

BROMSGROVE DISTRICT COUNCIL

CABINET

5TH MARCH 2008

AIR QUALITY SCRUTINY REPORT – RECOMMENDATION 1

Responsible Portfolio Holder	Councillor Mrs. J. Dyer M.B.E.
Responsible Head of Service	Head of Planning and Environment Services
Chairman of Scrutiny Task Group	Councillor P. M. McDonald

1. SUMMARY

- 1.1 The Scrutiny Steering Board considered the Cabinet’s response to the Air Quality Scrutiny Report at its meeting on 5th February 2008. It was noted that the majority of the 21 recommendations had been approved. However, a question was raised in relation to the Cabinet’s response to the first recommendation.

2. RECOMMENDATION

- 2.1 Members are requested to reconsider the response given to the first recommendation contained within the Air Quality Scrutiny Report, particularly in relation to the last sentence of the Cabinet’s response (as highlighted in *italics* in paragraph 3.4 of this report).

3. BACKGROUND

- 3.1 At the Cabinet Meeting on 9th January 2008, Members considered the Air Quality Scrutiny Report which was presented by Councillor McDonald as the Chairman of the Scrutiny Steering Board and Chairman of the Air Quality Task Group.
- 3.2 At the Scrutiny Steering Board Meeting on 5th February 2008, Councillor Mrs. Dyer (as the relevant Portfolio Holder), presented the Cabinet’s written response to the Air Quality Scrutiny Report and the responses to all 21 recommendations were considered one by one by the Scrutiny Steering Board.
- 3.3 The first recommendation related to Low Emission Zones and was as follows:

“This Council considers applying to Worcestershire County Council for certain roads to be made low emission zone roads therefore limiting access

to certain types of vehicles which reduce air quality. Specifically, the Task Group believe the following roads/areas should be low emission due to high NO₂ levels:

- Approximately a 2 mile radius around Bromsgrove town centre
- A38 Bypass in Rubery
- All roads in Rubery with a weight restriction
- A456 in Hagley
- A491 in Hagley”

3.4 The Cabinet’s response to this recommendation was:

“The Cabinet resolved that this recommendation be deferred until further information is available regarding the results of the scheme which is shortly to be introduced in London. The Cabinet felt they did not have enough information regarding how such a scheme would operate in practice and how the results would be monitored. *In addition it was felt that the impact on the surrounding road network as a result of motorists attempting to avoid the Low Emission Zones could make the situation worse.*”

3.5 With regard to the last sentence of the Cabinet’s response (highlighted in *italics* in the above paragraph) the Scrutiny Steering Board Chairman questioned how the Cabinet could come to such a conclusion with no evidence and this was discussed with the Portfolio Holder. It was pointed out that the Cabinet would criticise the Scrutiny Steering Board if, as part of a scrutiny report, there was no supporting evidence and therefore it was requested that Cabinet should follow the same rules.

3.6 Although it was understood that the Cabinet had resolved that recommendation 1 would be deferred until further information was available regarding the results of the scheme in London, clarification was sought regarding what information the Cabinet would require, who would obtain the information and by when.

3.7 Due to the questions put forward by the Scrutiny Steering Board Chairman, particularly in relation to the comment made by the Cabinet as outlined in paragraph 3.4 of this report highlighted in *italics*, the Scrutiny Steering Board decided that the Cabinet should be requested to reconsider its response to the first recommendation.

3.8 An extract of the Air Quality Scrutiny Report which relates to recommendation 1 is attached as Appendix 1.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications directly related to this report.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications directly related to this report.

6. COUNCIL OBJECTIVES

6.1 The report links to the Council's Objectives Environment and Improvement.

7. RISK MANAGEMENT

7.1 There are no risks associated with this report.

8. CUSTOMER IMPLICATIONS

8.1 There are no customer implications directly relating to this report.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 There are no implications directly relating to this report for the Council's Equalities and Diversity Policies.

10. VALUE FOR MONEY IMPLICATIONS

10.1 There are no Value for Money implications directly relating to this report. However, if the Cabinet decided to approve recommendation 1 then as part of the investigations, consideration would need to be given to Value for Money implications at that time.

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 – None
Environmental – the topic “air quality” is environmental so there are environmental implications in relation to the whole of the report.

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No – however, is aware that the Scrutiny Steering Board requested this report to be compiled.
Chief Executive	Yes
Executive Director (Partnerships and Projects)	Yes
Executive Director (Services)	Yes
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. WARDS AFFECTED

All Wards of the District may be affected.

14. APPENDICES

Appendix 1 – An extract from the Air Quality Scrutiny Report

15. BACKGROUND PAPERS

None.

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