentrations in two particular areas of the district were likely to exceed the 2005 Objective. Subsequently, the Council declared two AQMAs one at Welch Gate, Bewdley and the other at the Horsefair, Kidderminster. Proposals to improve air quality within these AQMAs through traffic management and other measures are contained within the Local Transport Plan and Air Quality Action Plan.

3.13 In the second round of review and assessment Wyre Forest District Council concluded that there were no exceedences of the air quality objectives outside the existing AQMAs. However, the third round of review and assessment identified the need for detailed assessments of nitrogen dioxide along Coventry Street and sulphur dioxide at Bewdley Station, due to potential exceedences of the 15-minute mean sulphur dioxide objective with respect to idling emissions from the coal fired steam locomotives of the Severn Valley Railway. The Detailed Assessment was undertaken and monitoring and modelling has confirmed that the nitrogen dioxide annual mean objective is being exceeded at properties alongside Coventry Street and the Ringway. The AQMA declaration is underway. The sulphur dioxide Detailed Assessment was delayed due to flooding in Summer 2007 and the subsequent closure of the heritage railway.

Redditch Borough Council

3.14 During the first and second rounds of review and assessment Redditch Borough Council concluded that there will be no exceedences of air quality objectives within the borough. However, monitoring undertaken during the third round of review and assessment has indicated that there is the potential for exceedences of the annual mean nitrogen dioxide objective at some sites within the borough. These sites are generally not representative of exposure and therefore are not to be considered further in a Detailed Assessment. In some locations, monitoring will be moved to facades of relevant buildings. One site is, however, relevant for the annual mean nitrogen dioxide

objective. Exceedences will be confirmed in the next USA, after such time, a Detailed Assessment will be undertaken.

Bromsgrove District Council

- 3.15 During the first round of review and assessment Bromsgrove District Council concluded that the annual mean objective for nitrogen dioxide was likely to be exceeded at Lickey End, due to road traffic emissions from the M42 (Junction 1), and an AQMA was subsequently declared. The second round of review and assessment concluded that a detailed assessment was required for nitrogen dioxide due to road traffic emissions from the A38 Redditch Road (Aston Road Industrial Estate), A456/A491 Hagley, and the A38 Marlbrook Crossroads. The Detailed Assessment for these areas concluded that declaration of an AQMA was not warranted at any further locations.
- 3.16 The 2006 USA, commenced the third round of review and assessment. This concluded that a detailed assessment was required for nitrogen dioxide because of measured exceedences of the annual mean objective at the nearest receptors to 2 monitoring locations: 93 Redditch Road, Buntsford Hill and 78 Kidderminster Road, Hagley. The conclusions of the detailed assessment were to consider declaration of an AQMA along Redditch Road and recommended installation of a continuous analyser for a minimum 6 months period. A continuous monitor has been installed along Redditch Road in March 2008 to provide more detailed and accurate information on nitrogen dioxide concentrations at the closest receptors to the road. The detailed assessment predicted no exceedences in the Hagley area. However, the bias adjusted diffusion tube result for 2007 (reported in the 2008 Progress Report) at 78 Kidderminster Road, Hagley is showing a significant increase ($+5\mu\text{g}/\text{m}^3$) from the previous year, and this will require consideration in the light of the detailed assessment findings and risk of exceedence.
- 3.17 The 2008 Progress Report compared 2007 monitoring data against the relevant air quality objectives. Eight sites were showing exceedences of the annual mean NO_2 objective. Of these, 288 Birmingham Road and the co-location site with the continuous analyser at Junction 1 M42 are within the current AQMA. The Redditch Road, Buntsford Hill, Stoke Prior area and Kidderminster Road, Hagley have been subject to a detailed assessment in 2007.
- 3.18 The three remaining sites are at roadside sites in Bromsgrove town centre. These are at locations which represent relevant exposure and therefore further consideration is required to the risk of exceedence of the annual mean objective in a detailed assessment.

4 Strategy Commitments

4.1 In order to ensure that air quality improvements are brought about, both in locations where exceedences are currently predicted, and more generally over the two Counties, the Councils of Herefordshire and Worcestershire (including Worcestershire County Council) have signed up to the following commitments.

4.2 We, as the Councils of Herefordshire and Worcestershire, welcome the

- Opportunity for improving air quality through working with transport planners, land use planners, and the opportunity for influencing wider policy processes such as climate change, health and energy management.

4.3 We, as the Councils of Herefordshire and Worcestershire, commit to:

- Work with central government to contribute, at a local level, to the delivery of the UK Air Quality Strategy. This will be largely through the process of local air quality management in identifying areas exceeding air quality objectives and implementing action plans to improve air quality within these areas;
- Ensuring that areas currently achieving air quality objectives continue to do so;
- Continue monitoring local air quality;
- Participate in local and regional networks in pursuing improved air quality and consistent implementation of local air quality management;
- Ensuring that Council actions do not have a detrimental effect on air quality;

Planning and Air Quality

- Ensuring that air quality is considered as a material planning consideration within development control planning processes of the Councils through the implementation of the Supplementary Planning Document for Herefordshire and Worcestershire. Where deteriorations in air quality

due to a development (or developments) are predicted, to ensure measures to mitigate the effects are put in place;

- Require modelling and/ or monitoring to be undertaken to accurately assess the impacts of proposed development on local air quality;
- Ensuring that air quality is properly considered within planning policy processes, in particular within the LDF process, with the inclusion of a specific air quality policy where applicable;

Transport and Air Quality

- Work with transport planners within Herefordshire and Worcestershire to ensure that the air quality strategy within the Local Transport Plan is implemented and the LTP targets within the Herefordshire and Worcestershire LTPs are met;
- Work with the Highways Agency to ensure that air quality does not deteriorate across the trunk road network in Herefordshire and Worcestershire;
- Ensuring regular exchange of information between transport planners and air quality professionals relating to both air quality information and traffic information;
- Work to reduce emissions from each of the Council fleets, and those of their contractors in line with National Indicator NI194;

Climate Change and Energy Management

- Ensuring collaboration between the local air quality management regime and climate change regimes (both at local and regional level). This will be particularly important where actions are needed to improve either air quality or reduce climate change gas emissions, to ensure that potential wider impacts are considered at an early stage. In most cases there should be synergies between actions required for climate change and air quality improvements, but in some cases there may be conflicts;
- Work to support the implementation of the Worcestershire Climate Change Strategy and the Herefordshire Climate Change Strategy in order to achieve the Greenhouse Gas emissions reductions targeted within these strategies;

- Promoting energy efficiency measures both within the Council buildings and within external organisations.

Health and Education

- Investigating mechanisms to forge better links with the Herefordshire PCT and the Worcestershire PCTs in order to investigate potential links and opportunities for the dissemination of information relating to air quality and health;
- Keeping the public informed of work relating to local air quality management in the Counties of Herefordshire and Worcestershire. This can be done via a number of mechanisms, both at the very local level (for example in specific AQMAs) or County wide (through the provision of a Herefordshire and Worcestershire air quality web site);
- Encouraging the local community to take actions which reduce personal contribution to local air quality emissions and CO₂ emissions;
- Improving the air quality information available for the public as well as specific stakeholders. This will include the provision of information in a number of formats to make it accessible to as many sectors of the population as possible;

Industry and domestic sources

- Providing advice and enforcing legislation for control of emissions from industrial sources;
- Providing advice and enforcing legislation for control of emissions from domestic sources;
- Working closely with the Environment Agency where any Part A installations contribute significantly to air quality;

Monitoring the effectiveness of this Strategy

- Monitoring the progress of our actions in implementing this strategy;
- Reviewing the Strategy on a regular basis (the document will be reviewed on an 18 month cycle). It is likely that the next review may include specific recommendations for each of the authorities.

5 Monitoring the success of the strategy

- 5.1 The effectiveness of any strategy should be monitored periodically to ensure the aims and objectives are being met. Indicators can be used to monitor the effectiveness of a strategy, and should be easy to use and transparent in their use.
- 5.2 Air quality management and actions to improve air quality need to be implemented by a range of stakeholders. The implementation of any air quality strategy should therefore be dependent on meeting the needs of the community to which it relates. Communication and collaboration is the key to ensuring that measures arising from this strategy are implemented. The continued work of the Herefordshire and Worcestershire Pollution Group is central to the implementation of this strategy, and the group will require input from the wider stakeholders identified in this report to ensure that implementation of the Strategy remains an active and ongoing process.
- 5.3 There are a number of possible indicators to use in monitoring the effectiveness of the strategy. Some indicators may provide direct evidence for improving air quality, with others providing an indication of changes in other policy areas which are likely to improve air quality.

AQ Monitoring

- 5.4 The local authorities of Herefordshire and Worcestershire have a network of monitoring sites which could be used to directly report on trends in air pollutant concentrations. Some indicators of air quality include:
- Reductions in nitrogen dioxide concentrations within AQMAs in Herefordshire and Worcestershire;
 - Number of days when air pollution is moderate or higher¹.

LTP indicator

- 5.5 For both the current Herefordshire LTP and the Worcestershire LTP, the air quality target (LTP8) is to reduce concentrations within AQMAs to below 40 $\mu\text{g}/\text{m}^3$ by 2010/11. This is a stretching target and is also adopted by this strategy for consistency.

¹ NB only relevant at real time sites, but fits in with national indicator

National indicator on air quality in the Comprehensive Area Assessment

- 5.6 National Indicator 194 enables authorities to lead by example in reducing their own emissions of NO_x and PM₁₀ across the wider area of their authority, not just hotspots that have been designated as air quality management areas under Part IV of the Environment Act 1995.
- 5.7 The air quality performance indicator, NI 194: Air quality requires NO_x and primary PM₁₀ emissions through authority's estate and operations. This is also used as an indicator for this strategy.

Climate Change Gas Emissions

- 5.8 Both Herefordshire and Worcestershire include in their current Local Area Agreements a reduction in climate change gas emissions, however, there are no targets relating to air quality directly. In Worcestershire the target is to reduce Climate Change gas emissions across the County by a minimum of 10% from 2005 levels by 2011 and 20% by 2020. In Herefordshire, the Climate Change Strategy includes a target to reduce greenhouse gas emissions in line with the UK's Energy White Paper: a 60% reduction in CO₂ emissions from 1990 levels by 2050. These are also used as indicators for this strategy in the two counties.

Other strategy targets

Local Area Agreements

- 5.9 The Worcestershire Partnership delivers the Worcestershire's Local Area Agreement and Community Strategy. The Theme Groups within the partnership and are responsible for turning strategy into practice. One such theme group is WPEG (Worcestershire Partnership Environment Group). WPEG's aims are to advance the environmental threads of the Community Strategy, to act as Worcestershire's environmental voice in the county and the region, and to act as the primary advisor to the Worcestershire Partnership on natural and built environment matters. WPEG produces an annual 'State of the Environment' report to monitor a series of indicators. These indicators are drawn from each of the other task groups and specifically includes new indicators relating to air quality specified below:
- Reduce nitrogen dioxide concentrations within AQMAs within Worcestershire (below 40µg/m³)
 - Reduce the number of days when air pollution is classified as 'moderate' or 'higher'
- 5.10 These targets complement those set out in paragraph 5.4.

Area wide vehicle mileage

- 5.11 Area wide vehicle mileage is reported as LTP mandatory indicator LTP2. In Herefordshire the indicator is to restrain growth in area wide vehicle mileage to 1% per year. In Worcestershire the target is a 17% increase over the period of the LTP.

Cycling

- 5.12 Cycling trips are reported as LTP mandatory indicator LTP3. In Herefordshire the indicator is to increase cycling trips by 18% from a 2003/4 base to 2010/11. In Worcestershire the target is to keep cycling at the same level as 2003/4.

Public Transport Patronage

- 5.13 Public Transport Patronage is included in the LTP as a Best Value Performance Indicator (BVPI102). In Herefordshire the indicator is a 1% increase in passenger trips per year by 2010/11 when compared with a 2003/4 base case. In Worcestershire the indicator is an increase from 13.6 million public transport trips (2003/4) to 13.7 million public transport trips in 2010/11.

Emissions from Council fleet

- 5.14 NI 194 incorporates targets for the percentage reductions in NO_x and primary PM₁₀ emissions from a local authority's estate and operations. This Strategy supports the specific targets in each of the authorities in question relating to NI194.

6 Conclusions

- 6.1 The development of this Air Quality Strategy for Herefordshire and Worcestershire signifies a recognition that improving local air quality is the responsibility of a range of stakeholders and professions. Although Environmental Health professionals are tasked with monitoring and assessment of air quality, the actions and measures necessary to reduce pollutant concentrations will remain with a wider-range of professionals and bodies.
- 6.2 Although future improvements in local air quality are predicted as a result of technological advances in vehicle engines and improved fuels, there is still a need to reduce the increasing reliance on private motor vehicle use and to provide access to improved public transport services and alternatives to private motor vehicles. Traffic accounts for the main source of emissions across the County, and accounts for all the AQMAs declared. As such, the implementation of the Local Transport Plans is fundamental to the improvement of local air quality, or maintenance of good air quality, across the region.
- 6.3 Section 2 of this report includes a number of other policy areas which will be crucial to the improvement in air quality across Herefordshire and Worcestershire. The gradual integration of air quality into these other policy areas will ensure that air quality is considered at all levels of decision making. As other strategies and policy processes are gradually updated, it is hoped that this strategy will be used as a key document in the provision of information about air quality. As such, this strategy will need to be kept updated through regular reviews.

7 Glossary

AQAP	Air Quality Action Plan
AQMA	Air Quality Management Area
AQS	Air Quality Strategy
BC	Borough Council
BVPI	Best Value Performance Indicator
CC	City Council
CO ₂	Carbon dioxide
DC	District Council
NI	National Indicator
LDF	Local Development Framework
LTP	Local Transport Plan
NO _x	Nitrogen oxides
PCT	Primary Care Trust
PM ₁₀	Particulate Matter of less than 10 µm in diameter

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Planning Protocol for Herefordshire & Worcestershire

Contents

1	Introduction.....	2
2	Context of Air Quality and Planning.....	3
3	Requirements for Air Quality Assessments.....	8
4	Construction Dust and Emissions.....	16
5	Mitigating Impacts.....	18
6	Conclusions and Key Points.....	21
7	Appendix 1: Air Quality Objectives.....	22
8	Appendix 2: Descriptors for Impact Magnitude.....	23
9	Appendix 3: Glossary.....	25
10	Appendix 4: Useful Documents and Websites.....	26

1 Introduction

- 1.1 This Air Quality and Planning Protocol is intended to support local planning decision-making in respect to all future developments within the local authorities of Herefordshire and Worcestershire, and to ensure a consistent process is used to assess the likely impact of development on local air quality.
- 1.2 The Protocol begins with an introduction to the context of air quality and planning. The document then goes on to discuss requirements for air quality assessments (when are they required and what they should include) and how the outcomes of the air quality assessment should be interpreted. There is also a section on control of dust and emissions from construction and a section on mitigating impacts.
- 1.3 A number of guidance documents have been used in the preparation of this protocol, in particular the NSCA¹ 'Development Control: Planning for air quality' document, which has been adapted for local use within this document, and the GLA guidance on 'The control of dust and emissions from construction and demolition: Best Practice Guidance'. Links to these and other useful documents have been included in Appendix 4.

¹ National Society for Clean Air – now renamed Environmental Protection UK (EPUK)

2 Context of Air Quality and Planning

Local Air Quality Management Policy Background

2.1 The local air quality management process in the UK is legislated through the Environment Act 1995 (Part IV). The Environment Act puts a requirement on the Secretary of State to publish an Air Quality Strategy, which was initially published in 1997², and more recently revised in 2007³. The National Strategy establishes a set of health-based objectives for local air quality management for seven pollutants as follows:

- Nitrogen dioxide (NO₂) (annual mean, hourly mean)
- Fine particulate matter (PM₁₀) (annual mean, daily (i.e. 24-hour) mean)
- Sulphur dioxide (SO₂) (daily mean, hourly mean, 15-minute mean)
- Carbon Monoxide (CO) (running 8-hour mean)
- Benzene (running annual mean)
- 1,3-butadiene (running annual mean)
- Lead (Pb) (annual mean)

2.2 The various objectives associated with different pollutants are dependant upon the type of health impact resulting from exposure to them. Some pollutants have long-term health impacts, and so there are annual mean objectives ascribed to them (e.g. nitrogen dioxide and PM₁₀). Other pollutants have short-term health impacts, and so short-term objectives are ascribed (e.g. 15-minute mean objective for sulphur dioxide and the 1-hour mean objective for nitrogen dioxide). The current air quality objectives relevant for Local Air Quality Management are included in Appendix 1.

2.3 The averaging period of the objective influences the locations where public exposure is considered relevant, and therefore the significance for planning developments or proposals. Further guidance on the application of air quality objectives is set out in policy guidance⁴ and technical guidance⁵ for local authorities on Local Air Quality Management. It should be noted that these guidance documents are currently being updated and are likely to be superseded by the end of 2008.

² Department of the Environment and the Scottish Office (DoE) 1997. The United Kingdom National Air Quality Strategy. CM3587. The Stationery Office, London.

³ Department of Environment, Food and Rural Affairs (Defra) 2007. National Air Quality Strategy, <http://www.Defra.gov.uk/environment/airquality/strategy/>

⁴ Department of Environment, Food and Rural Affairs Defra, 2003. Local Air Quality Management Policy Guidance, LAQM.PG(03).

⁵ Department of Environment, Food and Rural Affairs Defra, 2003. Local Air Quality Management Technical Guidance LAQM.TG(03).

- 2.4 Guidance document TG(03) provides clarification on locations defined as relevant receptors. Residential properties, schools, hospitals and other such premises should be considered with respect to pollutants with long-term objectives. Relevant locations where the short-term objectives should be considered are more wide-ranging, and may include any location where members of the public have access for the averaging time in question.
- 2.5 Where objectives are not likely to be achieved at relevant locations, local authorities must declare an Air Quality Management Area (AQMA), following which there is a requirement to undertake a Further Assessment and prepare and implement an Action Plan, setting out how air quality will be improved.
- 2.6 The UK Air Quality Strategy published in 2007 introduces the concept of exposure reduction for fine particulate matter ($PM_{2.5}$) which does not exhibit a threshold for effect (i.e. there is no recognised safe level for exposure). The exposure reduction approach is designed to be a more cost-effective way of achieving reductions in the health effects of air pollution by providing a driver to improve air quality everywhere in the UK rather than just in hotspot areas. It is an objective focused on reducing average exposures across the most heavily populated areas of the country, and is not directly applicable to individual developments. The exposure reduction approach is supplemented by a 'backstop objective' or 'concentration cap' to ensure a minimum standard of protection for the whole population. It should be noted that these objectives have not been included in Regulations for the purpose of LAQM. however, they are included within the recent 'Clean Air for Europe' Directive⁶ and therefore will need to be considered within Environmental Statements under the EIA Regulations.

Air Quality Management in Herefordshire and Worcestershire

- 2.7 All local authorities have a duty to assess air quality periodically across their Districts, and to report on the findings. Information on air quality is published regularly through reports, which are provided on Council websites. Developers working across the Counties are urged to make use of individual Council air quality review and assessment reports to ensure they have the latest available air quality information.
- 2.8 Air quality across the counties of Herefordshire and Worcestershire is generally good. There have, however, been some hotspots identified where the health-based air quality objectives are currently not being met. In all cases, the problems are associated with the annual mean objective for nitrogen dioxide. In Herefordshire, two AQMAs have been declared (in Hereford and Leominster), Wychavon has declared an AQMA in Evesham, Bromsgrove has declared at Lickley End (junction

⁶ http://ec.europa.eu/environment/air/index_en.htm

of the M42 and A38) and Wyre Forest has declared 2 AQMAs (Horsefair and Welch Gate). As the Review and Assessment process progresses, it is likely that this picture will change and potentially more AQMAs will be declared.

National Guidance

2.9 Planning Policy Statement 1 on *Delivering Sustainable Development*⁷ sets out the Government's objectives for the planning system in the UK, stating that policies *should take account of environmental issues such as air quality and pollution*. PPS1 also contains guidance on general principles for pollution issues, stating that:

- Significant adverse impacts on the environment should be avoided and alternative options or mitigation should be pursued.
- The polluter pays principle should be employed.
- The causes and impacts of pollution should both be addressed.

2.10 Planning Policy Statement 23 on *Planning and Pollution Control* develops the concept of sustainable development and sets out eight principles that are of overarching importance to decision making in relation to air quality and pollution generally. These principles include :

- Using scientific knowledge
- Respecting environmental limits
- Making the polluter pay
- Taking a long-term perspective

Air quality as a material planning consideration

2.11 Annex 1 of PPS23 states that any air quality consideration that relates to land-use and its development is capable of being a material planning consideration. The impact on ambient air quality is likely to be particularly important:

- Where the development is proposed inside, or adjacent to, an Air Quality Management Area (AQMA) designated under Part IV of the Environment Act 1995;
- Where the development could in itself result in the designation of an AQMA; and
- Where to grant planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan.

2.12 Appendix A of PPS23 is particularly significant in identifying developments, plans and strategies, which are material considerations in the preparation of development plan documents and in

⁷ Department of Communities and Local Government (DCLG), 2005. Planning Policy Statement 1: Delivering Sustainable Development
<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement>

individual planning application decision-making processes. Such matters of relevance to this Planning Protocol for the Herefordshire and Worcestershire area include the following:

- Air quality within AQMAs is subject to local variation. Poor air quality in excess of the air quality objectives may only occur along the most heavily trafficked roads.
- AQMAs are often designated because of emissions from heavy traffic flows. Exposure to pollutants of concern when proposals include developments such as housing, hospitals, schools, nurseries or elderly persons homes. Such developments may not require an EIA because they do not necessarily generate large volumes of traffic themselves, but the provision of ventilation, location of opening windows etc, needs to be considered in relation to exposure. These considerations could form part of an Air Quality Assessment for a proposed development
- The footprint of a buildings and design of the development can affect the exposure of users to poor air quality within an AQMA. This should be considered at the earliest stage in the preparation of a planning application, as its overall air quality performance can affect the viability of a scheme.
- Air quality deterioration may be cumulative. The effects of multiple developments on the air quality of an area may need to be considered, and in particular, the overall effect of additional load from further development proposals.

2.13 In addition to the above, the forthcoming Air Quality Strategy for Herefordshire and Worcestershire, together with this Air Quality and Planning Protocol, constitute management plans with a bearing on environmental quality, and as such are material in the consideration of individual planning applications.

Regional Spatial Strategy

2.14 At a regional planning level, Herefordshire and Worcestershire are encompassed within the Regional Spatial Strategy for the West Midlands (RSS11). The full West Midlands Regional Spatial Strategy (formerly RPG 11) was initially published by ODPM in June 2004. Following the publication of the Phase One Revision, a revised West Midlands Regional Spatial Strategy was issued in January 2008. As such, it guides the preparation of local authority development plans and local transport plans in the West Midlands up to 2021.

2.15 Within the Regional Spatial Strategy, the policy most relevant to air quality is policy QE4 C, which states that “*Local authorities and others should also encourage patterns of development which maintain and improve air quality and minimise the impact of noise upon public space*”. The importance of the air quality management process is recognised in paragraph 8.45 of the RSS.

Air Quality and Local Planning Policy Background

- 2.16 Many Local Plans across the Herefordshire and Worcestershire area are currently under review, as the process of developing Local Development Frameworks (LDFs) is underway. In 2004, the planning system in England and Wales underwent a significant change, with the Planning and Compulsory Purchase Act 2004 (the 'Act') replacing much of the Town and Country Planning Act 1990. The provisions in the Act intend to provide a more flexible plan-making system locally and regionally, with more community involvement and an improved development control process. The Act abolishes Structure Plans and Local Plans, replacing them with Local Development Frameworks (LDFs), Local Development Schemes (LDS) and Local Development Documents (LDDs). Local authorities are now preparing their Local Development Frameworks under the new regime, although the statutory status of Unitary Development Plans, Local Plans or Structure Plans will be retained until LDFs are in place. It is therefore timely to incorporate air quality issues and considerations into the planning process as a new regime evolves.
- 2.17 More detailed information on local planning policies can be found in the Air Quality Strategy for Herefordshire and Worcestershire (Part 2: Supporting Information).

3 Requirements for Air Quality Assessments

- 3.1 An Air Quality Assessment is a qualitative or quantitative study undertaken to estimate the impact of a proposed development on air quality in the locality. An air quality assessment should also determine whether a proposed development will cause new residents to be exposed to unacceptable air pollutant concentrations (which is usually translated to mean above any specific air quality objective). This assessment process is likely to involve the consideration of local monitoring data and the prediction of future concentrations using an air quality model.

When is an AQA Required?

- 3.2 An Air Quality Assessment may be required as part of a formal EA being carried out for the development or as a standalone report in support of the Planning Application. The requirement to provide an air quality assessment to accompany a planning application should be based on the specific characteristics of the proposed development and the potential for impacts from local emissions during the construction phase and operational phase of the development proposal.
- 3.3 An Air Quality Assessment should be designed to fit the scale of the likely impacts, taking into account the cumulative air quality impacts of committed developments (i.e. proposals that have been granted planning permission at the time the assessment is undertaken), to ensure that a realistic scenario of air quality is presented for both the “without development” and “with development” predictions.
- 3.4 Across Herefordshire and Worcestershire, each local authority currently has different ways of ensuring that air quality is considered within the development control process. Some follow the NSCA Guidance on Planning and Air Quality for deciding when to ask for air quality assessments, with others having a more *ad hoc* approach where Environmental Health colleagues are consulted in relation to all planning applications and those with a potential impact are identified. Other local authorities currently have no procedure for identifying where air quality assessments may be required. It is hoped that this document can provide a more structured and consistent approach across Herefordshire and Worcestershire. It should be noted that the criteria included in this document are based on the NSCA Planning and Air Quality guidance, so those authorities already using that document will have no change in approach.
- 3.5 The decision as to whether an air quality assessment is required or not will require judgement as it is not possible to apply an exact and precise set of criteria to all development proposal situations.

However, the following criteria, taken from the NSCA Guidance on Air Quality and Planning, may help define when an air quality assessment should be considered necessary:

- Proposals for industrial or commercial activity requiring regulation under Pollution Prevention and Control Regulations (PPC);
- Proposals that will result in increased congestion, a change in traffic volumes (typically a change in annual average daily traffic (AADT) or peak traffic flows of more than + 5% or 10%, depending on local circumstances), or a change in vehicle speed (typically of more than +/- 10 kph), or both, usually on a road with more than 10, 000 AADT;
- Proposals which significantly alter the composition of traffic locally (i.e. increase the proportion of HGVs) for example bus stations, HGV parks, increased delivery traffic etc.;
- Proposals that include new parking – e.g. >300 spaces or an increase in current parking provision by, for example 25%, although account should be taken of car park turnover, i.e. the difference between short-term and long-term parking or new coach or lorry parks;
- Developments located in, or which may affect, sensitive areas (e.g. ecological sites) or areas of poor air quality (including AQMAs), where either direct emissions to air occur, or where any of the preceding criteria are met;
- Introduction of new exposure close to existing sources of air pollutants, including road traffic, industrial operations, agricultural operations etc.;
- Potential impacts from construction on nearby residents;
- Development which would give rise to significant dust emissions in areas where people and/or commercial activities would be exposed.

3.6 Some local authorities make use of the criteria used to trigger a transport assessment as trigger criteria for an air quality assessment. Assessments, may, however not be required in every circumstance when a transport assessment is required. A balance must be struck between burdening developers with unnecessary assessments, and ensuring that all significant impacts are quantified.

What should an Air Quality Assessment include?

3.7 An Air Quality Assessment is required to demonstrate the impacts of a development on local air quality concentrations (i.e. whether the proposed scheme is likely to have a negative or positive impact). The assessment should determine whether a specific development is significant or otherwise in terms of local air quality, which could be ascertained through a detailed dispersion modelling study (e.g. see LAQM.TG(03)⁸ for examples of modelling tools), taking account of the following scenarios:

- Current air quality concentrations in the vicinity of the proposed development location;

⁸ Department of Environment, Food and Rural Affairs Defra, 2003. Local Air Quality Management Technical Guidance LAQM.TG(03). <http://www.defra.gov.uk/environment/airquality/local/guidance/pdf/laqm-tg03.pdf> it should be noted that TG(03) will be superseded in 2008 by Technical Guidance currently being prepared

- Future predictions of air quality concentrations (in relation to the EU Limit Values and national air quality objectives) without the proposed development in place (i.e. a baseline scenario). This scenario should include impacts from any committed development in the vicinity of the proposed development site;
- Future predictions of air quality concentrations (in relation to the EU Limit Values and national air quality objectives) with the proposed development, at the completion date.

3.8 A developer is strongly advised to discuss the requirements of an AQA with Officers from Environmental Health departments.

3.9 An air quality assessment should ensure that the following issues are considered and the information provided:

General issues

- The assessment should set out the aims and objectives clearly.
- Relevant pollutants and objectives being considered should be identified.
- Location maps should be provided, with a detailed description of the location of any proposed residential property in relation to the local road network.
- Sensitive receptors and locations of relevant exposure, either existing or proposed, should be clearly identified.
- Any modelling area studied should be clearly identified.
- The assessment should consider any committed developments in the vicinity of the proposed development in question, so as to address the potential for cumulative impacts.

Modelling work

- Modelling work undertaken should be described in detail, with the rationale for using a specific model provided and the modelling scenarios clearly presented. The information should include the type of model and the version of the model used.
- Model verification should be undertaken, using appropriate local monitoring data. The Government's technical guidance LAQM.TG(03) provides information on suitable approaches to model verification.

Model input data

- All emissions input data for point sources should be clearly tabulated (i.e. stack heights, emission rates, and stack exit parameters).
- Road traffic input data should be specified, including traffic flows (including criteria such as annual average daily flows (AADTs), average speeds, HGV composition), and the source of such information should be made clear.
- The meteorological data used in modelling work should be described.
- Any variables used in the modelling work, such as surface roughness, should be detailed in the report. With respect to nitrogen dioxide, the appropriate methodology used to address the NO_x:NO₂ relationship should be expressed. The source of background concentrations used should be detailed.

Impact Assessment

- Modelling results should be expressed in relation to relevant exposure, on scaled maps suitable for visualising any impacts. Figures should clearly indicate the pollutant and averaging time being assessed, the modelling scenario being considered and the spatial extent of any potential exceedences.
- The potential for any exceedences of the Limit Values or air quality objectives should be discussed.
- Modelling uncertainty should be taken into account, and all assumptions made should be discussed.
- The overall impact of the proposed development should be considered in terms of the potential significance of any predicted increase in pollutant concentrations.
- Proposals for mitigation, both in terms of measures to reduce the impact from construction and demolition phases of the proposed development and in terms of the operation of the development, should be discussed.

Introduction of exposure into polluted area

- 3.10 As well as assessing the impact of the proposed development on local air quality, the air quality assessment should also include the impact of existing air quality on potential sensitive receptors within the proposed development. This would apply where new sensitive development is proposed within an existing AQMA or could include scenarios that introduce exposure for the first time into sites which are subject to air quality in excess of objectives, but currently have no relevant exposure (and are therefore are not currently declared as AQMAs). Where relevant, air quality assessments should include the impact of potential air quality on residents in the first year of operation, including the impacts of the development and any other committed developments which may have an impact.

How should 'significance' be considered within an Air Quality Assessment?

- 3.11 The outcome of an Air Quality Assessment should be a description of the significance of the proposal in question on local air pollutant concentrations. Significance should not only relate to a comparison of pollutant concentrations against the national air quality objectives and EU Limit Values, but should consider the magnitude of any change.
- 3.12 The NSCA Guidance on Planning and Air Quality sets out the consideration of significance at two stages in the process:
- The first is the requirement to set out the significance of any air quality impacts within the air quality assessment using the professional judgement of the authors;

- The second is the requirement for the local authority to evaluate the significance of the air quality impacts using the professional judgement of its officers to help it reach a decision on the planning application.

Significance within the Air Quality Assessment

- 3.13 Different Air Quality Assessments will use different descriptors and terminology. Again, the NSCA Guidance on Planning and Air Quality has been used as an example of one methodology of defining the 'significance' of air quality considerations of any particular development. The main requirement within the Air Quality Assessment will be to describe significance in terms of the change in concentration with the development, and the absolute concentration after the change in relation to the air quality objectives. The numbers of people exposed to the change should also form part of the judgement of significance. The magnitude of change is likely to become an increasingly important component of the significance particularly for pollutants such as particulate matter for which there is no threshold for effects. An example of the descriptors included in the NSCA Guidance on Planning and Air Quality have been included in Appendix 2.

Assessment of significance by local authorities

- 3.14 When a planning application is received with an accompanying Air Quality Assessment, the planning authority will then need to carry out its own evaluation of the significance. Figure 3.1, taken from the NSCA Guidance on Air Quality and Planning has been included for help in this respect.
- 3.15 There are a number of key points which should be borne in mind when using the flow chart:
- Air quality has the potential to be a material planning consideration in all planning applications. Whether it is a material consideration for any individual application will depend on the circumstances of the case, both in terms of the proposed development and its environment or location;
 - Likewise the significance of impacts will depend on the context of the development. For example, a proposal for a highly polluting industry in an already highly polluted, and populated, urban area would see air quality as one of the prime considerations. For a low polluting office development in an area of low pollution, air quality is likely to be of low priority;
 - The flow chart is equally applicable to a development which increases emissions (worsens air quality) as to one where the main impact is to increase exposure, such as a residential development;

- The weight given to the EU Limit Values reflects their status in law. The Limit Values are binding on the UK as a whole, whereas there is no legal obligation placed on central government or local authorities to meet the UK Air Quality Objectives, despite the fact that they are contained in regulation;
- Several steps require a judgement to be made of the 'significance' of the worsening that will take place. This judgement should be carried out by a suitably qualified officer and the exercise of professional judgement is an important part of the assessment. The exercise of judgement by the local authority should be as transparent and open as possible, and is clearly open to challenge by either the developer or third party stakeholders.

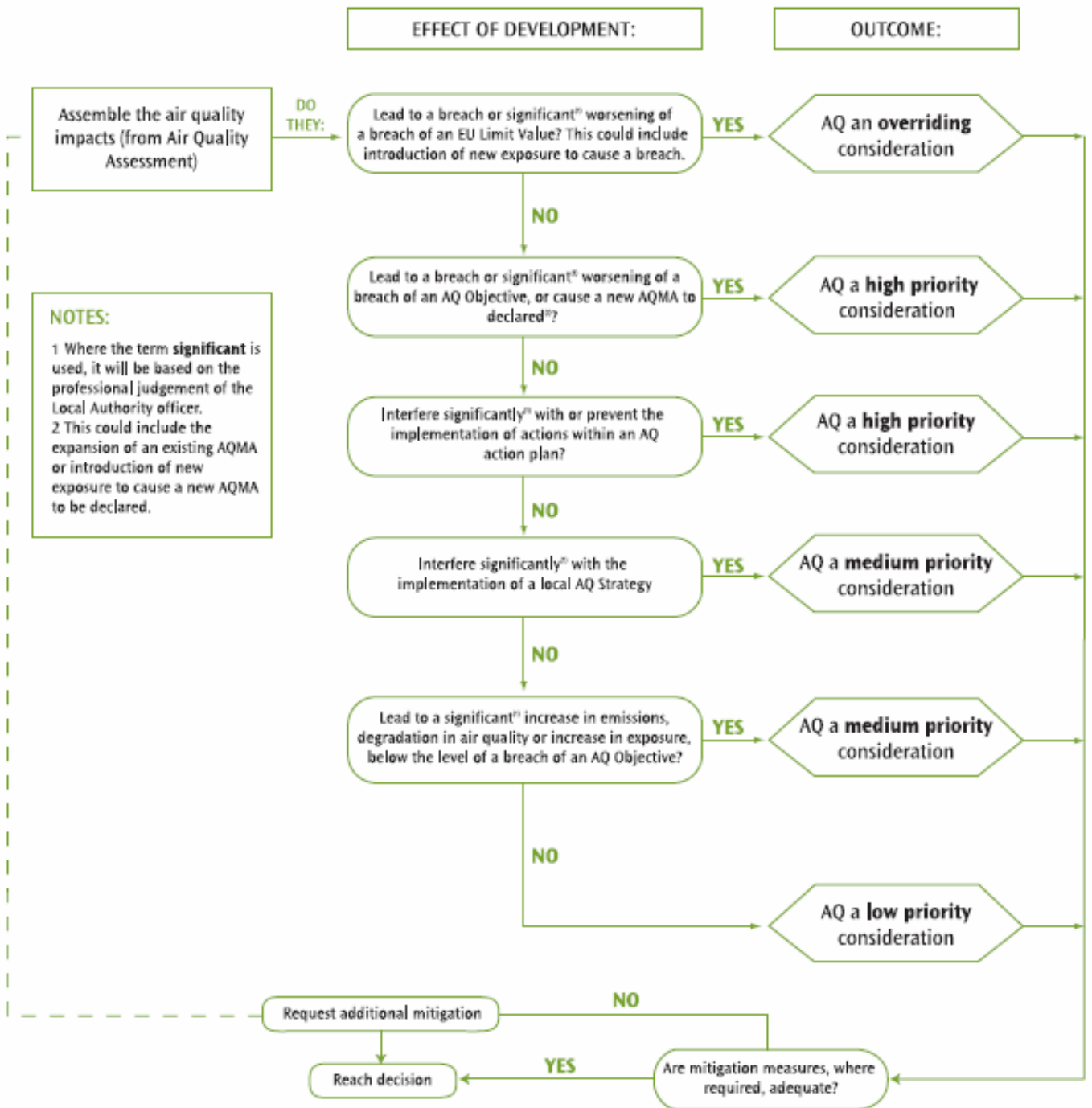


Figure 3.1 Steps for the Local Authority to Assess the Significance of Air Quality Impacts of a Development Proposal (taken from the NSCA Planning and Air Quality Guidance)

When is an Air Quality Assessment adequate or not?

- 3.16 The adequacy of an assessment should be judged on whether or not the approach and methodology is acceptable, supporting evidence is provided and whether the outcomes of the assessment appear reasonable.
- 3.17 Developers intending to submit an air quality assessment to accompany a planning application should ensure that they have familiarised themselves with the expected requirements of an assessment, as discussed in the previous section. This will follow on from dialogue with Environmental Health Officers, to establish the scope of the required assessment. The issues outlined in paragraph 3.8 provide a useful starting point to base an appraisal of the adequacy of an air quality assessment.

4 Construction Dust and Emissions

- 4.1 The construction phase of a development (particularly a large development) can cause emissions of dust and fine Particulate Matter, PM_{10} which can be a source of nuisance and also has the potential to add to air quality objective exceedences. There can also be a potential for cumulative impacts from construction, where a number of nearby developments overlap in the construction phase. Most dust particles are too big to be inhaled but can cause eye, nose and throat irritation and lead to deposition on cars, windows and property. PM_{10} is of more concern to human health as the particles can enter the lungs.
- 4.2 Where relevant, air quality assessments should include an assessment of the construction phase of the development which in some cases can last for many months or even years. The impacts of construction traffic, demolition activities as well as construction plant on site may be relevant.
- 4.3 Some local authorities already have their own Considerate Contractors Scheme and there is a national scheme, which includes many elements of best practice and aims to reduce the environmental impact of construction sites. Some local authorities have their own Best Practice Guidelines for construction dust emissions which they can use as a planning condition. There is a London Best Practice Guide which sets out the sizes of sites which are at risk of causing an impact, and then sets out in detail, the mitigation measures expected for the different categories of building site. Mitigation measures come under headings of Site Planning, Construction Traffic, Demolition works and Site activities.
- 4.4 There are no formal assessment criteria for dust. In the absence of formal criteria, a set of distance based criteria has been developed (Table 4.1). These criteria are based on professional experience, drawn from many years of involvement with assessments of different types of project, together with discussions with practitioners in the field, and consideration of a range of published reports.

Table 4.1: Assessment Criteria for Dust from Construction Activities, with Standard Mitigation in Place

Source		Potential Distance for Significant Effects (Distance from source)		
Scale	Description	Soiling	PM ₁₀ ^a	Vegetation effects
Major	Large construction sites, with high use of haul routes	100 m	25 m	25 m
Moderate	Moderate sized construction sites, with moderate use of haul routes	50 m	15 m	15 m
Minor	Minor construction sites, with limited use of haul routes	25 m	10 m	10 m

^a Significance based on the 2004 objective, which allows 35 daily exceedences/year of 50 µg/m³

- 4.5 There is also the possibility of dust being tracked out of the site along roads. Table 4.2 sets out the assessment criteria in terms of distance from the site to which significant dust may be tracked out and the potential distance from the roadside for significant effects.

Table 4.2: Assessment Criteria for Construction Dust Track-Out with Standard Mitigation in Place.

Source		Potential Distance from roadways for Significant Effects (Distance from edge of road)		
Scale	Distance along roadways that dust might be tracked	Soiling	PM ₁₀	Vegetation effects
Major	250 m	50 m	15 m	15 m
Moderate	100 m	25 m	10 m	10 m
Minor	25 m	15 m	5 m	5 m

5 Mitigating Impacts

- 5.1 The final stage in the Air Quality Assessment process is to recommend the actions which should be undertaken, or measures put in place, in order to remove impacts as far as is reasonably practicable. The types of measures proposed to achieve improvements in air quality will depend on the nature and scale of the proposed development.

Planning Conditions and Obligations

- 5.2 Conditions can be placed on planning permissions, where they are necessary in order to make the development proposal acceptable. Government advice in Circular 11/95 sets out 6 tests for conditions. Conditions must be: necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Conditions may not require the payment of money or the transfer of land ownership.
- 5.3 There may be times when the Council wants to control the impact of the development, but the desired restrictions go beyond the scope of planning conditions. In such cases it may be possible to enter into a legal agreement with the applicant and anyone else who has a legal interest in the land, under Section 106 of the Town and Country Planning Act 1990.
- 5.4 Planning obligations (or 'section 106 agreements') are private agreements negotiated (usually in the context of planning applications) between local planning authorities and persons with an interest in a piece of land (i.e. developers). They are intended to make development acceptable, which would otherwise be unacceptable, and can either prescribe the nature of development, secure a contribution from a developer to compensate for loss from development or mitigate impacts.
- 5.5 Where development in areas of poor air quality is proposed, the overall benefit of the development must be balanced against the specific harm, in air quality exposure terms, of locating that particular development at that particular site. It may also offer the opportunity to secure air quality or other environmental improvements which would not otherwise be available. In general terms, development can often be allowed to proceed providing due regard has been made to the air quality in the area. In all cases, the planning process should seek to obtain the best possible air quality conditions that would be reasonable for the development proposed. In some local authorities this has led to some innovative planning measures which have made a positive contribution to improving air quality.

- 5.6 Measures which it might be possible to consider for Section 106 agreements include: limiting car parking; car-free developments; supporting public transport; other transport infrastructure such as waling and cycling routes/ paths; and the purchase, installation, operation and maintenance of air quality monitoring equipment or provision of other assistance or support to enable authorities to implement any necessary monitoring or other actions in pursuit of an Air Quality Action Plan.

Planning Gain Supplement and Community Infrastructure Levy

- 5.7 At the end of 2006, the Government consulted on a proposal for Planning Gain Supplement (PGS) which is designed to capture a 'modest proportion' of the increase in land value accruing to landowners as a result of the granting of planning permission. As part of the proposal, the use of planning obligations would be scaled back to cover only 'direct impact mitigation' plus affordable housing.
- 5.8 The Community Infrastructure Levy (CIL) was an approach proposed in the Housing Green Paper to the implementation of the PGS. Following consultation with industry, local government and other stakeholders, the Government concluded that the best way to increase contributions towards infrastructure was the introduction on a CIL (formerly Planning Charges). The CIL option enables local authorities to apply a levy to all new developments (residential and commercial) in their area, subject to a threshold. Where appropriate, the local planning authority would use a CIL to supplement a negotiated agreement, which may be required for site specific matters.
- 5.9 The CIL will be based on a costed assessment of the infrastructure requirements arising specifically out of the development taking account of land values and potential uplifts. Standard charges would be set, which may vary from area to area and according to the nature of the development proposed. The CIL would break the link between a contribution and a particular development. Infrastructure requirements would include those mitigation measures which would be beneficial to improving air quality such as public transport improvements, infrastructure to encourage walking and cycling etc.

Impacts from construction and demolition

- 5.10 A number of useful documents covering the control of dust and emissions from construction and demolition activities have been published. Guidance is available from the Building Research Establishment on controlling dust from construction sites. The London Code of Practice: the control of dust and emissions from construction and demolition also includes mitigation measures for controlling dust and PM₁₀ emissions from construction. See Appendix 4 for details of documents.

Post development measures

- 5.11 Examples of mitigation have been included in the EPUK guidance on Planning and Air Quality and in the more recently published guidance 'Low Emissions Strategies: using the planning system to reduce transport emissions'. See Appendix 4 for details of documents.

6 Conclusions and Key Points

6.1 The need for closer integration of air quality within planning policy and development control has been recognised both within this planning protocol, and within the air quality strategy for Herefordshire and Worcestershire. This planning protocol seeks to facilitate this closer working between planners and air quality professionals across Herefordshire and Worcestershire and with closer collaboration, a more consistent approach to the treatment of planning issues within air quality management and the treatment of air quality issues within the planning system. To achieve this aim, there are a number of key points as follows:

- Any air quality consideration that relates to land use and its development is capable of being a material planning consideration. The weight given to air quality against other considerations is case specific;
- Two kinds of impact must be considered – the impact of the development on air quality (including both construction and operational impacts) and the impact of existing sources on the development (i.e. introducing exposure into an area already exceeding air quality objectives);
- In order for air quality to be properly considered within development control decisions, effective inter-professional relationships and efficient administrative systems are vital;
- Where air quality assessments are undertaken, it is important to seek agreement on the datasets, methodologies and outputs which are appropriate to the assessment of the developments air quality impacts;
- In assessing whether any particular development is likely to have a ‘significant’ impact on air quality, the ultimate assessment of the significance of air quality impacts should be made by the local authority with the assistance of data provided by the developer (usually in the form of an air quality assessment or chapter of an Environmental Statement). In assessing significance, professional judgement is necessary;
- The scale of mitigation imposed on a development must reflect the severity of its impacts and the context within which the development is to take place.

6.2 Development control carries the responsibility for integrating a very wide range of issues into planning decisions. Development control officers must therefore rely on the input on experts from other policy areas to inform those decisions. This protocol is intended to promote greater consistency in the process and help maximise the beneficial effects of good development control on air quality and the wider environment.

7 Appendix 1: Air Quality Objectives

7.1 The table below illustrates the air quality objectives within Regulations in England for local air quality management.

Table A1.1 Air Quality Objectives (England)

Pollutant	Time Period	Objective	To be achieved by
Benzene	Running annual mean	16.25 $\mu\text{g}/\text{m}^3$	2003
	Annual mean	5 $\mu\text{g}/\text{m}^3$	2010
1,3-Butadiene	Running annual mean	2.25 $\mu\text{g}/\text{m}^3$	2003
Carbon Monoxide	Maximum daily running 8-hour mean	10 mg/m^3	2003
Lead	Annual mean	0.5 $\mu\text{g}/\text{m}^3$	2004
	Annual mean	0.25 $\mu\text{g}/\text{m}^3$	2008
Nitrogen dioxide	1-hour mean	200 $\mu\text{g}/\text{m}^3$ not to be exceeded more than 18 times a year	2005
	Annual mean	40 $\mu\text{g}/\text{m}^3$	2005
Sulphur Dioxide	1-hour mean	350 $\mu\text{g}/\text{m}^3$ not to be exceeded more than 24 times a year	2004
	24-hour mean	125 $\mu\text{g}/\text{m}^3$ not to be exceeded more than 3 times a year	2004
	15-minutes mean	266 $\mu\text{g}/\text{m}^3$ not to be exceeded more than 35 times a year	2005
Fine particles (PM₁₀)	24-hour mean	50 $\mu\text{g}/\text{m}^3$ not to be exceeded more than 35 times a year	2004
	Annual mean	40 $\mu\text{g}/\text{m}^3$	2004

8 Appendix 2: Descriptors for Impact Magnitude

Table A2.1 An Example of Descriptors for Changes in Ambient Concentrations of Nitrogen dioxide and PM₁₀ (taken from the NSCA Guidance on Planning and Air Quality)

Magnitude of Change	Annual Mean NO ₂ / PM ₁₀	Days PM ₁₀ > 50 µg/m ³
Very large	Increase/decrease > 25%	Increase/decrease > 25 days
Large	Increase/decrease 15-25%	Increase/decrease 15-25 days
Medium	Increase/decrease 10-15%	Increase/decrease 10-15 days
Small	Increase/decrease 5-10%	Increase/decrease 5-10 days
Very Small	Increase/decrease 1-5%	Increase/decrease 1-5 days
Extremely Small	Increase/decrease <1%	Increase/decrease <1 days

Table A2.2 An Example of Descriptors for Impact Significance for New Relevant Exposure (taken from the NSCA Guidance on Planning and Air Quality)

Air Quality Impact Significance Criteria – New Exposure

Absolute Concentration at New Properties in Relation to Standard	Number of new properties exposed to concentration			
	0-20	20-100	100-500	>500
Above Standard	slight adverse	moderate adverse	substantial adverse	very substantial adverse
Below Standard but not Well Below	negligible	negligible	slight adverse	slight adverse
Well Below Standard	negligible	negligible	negligible	negligible

Well below the standard = < 75% of the standard level.

'Standard' in the context of this table relates to specific air quality objective or Limit Value in question

The number of properties relates to the number exposed to a particular concentration range, i.e. 10 properties within a development may be exposed to concentrations above the objective and therefore would be affected by slight adverse impacts. However 80 properties may be in locations where the predicted concentration is below the standard but not well below, and thus the impact on those properties is negligible.

Consideration may need to be given to drop off with height above ground level where there are flats involved.

Table A2.3 An Example of Descriptors for Impact Significance for Nitrogen dioxide and PM₁₀ (taken from the NSCA Guidance on Planning and Air Quality)

Air Quality Impact Significance Criteria

Absolute Concentration in Relation to Standard	Extremely Small	Very Small	Small	Medium	Large	Very Large
Decrease with scheme						
Above Standard with Scheme	slight beneficial	slight beneficial	substantial beneficial	substantial beneficial	very substantial beneficial	very substantial beneficial
Above Standard without scheme Below with Scheme	slight beneficial	moderate beneficial	substantial beneficial	substantial beneficial	very substantial beneficial	very substantial beneficial
Below Standard without scheme, but not Well Below	negligible	slight beneficial	slight beneficial	moderate beneficial	moderate beneficial	substantial beneficial
Well Below Standard without scheme	negligible	negligible	slight beneficial	slight beneficial	slight beneficial	moderate beneficial
Increase with scheme						
Above Standard without scheme	slight adverse	slight adverse	substantial adverse	substantial adverse	very substantial adverse	very substantial adverse
Below Standard without scheme Above with Scheme	slight adverse	moderate adverse	substantial adverse	substantial adverse	very substantial adverse	very substantial adverse
Below Standard with Scheme, but not Well Below	negligible	slight adverse	slight adverse	moderate adverse	moderate adverse	substantial adverse
Well Below Standard with Scheme	negligible	negligible	slight adverse	slight adverse	slight adverse	moderate adverse

Well below the standard = < 75% of the standard level.

'Standard' in the context of this table relates to specific air quality objective or Limit Value in question

9 Appendix 3: Glossary

AQA	Air Quality Assessment
AQS	Air Quality Strategy
AQMA	Air Quality Management Area
AQAP	Air Quality Action Plan
Defra	Department for Environment, Food and Rural Affairs
HGV	Heavy Goods Vehicle
IPPC	Integrated Pollution Prevention and Control
LAQM	Local Air Quality Management
LDD	Local Development Document
LDF	Local Development Framework
LDS	Local Development Scheme
NO ₂	Nitrogen dioxide
NO _x	Nitrogen oxides
PM ₁₀	Particulate Matter with an effective diameter of less than 10 microns (µm)
PPC	Pollution Prevention and Control
PPS	Planning Policy Statement
RPG	Regional Planning Guidance
RSS	Regional Spatial Strategy
TA	Traffic Assessment
UDP	Unitary Development Plan

10 Appendix 4: Useful Documents and Websites

Planning Policy Statement 23: Planning and Pollution Control (November 2004) ISBN 97801175392793.

<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement23>

Planning Policy Statement 23: Planning and Pollution Control - Annex 1: Pollution Control, Air and Water Quality. ISBN 9780117539310.

<http://www.communities.gov.uk/publications/planningandbuilding/pps23annex1>

Planning Policy Statement 1: Delivering Sustainable Development. ISBN 978 0 11 753939 6

<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement1>

Development Control: Planning for Air Quality. Produced by Environmental Protection UK.

<http://www.environmental->

[protection.org.uk/assets/library/documents/Development_Control_planning_for_air_quality.pdf](http://www.environmental-protection.org.uk/assets/library/documents/Development_Control_planning_for_air_quality.pdf)

London Councils Air Quality and Planning Guidance.

<http://www.londoncouncils.gov.uk/Transport/briefings/LondonCouncilsAirQualityandPlanningGuidance.htm>

Building Research Environment (2003) Controlling particles, vapour and noise pollution from construction sites. BRE Bookshop, London. www.brebookshop.com

The Control of Dust and Emissions from construction and demolition. Best Practice Guidance. Produced in partnership by the Greater London Authority and London Councils.

http://www.london.gov.uk/mayor/environment/air_quality/docs/construction-dust-bpg.pdf

Technical Guidance for Review and Assessment (TG(03))

<http://www.defra.gov.uk/environment/airquality/local/guidance/pdf/laqm-tg03.pdf>

Policy Guidance for Review and Assessment (PG(03))

<http://www.defra.gov.uk/environment/airquality/local/guidance/pdf/laqm-pg03.pdf>

Low Emissions Strategies. Using the Planning System to reduce transport emissions. Good Practice Guidance (currently under consultation).

<http://www.beacons.idea.gov.uk/idk/core/page.do?pagelId=7613079> http://www.cenex.co.uk/uploaded-documents/LES_Consultation_Draft.pdf

Regional Spatial Strategy 11. West Midlands. <http://www.wmra.gov.uk/page.asp?id=47>

Review and Assessment Helpdesk Planning Page: <http://www.uwe.ac.uk/aqm/review/planning.html>

Websites for local authority air quality information:

Herefordshire Council <http://www.herefordshire.gov.uk/environment/pollution/2264.asp>

Redditch Borough Council http://redditch.whub.org.uk/home/rbc-live-pollution_control-local_air_quality

Bromsgrove District Council. <http://bromsgrove.whub.org.uk/home/bdc-environmental-health-air-pollution>

Wychavon District Council <http://wychavon.whub.org.uk/home/wdcindex/wdc-env/wdc-env-air.htm>

Wyre Forest District Council <http://www.wyreforestdc.gov.uk/ccm/navigation/planning-environment/pollution/pollution-control---air-quality/?jsessionid=60A07C69E115B1B59FF534F177B8605A>

Worcester City Council <http://www.worcester.gov.uk/index.php?id=541>

Malvern Hills District Council <http://www.worcestershire.gov.uk/home/mhc-env-air-quality>



FORWARD PLAN OF KEY DECISIONS

JANUARY 2009 TO APRIL 2009

This Forward Plan lists the **Key Decisions** which it is proposed to take during the period 1 January 2009 to 30 April 2009. **Key Decisions** are executive decisions which must be taken or delegated by the Council's Cabinet and relate to matters which fall within the Council's agreed Budget and Policy Framework.

Key Decisions are those executive decisions which are likely to:

- (i) result in the Council incurring expenditure, foregoing income or the making of savings in excess of £50,000 or which are otherwise significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) be significant in terms of its effect on communities living or working in an area comprising two or more wards in the district;

Key Decisions will include:

1. A decision which would result in any expenditure or saving by way of a reduction in expenditure of £50,000 provided the expenditure or saving is specifically approved in the Medium Term Financial Plan.
2. A virement of any amount exceeding £50,000 provided it is within any virement limits approved by the Council;
3. Any proposal to dispose of any Council asset with a value of £50,000 or more or which is otherwise considered significant by the Corporate Property Officer;
4. Any proposal to cease to provide a Council service (other than a temporary cessation of service of not more than 6 months).
5. Any proposal which would discriminate for or against any minority group.

Further details of each Key Decision are appended to the Forward Plan. To assist with internal forward planning, this Plan also lists other non-key decisions which the Cabinet is expected to make during the specified four month period. The Forward Plan is updated and published on the Council's website on a monthly basis.

CABINET MEMBERSHIP

Councillor R. Hollingworth	Leader and Portfolio Holder for Youth and Leisure
Councillor Mrs. J. M. L. A. Griffiths	Deputy Leader and Portfolio Holder for Street Scene including Clean, Safe and Tidy Streets, Car Parks and Community Safety
Councillor Dr. D. W. P. Booth	Portfolio Holder for Major Projects including the Paperless Office and project management of Longbridge, the Town Centre, Spatial Project and the transfer of the Dolphin Centre
Councillor G. N. Denaro	Portfolio Holder for Finance including Internal Audit and Revenues and Benefits
Councillor Mrs. J. Dyer M.B.E.	Portfolio Holder for Planning Policy and Transportation
Councillor Mrs. M. A. Sherrey	Portfolio Holder for Waste Management and Recycling
Councillor R. D. Smith	Portfolio Holder for Legal, Equalities and Democratic Services, Human Resources and Older People
Councillor M. J. A. Webb	Portfolio Holder for the Customer Service Centre, Revenue Generation, Special Events, Performance Indicators and the Improvement Plan
Councillor P. J. Whittaker	Portfolio Holder for Housing, Environmental Health and Climate Change

CONSULTATION AND REPRESENTATIONS

For **Key Decisions** the summary document appended to the Forward Plan sets out details of any proposed consultation process. Any person/organisation not listed who would like to be consulted or who wishes to make representations on the proposed decision are encouraged to get in touch with the relevant report author as soon as possible before the proposed date of the decision. Contact details are provided.

Alternatively you may write to The Head of Legal, Equalities and Democratic Services, The Council House, Burcot Lane, Bromsgrove B60 1AA or email: k.firth@bromsgrove.gov.uk

Item No.	Decision Taker & Expected Date of Decision	Original Expected Date of Decision	Proposed Decision	Type of Decision (Key or Non-Key)	Lead Councillor/ Portfolio Holder	Comments
1	Cabinet 7 January 2009	Cabinet 1 Oct 2008	Worcestershire Telecare Strategy	Key	Councillor P. J. Whittaker	Initially delayed by officers and then by Cabinet Members for further information and a site visit
2	Cabinet 7 January 2009		Abandoned Vehicles – Delegation of authority to Head of Street Scene and Community to enter into agency agreement with County	Non-Key	Councillor Mrs. M. A. Sherrey	
3	Cabinet 7 January 2009		Bromsgrove Museum – update on Closure	Non-Key*	Councillor R. Hollingworth	* Cabinet will be asked to recommend that the report back on the Friends of the Norton Collection Charitable Trust proposal and option 5 be delayed until February 2009
4	Cabinet 7 January 2009		Improvement Plan Exception Report – October 2008	Non-Key	Councillor M. J. A. Webb	
5	Cabinet 7 January 2009		Medium Term Financial Plan 2009/10 – 2011/12	Non-Key*	Councillor G. N. Denaro+	* Cabinet will make recommendations to the full Council
6	Cabinet 7 January 2009		Programme of Council and Committee Meetings 2009/10	Non-Key*	Councillor R. D. Smith	* Cabinet will make recommendations to the full Council
7	Cabinet 7 January 2009		Scrutiny Report on Refuse and Recycling Value for Money	Non-Key	Councillor Mrs. M. A. Sherrey	

8	Cabinet <i>Special meeting in late January</i>		Implementation of Single Status/Job Evaluation	Key	Councillor R. D. Smith	
9	Cabinet 4 February 2009	Cabinet 5 Nov 2008	Countywide Air Quality Strategy	Key	Councillor P. J. Whittaker	Initially delayed by officers with a further delay from January to February to allow any written comments from the January meeting of the Overview Board
10	Cabinet 4 February 2009	Cabinet 3 Dec 2008	Houndsfield Lane Caravan Site	Key	Councillor P. J. Whittaker	Delayed as sufficiently detailed proposals not yet received from the two organisations with whom negotiations have been instigated in relation to the possible transfer of the site
11	Cabinet 4 February 2009	Cabinet 5 Nov 2008	Preferred Planning Guidance (PPG)17 - Outturn	Key	Councillor R. Hollingworth	Final PPG17 report delayed by external consultants and discussions taking place with Sports England to ensure it meets our needs
12	Cabinet 4 February 2009	Cabinet 5 Nov 2008	Sports Hub Provision	Key	Councillor R. Hollingworth	Delayed due to the delay in the PPG17 report
13	Cabinet 4 February 2009		Building Control – New Supplementary Charges	Non-Key	Councillor Mrs J. Dyer M.B.E.	

14	Cabinet 4 February 2009	Cabinet 3 Dec 2008	Business Continuity Plan	Non-Key	Councillor Mrs. J. Dyer M.B.E.	Delayed for further consideration by officers
15	Cabinet 4 February 2009		Council Plan 2009/12 Part 2	Non-Key*	Councillor R. Hollingworth	* Cabinet will make recommendations to the full Council
16	Cabinet 4 February 2009	Cabinet 7 Jan 2008	Countywide Scrutiny Report on Flooding	Non-Key	Councillors Mrs J. M. L. A. Griffiths & P. J. Whittaker	Report received from County later than expected and officers need to asses any implications for BDC
17	Cabinet 4 February 2009		Customer First and Access Strategy Review	Non-Key	Councillor M. J. A. Webb	
18	Cabinet 4 February 2009		Economic Strategy and Priorities	Non-Key	Councillor R. Hollingworth	
19	Cabinet 4 February 2009	Cabinet 4 June 2008	E-Government Strategy	Non-Key	Councillor Dr. D. W. P. Booth	Delayed as the work on the Hub Shared Service has taken priority
20	Cabinet 4 February 2009		Improvement Plan Exception Report – November 2008	Non-Key	Councillor M. J. A. Webb	
21	Cabinet 4 February 2009		Bromsgrove Local Strategic Partnership Board Minutes (4 December 2008)	Non-Key	Councillor R. Hollingworth	
22	Cabinet 4 February 2009		Place Survey Results	Non-Key	Councillor M. J. A. Webb	
23	Cabinet 4 February 2009		Scrutiny Report on Anti-Social Behaviour and Alcohol Free Zones	Non-Key	Councillors Mrs. J. M. L. A. Griffiths and P. J. Whittaker	

24	LDF Working Party February 2009	LDF Working Party Oct 2008	Bromsgrove Town Centre Issues and Options – Outcome of Consultation on Area Action Plan	Key	Councillor Dr. D. W. P. Booth	Delayed as work on the Core Strategy has taken priority
25	Cabinet 4 March 2009		Capital Strategy 2009/2012	Non-Key*		* Cabinet will make recommendations to the full Council
26	Cabinet 4 March 2009		Council Plan 2009/2012 – Part 2	Non-Key*	Councillor R. Hollingworth	* Cabinet will make recommendations to the full Council
27	Cabinet 4 March 2009		Financial and Performance Monitoring Report – Quarter 3 2008/09	Non-Key	Councillors G. N. Denaro & M. J. A. Webb	
28	Cabinet 4 March 2009		Improvement Plan Exception Report – December 2008	Non-Key	Councillor M. J. A. Webb	
29	Cabinet 4 March 2009		Performance Management Strategy Review	Non-Key	Councillor M. J. A. Webb	
30	Cabinet 4 March 2009		Treasury Management Strategy and Investment Strategy 2009/10 to 2011/12	Non-Key	Councillor G. N. Denaro	
31	Cabinet 1 April 2009		Joint Waste Management Strategy	Key	Councillor Mrs. M. A. Sherrey	
32	Cabinet 1 April 2009		Bromsgrove Local Strategic Partnership Board Minutes (5 February 2009)	Non-Key	Councillor R. Hollingworth	
33	Cabinet 1 April 2009	Cabinet 4 March 2009	Fixed Penalty Notices	Non-Key*	Councillor Mrs. J. M. L. A. Griffiths	* Cabinet will make recommendations to the full Council. Delayed pending outcome of budget process

34	Cabinet 1 April 2009		Improvement Plan Exception Report – January 2009	Non-Key	Councillor M. J. A. Webb	
35	Cabinet 1 April 2009		Customer Panel Survey (Quality of Life)	Non-Key	Councillor M. J. A. Webb	
36	Cabinet 29 April 2009		Private Sector Housing Strategy Review	Key	Councillor P. J. Whittaker	
37	Cabinet 29 April 2009		Improvement Plan Exception Report – February 2009	Non-Key	Councillor M. J. A. Webb	

NOTE: There will be no Cabinet meeting in May 2009

Item No. 1

KEY DECISION

Proposed to be made by
the Cabinet on
7 January 2009

LEAD MEMBER/ PORTFOLIO HOLDER Cllr Peter Whittaker / Cllr Mrs June Griffiths	ITEM WORCESTERSHIRE TELECARE STRATEGY	WARDS AFFECTED All
DOCUMENTS TO BE CONSIDERED BY THE DECISION TAKER Report of The Strategic Housing Manager – in consultation with Phil Street / John Godwin and Graham Rock. REPORT AUTHOR	SUMMARY The report brings forward for members information and consideration the Worcestershire Telecare Strategy and asks Members for their approval and adoption of the Strategy.	REASONS FOR BEING ON THE FORWARD PLAN The Countywide Strategy seeks partnership support to help the implementation of County Council funded assistive technology and equipment to enable older people to live independently in their own homes across Worcestershire.

CONSULTATION DETAILS	Method of Consultation	Consultation period or dates
Stakeholders N/A	N/A	N/A

DECISION TO BE MADE IN PARTNERSHIP WITH
Other District Councils, County Council

KEY DECISION

Proposed to be made by
the Cabinet at a special meeting in
late January 2009

<p>LEAD MEMBER/ PORTFOLIO HOLDER</p> <p>Councillor Roger Smith</p>	<p>ITEM</p> <p><u>CONSIDERING A WAY FORWARD FOR IMPLEMENTATION OF SINGLE STATUS/JOB EVALUATION</u></p>	<p>WARDS AFFECTED</p> <p>All</p>
<p>DOCUMENTS TO BE CONSIDERED BY THE DECISION TAKER</p> <p>Report of the Head of Human Resources and Organisational Development</p> <p>REPORT AUTHOR</p> <p>Jo Pitman Head of Human Resources and Organisational Development</p> <p>01527 881479</p>	<p>SUMMARY</p> <p>Following the Cabinet’s decision at its October 2008 meeting, the Council entered into a 90 period of consultation with the trade unions, specifically with regard to consideration of the use of dismissal and re-engagement procedures in order to implement Single Status/Job Evaluation*.</p> <p>The minutes of the meeting reflect that Cabinet gave delegated authority to the Head of Human Resources and Organisational Development, and the Head of Financial Services to implement Single Status/Job Evaluation, but only in circumstances where a Collective Agreement was reached during the relevant 90 days, and providing that the cost of implementation did not exceed that which the Council had previously set aside. Cabinet also gave instructions that every attempt should be made to secure a Collective Agreement, and if such was not achieved within the relevant 90 day period, that a further report be submitted to a special meeting of Cabinet immediately following the expiry of the 90 day period.</p>	<p>REASONS FOR BEING ON THE FORWARD PLAN</p> <p>Ultimately, implementation of the proposed new pay and grading structure will result in expenditure in excess of £50,000.</p>

At the time of the Council's Forward Plan requiring publication, negotiations with the trade unions are active as part of that statutory 90 day period, and, as would be expected, in the spirit of conducting meaningful consultation during the relevant period, the outcome is not yet known.

What is known is that a Collective Agreement has not yet been reached, but that negotiations are ongoing and are scheduled to continue right up to the end of the 90 day period.

It is therefore essential to be clear that this item is not being included on the Forward Plan as an indication of what the outcome of that consultation period may be, nor whether the Council is in some way pre-empting the outcome.

This item is being recorded on the Forward Plan in order to ensure that if a Collective Agreement is not reached during the remainder of the 90 period, Cabinet is afforded the opportunity to be updated on negotiations, and/or to consider recommendations from Officers as to how to achieve implementation in the absence of a Collective Agreement. It is possible, though no means certain, that such a report may include a recommendation to proceed with dismissal and re-engagement procedures.

*Single Status/Job Evaluation represents the development of a new pay and grading structure for all workers employed under National Joint Council (NJC) for Local Government Services terms and conditions of employment, as required by the nationally negotiated pay award April 2004-7.

CONSULTATION DETAILS	Method of Consultation	Consultation period or dates
<p>Stakeholders</p> <ol style="list-style-type: none"> 1. Corporate Management Team 2. Cabinet and Lead Portfolio Holder 3. Employees – all those employed on NJC Conditions of Service (excludes the Corporate Management Team) 4. Trade Unions – Unison, UCATT and GMB. 	<p>The 3 recognised trade unions have been consulted as key members of the Single Status Steering Group since the inception of the project in 2006. The consultation and negotiations with them have taken the form of regular meetings of the joint steering group, in which they have been recognised as key partners. In accordance with the principle of openness and transparency, the trade unions have been heavily involved in the development of the pay model in order to understand the extent of the council's financial limitations and to ensure their buy-in. As the project has developed, the consultation meetings have increased in frequency.</p> <p>The Corporate Management Team has been consulted collectively through Corporate Management Team meetings, and individually as Heads of Service in order to consider the overall effect upon the workforce; specifically in relation to degrees of acceptance in relation to the proposals and how they may impact upon organisation performance, and the Council's reputation as an Employer.</p> <p>Staff who are members of UCATT and GMB have been balloted on the proposals. As have employees who are non union members. Unison members have yet to be balloted.</p> <p>Following Cabinet's decision in October, a statutory period of consultation with the trade unions began in respect of the consideration to use dismissal and re-engagement processes as a way of achieving implementation. This is a separate legal process of consultation and is therefore identified as such.</p>	<p>Steering Group (including trade unions) July 2006 – present time</p> <p>Staff – through the Ballot – proposed timescales May – June 2008.</p> <p>Cabinet – October 2008 – in respect of how to progress implementation of Single Status.</p> <p>S188 Consultation Period – expiry date 25th January 2009.</p>

DECISION TO BE MADE IN PARTNERSHIP WITH

N/A



KEY DECISION

Proposed to be made by
the Cabinet on
4 February 2009

<p>LEAD MEMBER/ PORTFOLIO HOLDER</p> <p>Councillor Peter Whittaker</p>	<p>ITEM</p> <p>COUNTYWIDE AIR QUALITY STRATEGY</p>	<p>WARDS AFFECTED</p> <p>District Wide</p>
<p>DOCUMENTS TO BE CONSIDERED BY THE DECISION TAKER</p> <p>Report of the Team Leader (Pollution & General)</p> <p>REPORT AUTHOR</p> <p>Robin Goundry Team Leader (Pollution & General) 01527 881435</p>	<p>SUMMARY</p> <p>The Local Authorities of Worcestershire and Herefordshire Council, whilst fulfilling their statutory responsibilities and obligations to identify air quality hot spots, have recognised a need to develop a more holistic and unified approach to managing local air quality across the two Counties. Herefordshire and Worcestershire County Pollution Group in 2007 initiated the preparation of a cross-County Herefordshire and Worcestershire Air Quality Strategy (AQS). The improvement of air quality requires input from a wide range of planning and other professions. Therefore this AQS identifies broad actions, particularly for communication and co-operation within and between local authorities and wider bodies and the community.</p> <p>The key advantages of developing and implementing an AQS at County-wide level can be summarised as follows:</p>	<p>REASONS FOR BEING ON THE FORWARD PLAN</p> <p>This has affects and implications District wide by its nature.</p>

- It provides greater consistency across a range of policy areas for the achievement of improved local air quality, including local planning, transport planning, health, industry, housing and environmental protection, and ensures air quality is addressed in a multi-disciplinary way within the different departments of a local authority and across Herefordshire and Worcestershire;
- It provides the framework for a consistent approach to addressing local air quality considerations in development control processes;
- It is a vehicle for developing a coherent air quality policy across Herefordshire and Worcestershire for local planning processes;
- It provides a link to wider initiatives across both the one and two-tier authorities (for example Local Transport Plans, Climate Change programmes, Community Plans and energy efficiency programmes), and
- It provides the platform for local air quality considerations in future rounds of Local Transport Plans.

The cost of the project has been co - funded by the authorities. It will be launched in autumn 2008.

CONSULTATION DETAILS	Method of Consultation	Consultation period or dates
<p data-bbox="210 177 421 213">Stakeholders</p> <p data-bbox="210 252 488 288">District Councillors</p> <p data-bbox="210 327 595 363">Adjacent District Councils</p> <p data-bbox="210 402 663 438">Worcestershire County Council</p>	<p data-bbox="707 177 999 229">Distribution by email</p>	<p data-bbox="1529 165 1955 234">Non Statutory – ongoing until September 2008</p>

DECISION TO BE MADE IN PARTNERSHIP WITH

District Councils, Worcestershire County Council.

Item No. 10

KEY DECISION

Proposed to be made by
the Cabinet on
4 February 2009

<p>LEAD MEMBER/ PORTFOLIO HOLDER</p> <p>Peter Whittaker</p>	<p>ITEM</p> <p>GYPSY AND TRAVELLER SITE PROVISION AND REVIEW OF HOUNDSFIELD LANE CARAVAN SITE</p>	<p>WARDS AFFECTED</p> <p>Whole District Plus Hollywood and Majors Green</p>
<p>DOCUMENTS TO BE CONSIDERED BY THE DECISION TAKER</p> <p>Report of the Head of Planning and Environment</p> <p>REPORT AUTHOR</p> <p>A.M. Coel Strategic Housing Manager 01527 881270</p>	<p>SUMMARY</p> <p>Following on from the report made to Cabinet in June 2008, this report will provide members with an update upon the consultation with site residents and upon the progress and negotiations undertaken in pursuance of the two favoured options regarding the future management, ownership and improvement of the site</p>	<p>REASONS FOR BEING ON THE FORWARD PLAN</p> <p>Recommendations of a recent Gypsy and Traveller Accommodation Assessment relate to provision in the whole district.</p> <p>Provision of site facilities at Houndsfield Lane Site affect the Hollywood and Majors Green Ward.</p>

CONSULTATION DETAILS	Method of Consultation	Consultation period or dates
<p>Stakeholders</p> <p>With site residents to assess preferences for improvement to individual pitch and amenity block facilities and the future use of the Transit site.</p>	<p>Personal consultation visits to all Houndsfield Lane Site residents by Strategic Housing Officers.</p>	<p>September 2008</p>

DECISION TO BE MADE IN PARTNERSHIP WITH
<p>N/A</p>

KEY DECISION

Proposed to be made by the Cabinet on
4 February 2009

<p>LEAD MEMBER/ PORTFOLIO HOLDER</p> <p>Cllr Roger Hollingworth</p>	<p>ITEM</p> <p>PREFERRED PLANNING GUIDANCE 17 (PPG17) – OUT TURN REPORT</p>	<p>WARDS AFFECTED</p> <p>All Wards</p>
<p>DOCUMENTS TO BE CONSIDERED BY THE DECISION MAKER</p> <p>Report of the Head of Street Scene & Community</p> <p>REPORT AUTHOR</p> <p>John Godwin Deputy Head of Street Scene & Community 01257 881730 j.godwin@bromsgrove.gov.uk</p>	<p>SUMMARY</p> <p>The report is to update members on the out turn of the recent PPG17 review of the district and to advise members of the key items contained within it in relation to service delivery and future budget requirements.</p> <p>The report will also be used as a basis for the recommendation to cabinet on the current level and future requirements of the Councils Park, Open Space, Play Areas & Pitches provision and Inc potential areas for redevelopment, removal and/or disposal.</p>	<p>REASONS FOR BEING ON THE FORWARD PLAN</p> <p>This report will result in:</p> <ul style="list-style-type: none"> • The Council incurring additional expenditure in excess of £50,000. <p>Further more it may result :</p> <ul style="list-style-type: none"> • In the disposal of a Council asset with a value over £50,000 • In the identification of a proposal to cease the delivery of a service.

CONSULTATION DETAILS	Method of Consultation	Consultation period or dates
<p>Stakeholders</p> <p>Elected members SMT & CMT Planning Officers Parks Officers</p>	<p>The PPG 17 out turn report the is final stage of an in depth consultation process that will be closed by the time the report is written.</p> <p>Consultation has been undertaken with:</p> <p>Elected members District & County Council Officers Parish Council Residents Inc Children & Young People User Groups WCC Officers Sport England Community Sports Network (BECAN)</p>	<p>N/A</p>

DECISION TO BE MADE IN PARTNERSHIP WITH
<p>N/A</p>

KEY DECISION

Proposed to be made by the Cabinet on
4 February 2009

<p>LEAD MEMBER/ PORTFOLIO HOLDER</p> <p>Cllr Roger Hollingworth</p>	<p>ITEM</p> <p>SPORTS HUB PROVISION</p>	<p>WARDS AFFECTED</p> <p>All Wards</p>
<p>DOCUMENTS TO BE CONSIDERED BY THE DECISION TAKER</p> <p>Report of the Head of Street Scene & Community</p> <p>REPORT AUTHOR</p> <p>John Godwin Deputy Head of Street Scene & Community 01257 881730 j.godwin@bromsgrove.gov.uk</p>	<p>SUMMARY</p> <p>The report is to update members on the out turn of the recent PPG17 review of the district and to advise members of the key items contained with in it in relation to the future need of play pitches with in the District.</p> <p>The report will also be used as a basis for the recommendation to cabinet on the proposed use of the Capital funding allocated this year for the provision of Sports Hubs and potential partnership funding in the delivery of these schemes.</p>	<p>REASONS FOR BEING ON THE FORWARD PLAN</p> <p>This report will result in:</p> <ul style="list-style-type: none"> • The Council incurring additional expenditure in excess of £50,000. • A significant effect on communities living or working in an area compromising of two or more wards in the district.

CONSULTATION DETAILS	Method of Consultation	Consultation period or dates
<p>Stakeholders</p> <p>Elected members SMT & CMT Planning Officers Sports development Officers Parks Officers</p>	<p>The PPG 17 out turn report is the final stage of an in depth consultation process that will be closed by the time the report is written.</p> <p>Consultation has been undertaken with:</p> <p>Elected members District & County Council Officers Parish Council Residents Inc Children & Young People User Groups WCC Officers Sport England Community Sports Network (BECAN)</p>	<p>N/A</p>

DECISION TO BE MADE IN PARTNERSHIP WITH
<p>N/A</p>

KEY DECISION

Proposed to be made by
the Cabinet on
1 April 2009

<p>LEAD MEMBER/ PORTFOLIO HOLDER</p> <p>Cllr M Sherrey</p>	<p>ITEM</p> <p>REFRESH OF WASTE MANAGEMENT STRATEGY DOCUMENT</p>	<p>WARDS AFFECTED</p> <p>All</p>
<p>DOCUMENTS TO BE CONSIDERED BY THE DECISION TAKER</p> <p>Report of Head of Street Scene and Community</p> <p>REPORT AUTHOR</p> <p>Michael Bell</p>	<p>SUMMARY</p> <p>All County and District Councils are required to produce a long term Waste Management Strategy and review it every 5 years. This is the first review of the existing strategy that has been in place since 2004. The document sets out the long term aims of the waste partnership and how it will achieve its statutory targets over the next 25 years.</p>	<p>REASONS FOR BEING ON THE FORWARD PLAN</p> <p>Significant in terms of its effect on communities living or working in an area comprising two or more wards in the district;</p>

CONSULTATION DETAILS	Method of Consultation	Consultation period or dates
<p>Consultation will be carried out with statutory consultees over a period of several months.</p>	<p>Direct access to statutory consultees.</p>	

DECISION TO BE MADE IN PARTNERSHIP WITH

County Council as Waste Disposal Authority and the other district Councils with Worcestershire and Herefordshire.

KEY DECISION

Proposed to be made by
the Cabinet on
29th April 2009

<p>LEAD MEMBER/ PORTFOLIO HOLDER</p> <p>Councillor Peter Whittaker</p>	<p>ITEM</p> <p>PRIVATE SECTOR HOUSING STRATEGY AND REVIEW OF ASSISTANCE AND ENFORCEMENT POLICY.</p>	<p>WARDS AFFECTED</p> <p>All</p>
<p>DOCUMENTS TO BE CONSIDERED BY THE DECISION TAKER</p> <p>Report of the Head of Planning & Environment</p> <p>REPORT AUTHOR</p> <p>A.M. Coel – Strategic Housing Manager</p>	<p>SUMMARY</p> <p>The current Private Sector Housing Strategy for this authority forms a significant part of the Council's Housing Strategy Document 2006 – 2011.</p> <p>The re inspection of Strategic Housing Services by the Audit Commission in 2008 recommended that an overarching strategy be developed to guide all housing activities in the private sector.</p> <p>Consultation with stakeholders commenced in November 2008 and a draft private sector housing strategy and accompanying policy relating to how the Council offers assistance to private sector home occupiers and how it enforces housing standards is being formulated.</p>	<p>REASONS FOR BEING ON THE FORWARD PLAN</p> <p>Significant affect upon all wards.</p>

CONSULTATION DETAILS	Method of Consultation	Consultation period or dates
<p>Stakeholders</p> <p>PCT BDHT & partner RSL's Supporting People Social Services Occupational Therapy Service Age Concern Service users Private landlords Private Tenants Members</p>	<p>Two stakeholder consultation events were held on the 26th November 2008.</p> <p>A draft strategy and policy document will be circulated to all stakeholders for comment prior to referral to Cabinet for approval.</p>	<p>February / March 2009</p>

DECISION TO BE MADE IN PARTNERSHIP WITH

N/A

CCPP Departmental Cabinet Forward Plan

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
1	Councillor R. Hollingworth	Council Plan 2010/13 Part 1	Strategic Direction for next three and budget priorities.	September 2009		Public through Customer Panel (see below). Partners.	-	
2	Councillor R. Hollingworth	Council Plan 2010/2013 Part 2	Strategic Direction for next three, budget priorities, detailed spending plans and key performance indicators.	February 2010		Consultation undertaken in Part 1 of Plan. Website consultation on detailed budget proposals.	-	
3	Councillor R. Hollingworth	Council Annual Report 2008/2009	Review of Council's performance over past year.	May 2009		Published summary in CT Leaflet and Together Bromsgrove.	-	
4	Councillor R. Hollingworth	Community Strategy Annual Report	Annual review of progress of Local Strategic Partnership Community Strategy.	November 2009		Published summary on Internet site.	-	

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
5	Councillor M. J. A. Webb	Improvement Plan 2009/10	Detailed improvement plan developing strategic agenda set out in Council Plan.	July 2009		Based on Council Plan Part 1. No further consultation planned.	-	
6	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 10)	Monthly updates on progress against plan.	April 2009		Not applicable.	-	
7	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 11)	Monthly updates on progress against plan.	May 2009		Not applicable.	-	
8	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 12)	Monthly updates on progress against plan.	June 2009		Not applicable.	-	
9	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 1)	Monthly updates on progress against plan.	July 2009		Not applicable.	-	
10	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 2)	Monthly updates on progress against plan.	August 2009		Not applicable.	-	

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
11	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 3)	Monthly updates on progress against plan.	September 2009		Not applicable.	-	
12	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 4)	Monthly updates on progress against plan.	October 2009		Not applicable.	-	
13	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 5)	Monthly updates on progress against plan.	November 2009		Not applicable.	-	
14	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 6)	Monthly updates on progress against plan.	December 2009		Not applicable.	-	
15	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 7)	Monthly updates on progress against plan.	January 2010		Not applicable.	-	
16	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 8)	Monthly updates on progress against plan.	February 2010		Not applicable.	-	

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
17	Councillor M. J. A. Webb	Monthly Improvement Plan Report (Period 9)	Monthly updates on progress against plan.	March 2010		Not applicable.	-	
18	Councillors M. J. A. Webb and G. N. Denaro	Integrated Financial/Performance Report	Quarter 4 2008/2009 Financial and Performance update.	June 2009		Not applicable.	-	
19	Councillors M. J. A. Webb and G. N. Denaro	Integrated Financial/Performance Report	Quarter 1 2009/2010 Financial and Performance update.	September 2009		Not applicable.	-	
20	Councillors M. J. A. Webb and G. N. Denaro	Integrated Financial/Performance Report	Quarter 2 2009/2010 Financial and Performance update.	December 2009		Not applicable.	-	
21	Councillors M. J. A. Webb and G. N. Denaro	Integrated Financial/Performance Report	Quarter 3 2009/2010 Financial and Performance update.	March 2010		Not applicable.	-	
22	Councillor M. J. A. Webb	Customer Panel (Customer Satisfaction and Priorities)	Feedback from residents survey on their satisfaction with services tracking year on year performance. Views from residents on Council's future priorities.	September 2009		Customer Panel Survey of 1,500 residents and Survey also available to all residents on website.	-	

Financial Services Departmental Cabinet Forward Plan

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision Cabinet (Leaders)	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
1	Councillor G. N. Denaro	Council Tax Base	To approve the new tax base for 2010/11	December 2009		N/A	N/A	
2	Councillor G. N. Denaro	Medium Term Financial Plan including Fees & Charges	To review the position on the medium term financial plan 2010/11-2012/13	November 2009		Focus Group, Customer Panel Budget Jury, Equality and Diversity Forum	Budget Bids, consultation feedback	
3	Councillor G. N. Denaro	Medium Term Financial Plan including Fees & Charges	To review the position on the medium term financial plan 2010/11-2012/13	December 2009		Focus Group, Customer Panel Budget Jury, Equality and Diversity Forum	Budget Bids, consultation feedback	
4	Councillor G. N. Denaro	Medium Term Financial Plan including Fees & Charges	To approve the medium term financial plan 2010/11-2012/13	January 2009		Focus Group, Customer Panel Budget Jury, Equality and Diversity Forum	Budget Bids, consultation feedback	
5	Councillor G. N. Denaro	Benefit Take up strategy	To approve the strategy for improving benefit take up in the district	March 2010		Focus Group, Disabled Users forum, Equality and Diversity Forum		

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision Cabinet (Leaders)	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
6	Councillor G. N. Denaro	Capital Strategy	To approve the capital strategy for the districts programme	March 2010		Focus Group, Customer Panel	Budget Bids, medium term plan report, ICT strategy	
7	Councillor G. N. Denaro	Treasury Strategy	To approve the strategy for investing the Councils funds	March 2010			Investment principles	
8	Councillor G. N. Denaro	Integrated finance & performance reports	To consider the performance and financial position of the Council on a quarterly basis against targets set	Sept 09 / Nov 09 / March 10 / June 10			Financial Monitoring reports	
9	Councillor G. N. Denaro	Statement of Accounts	To report the Statement of Accounts for 2007/08 to members	June 2009				
10	Councillor G. N. Denaro	Contract & Procedure Rules update	To approve revisions to ensure the contract & procedure rules reflect the framework of internal control as required by the council	April 2010				

HROD Departmental Cabinet Forward Plan

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
<p>There are no known HR reports at the time of writing this Business Plan. Any restructuring reports that require Cabinet approval will be led by the responsible Head of Service for the service being restructured, not the HR and OD Service.</p>								

E-Government and Customer Services Departmental Cabinet Forward Plan

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
1	Councillor Dr. D. W. Booth JP	Information Management Strategy	Information Management Strategy	October 2009		CMT		

Legal, Equalities and Democratic Services Departmental Cabinet Forward Plan

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
1	Councillor R. D. Smith	White Paper outcomes	Community Calls for Action Crime and Disorder Legislation Overview and Scrutiny Boundary reviews Front line Councillors Petitions	Spring/ Summer 2009		Yet to be confirmed within the regulations	Yet to be confirmed by the regulations	We are unable to provide much detail in relation to this item as the regs are yet to be published
2	Councillor R. D. Smith	Equality Bill outcomes	Single Equality Legislation	Spring/ Summer 2009		Yet to be confirmed	Yet to be confirmed	We are unable to provide much detail in relation to this item as the regs are yet to be published
3	Councillor R. D. Smith	New Council House Accommodation	Determine new Council House accommodation and time line for moving together with proposed disposal of site at Burcot Lane	December 2009				

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
4	Councillor R. D. Smith	Electoral Service Standards	The introduction of new performance standards from the Electoral Commission adopted by Cabinet	Spring 2009				
5	Councillor R. D. Smith	New Governance arrangements	Need to report to Cabinet on new governance arrangements once the Government Regs and Guidance is published	Spring 2009		Yet to be confirmed	Yet to be confirmed	We are unable to provide much detail in relation to this item as the regs are yet to be published
6	Councillor R. D. Smith	Officer and Member Code of Conduct	Report to Cabinet and Council on new Codes of Conduct	Spring 2009		Yet to be confirmed	Yet to be confirmed	We are unable to provide much detail in relation to this item as the regs are yet to be published

Street Scene and Community Services Departmental Cabinet Forward Plan

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
1	Councillor Mrs. M. A. Sherrey JP	Waste Management Strategy	To accept the proposals contained within the Strategy refresh which will detail arrangements for waste management for the next 25 years.	April 2009		Production of the Strategy has been lead by the County Council with each District represented at all meetings. Detailed consultation undertaken as part of the strategy refresh.	Strategy document.	Reliant on County and partnership team to complete consultation and complete document
2	Councillor G. N. Denaro	Alternative system for managing Excess Charge Notice system	Changes to the appeal process to include an additional, independent of the service, review system.	May 2009		Parking staff, other staff, legal team.	Legislation in relation to Civil Parking Enforcement t which provides appropriate guidelines.	None
3	Councillor Mrs. J. M. L. A. Griffiths	Civil Parking Enforcement and ANPR	Follow up report detailing benefits, issues with adopting CPE.	June 2009		Local residents, businesses.	CPE legislation guidelines.	None

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
4	Councillor Mrs. J. M. L. A. Griffiths	Shared service CCTV/Lifeline	To agree to any proposed changes to the operation of the CCTV & Life line Services Inc Control Room provision following a shared service review. And the production of an options appraisal.	June 2009		Community Safety Partnership at next suitable Partnership meeting.	Business Cases and project Plan. CCTV and Life Line Code of practice and Service Level agreement.	Dependant upon decisions of the Shared Services Board.
5	Councillor Mrs. M. A. Sherrey JP	Change of waste collection from Council House to maximize recycling options	Agree modified collection system to include maximisation of recycling opportunities. Out source collection of recyclables from CH.	July 2009		Staff at Council House. External contractors. Redditch BC. Option to share service.	Report only	None
6	Councillor Mrs. M. A. Sherrey JP	Change in recycling service to co- mingled collection	Update on timescales for move to co-mingled collection system	September 2009		County Council. Waste Collection staff.	Report Only	Finance for vehicles and equipment detailed in 2009/09 budget round.

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
7	Councillor Mrs. M. A. Sherrey JP	Summary report on green waste charging	Summary report to assess change in service provision from March 2009 which introduced charge for service	October 2009		Feedback from residents.	Report only	None
8	Councillor Mrs. M. A. Sherrey JP	Operation of Recycling bank system.	Report to consider different options for collection of recyclable materials from recycling centres	November 2009		County Council	Report Only	Completion of the MRF in Worcester may provide alternative methods of collection.
9	Councillor Mrs. M. A. Sherrey JP	Options for shared service with Redditch particularly green waste and recycling collections	To consider opportunity from sharing the green waste collection operation from April 2010 when Redditch introduce a charge.	November 2009		RDC, County Council.	Potential report from officers in Redditch.	None

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
10	Councillor Mrs. J. M. L. A. Griffiths	Arts Strategy	To consider and comment on the production of the Council's Arts and Events Strategy (2010/11 to 2013/14).	December 2009		Bromsgrove Arts Alive Partnerships, Worcestershire Arts partnership, Artrix Operating trust, Local Arts Groups and Parish Councils.	Draft Arts & Events Strategy and consultation summary.	Will establish the key priorities and action required to delivery the services over the next 3 years.

Planning and Environment Services Departmental Cabinet Forward Plan

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
	Councillor P. J. Whittaker	Private Sector Housing Strategy And Review Of Assistance And Enforcement Policy.	<p>The current Private Sector Housing Strategy for this authority forms a significant part of the Council's Housing Strategy Document 2006 – 2011.</p> <p>The re inspection of Strategic Housing Services by the Audit Commission in 2008 recommended that an overarching strategy be developed to guide all housing activities in the private sector.</p> <p>Consultation with stakeholders commenced in November 2008 and a draft private sector housing strategy and accompanying policy relating to how the Council offers assistance to private sector home occupiers and how it enforces housing standards is being formulated.</p>	April 2009		<p>PCT</p> <p>BDHT & partner RSL's Supporting People</p> <p>Social Services Occupational Therapy Service</p> <p>Age Concern Service users</p> <p>Private landlords</p> <p>Private Tenants</p> <p>Members</p>	<p>Strategy addendum and policy summary.</p>	

Item No.	Portfolio Holder/ Lead Member Responsibility	Subject	Details of Proposed Decision	Expected Date of Decision	Original Expected Date of Decision	Principal Groups or Organisations to be consulted and date and method of consultation	Documents to be considered in relation to the Decision	Comments
	Councillor P. J. Whittaker	Statement of Gambling Principles	To recommend approval of the Council's Statement of Gambling Principles for 2010 - 2013	November 2009		Statutory Consultees, Licence Holders	Summary of responses received during consultation period; Revised Statement of Gambling Principles	
	Councillor Mrs. J. Dyer M.B.E.	Longbridge Area Action Plan	To formally adopt the Longbridge AAP as the planning policy for the former MG rovers works at Longbridge	March 2009		None required full consultation was carried out in the Development of the Plan	Longbridge Area Action Plan	
	Councillor Mrs. J. Dyer M.B.E.	Various Planning reports	The Local Development Framework working party will need to be convened to approve / or be informed various elements of LDF production throughout the year although the exact requirements are unknown at the moment	As required		As required by the Regulations	Various	

Agenda Item 8

OVERVIEW BOARD

WORK PROGRAMME

6TH JANUARY 2009

The Work Programme consists of three sections: Items for future meetings (including updates); current Task Groups; and Task Group Reviews.

RECOMMENDATION: To consider and agree the work programme.

ITEMS FOR FUTURE MEETINGS (INCLUDING UPDATES)

Subject	Date of Consideration	Other Information
Forward Plan of Key Decisions - <i>Permanent Item</i> -	Every Meeting of the Overview Board	The Forward Plan consists of Key Decisions which it is proposed will be taken over forthcoming months. As requested at the last Overview Board Meeting in November 2008, additional information has been supplied in relation to anticipated reports due to be considered by the Cabinet during 2009/10. This has been included as a separate item on the Agenda for the meeting on 6th January 2009.
Recommendation Tracker - <i>Permanent Item</i> -	Quarterly	A quarterly report monitoring the implementation of overview recommendations. The next tracker report will be February 2009.
Budget Process 2009/10 – 2011/12	6th January 2009 (Joint Meeting)	A second joint Overview Board and Scrutiny Board meeting will be held on to consider the budget.
Air Quality Strategy	6th January 2009	Following an informal meeting with officers on this issue on 26th November 2008, the Countywide Air Quality Strategy and Planning Protocol will be considered by the Overview Board prior to the Cabinet considering it on 4th February 2009.
CCTV Code of Practice	3rd February 2009	Officers would like to consult the Overview Board regarding a new CCTV Code of Practice. Therefore, a report on this matter will be presented to the Board. (The draft code of practice will be completed early January 2009 ready for the February 2009 meeting.)

ITEMS FOR FUTURE MEETINGS (INCLUDING UPDATES) continued....

Subject	Date of Consideration	Other Information
Joint Countywide Flooding Scrutiny Report – implications relating to recommendations	3rd February 2009	Overview and Scrutiny Members considered the Joint Countywide Scrutiny Report on Flooding at a Joint Meeting of the Boards held on 2nd December 2008. At that meeting, it was agreed that the Executive Director – Partnerships and Projects, would be tasked with investigating the financial and other implications attached to the recommendations contained within the report before it is considered by the Cabinet on 4th February 2009.
Older People (Councillor Mrs. Bunker)	TBA	Possible area for future scrutiny following the outcome of focus groups to find out specific issues which may need to be scrutinised.

CURRENT OVERVIEW TASK GROUPS

Current Task Groups	Date Report Due	Other Information
Anti-Social Behaviour and Alcohol Free Zones	6th January 2009 - Task Group Chairman will provide a verbal update on 6th January 2009 explaining why report is not yet available -	Task Group merged and Councillor C. B. Taylor appointed as Task Group Chairman. Membership and Terms of Reference agreed by the Board on 29th April and 22nd May 2008. First meeting held on 25th June 2008.

OVERVIEW TASK GROUP REVIEWS

Task Group	Date of Review (when Task Group is due to reconvene)
Air Quality	February 2009

Note: A seminar relating to the Local Government and Public Involvement in Health Act 2007 will be held in the future covering key courses of action. This will be arranged once more is known on what the impact will be on overview and scrutiny committees. It is hoped guidance will be issued early in 2009.