4. MINUTES

The minutes of the meeting held on 3 September 2015 were approved and signed by the Chairman.

5. APOLOGIES

Apologies for absence from the meeting were received from Councillors Mrs Bragg, Ellis and Leigh Hunt.

6. DECLARATIONS OF INTEREST

Councillors Cade, Gillias, Lewis, Sandison and Ms Robbins declared a general non-pecuniary interest by virtue of being members of Planning Committee.

7. MOTION FROM COUNCIL – AIR QUALITY IN DUNCHURCH

The committee considered a Motion referred from Council on 21 July 2015 (Part 1 – Agenda Item 3) on the subject of air quality in Dunchurch.

The Head of Planning and Recreation Services and the Regulatory Services Manager attended the meeting to answer questions.

The item was discussed in detail at the meeting and the following additional points were raised:

- The previous scrutiny committee, Customer and Partnerships Committee (CUSP), had been monitoring compliance with air quality legislation for 10 years and the Council has had a duty to monitor air quality for 15 years.
- Each year a progress report is presented to a scrutiny committee and then to Cabinet which details the actions taken regarding air quality.
- Rugby Borough, along with approximately 190 other local authorities, has an issue with small areas that are affected by nitrogen dioxide. The main cause of nitrogen dioxide (NO₂) is traffic.
The Government may potentially be fined by the EU if air quality objectives are not met. Under the Localism Act there is the power to pass the fines onto local authorities and there are increasing indications that this may happen.

The two areas affected by high levels of NO₂ are the gyratory and Dunchurch.

Because of its location, developments around Dunchurch have the potential to impact on air quality in the village.

The Council is required by Government to build more housing in the borough and provide the space for new developments. At the same time, the Council has a duty to improve air quality.

On 12 September, the Government issued a consultation document - Consultation on Draft Plans to Improve Air Quality. The covering letter is annexed to the minutes.

Most of the proposals in the consultation document are long term measures, focusing for example on modal shifts (changes to traveling methods: bicycles, walking, buses) and low emission zones (restriction on type of vehicles permitted through an area).

The idea of a low emission zone in Dunchurch is not practical for several reasons. One is the possible economic impact of restricting vehicles through the area. Also, the main cause of high levels of NO₂ in Dunchurch is cars not HGVs. With 50% of cars being diesel and them being the main polluter, a low emission zone would have very little impact on the air quality.

Diesel cars produce less CO₂ but produce direct NO₂. The tax system has encouraged the purchase of diesel cars.

There are probably three or four houses in Dunchurch that are exposed to air pollution above the permitted limit and they routinely keep their windows closed due to the noise from the traffic. In real terms, the residents are unlikely to be exposed to dangerous levels, but legally they are identified as vulnerable receptors.

The Motion to Council suggested that people of Dunchurch are at significant risk because of air pollution. At present, the annual average at the Dunchurch crossroads is marginally above 40 μg/m³. People routinely walking to schools, doctors, etc will not be at risk because air pollution in the rest of Dunchurch is significantly below the health-related standard.

Overall, there is a careful balance to be struck between protection of air quality and the economic vibrancy of the borough.

The real way to solve the problem is to plan a different road network around Dunchurch, but this will only be achieved through more development.

The Head of Planning and Recreation Services made the following comments on the motion from Council:

1) Officers are already clear that traffic is the cause of “excessive concentrations of nitrogen dioxide particles at the crossroads in Dunchurch”.

2) There is an air quality action plan in place to reduce air pollution in the declared air quality management area, which includes Dunchurch.

3) Council, or any other committee of the council, cannot instruct the Planning Committee, legally or constitutionally. Air quality is already a material consideration of the planning process. Part of the case officer’s role and that of Planning Committee, in determining any planning applications that would have
an impact on air quality in Dunchurch, will be to balance all factors. It is possible for a planning application to be refused on the basis of air quality.

The following questions and comments were raised during the consideration of the item:

_If the council were to pursue with Defra the question of how to treat planning proposals which were expected to have a significant impact on air quality (ref section 2.4 of report), would this attract unwelcome attention?_

Most local authorities are seeing a decrease in NO₂ levels over time, but in Rugby this remains static due to the growing population. Rugby is regarded as one of the most progressive areas in the country in terms of encouraging growth and bringing in new businesses but at the same time has been criticised by Defra for not meeting its air quality targets. A written enquiry from the Council to Defra and the DCLG on this matter may help to clarify the council’s responsibilities.

_Has Dunchurch Parish Council formally asked for any sort of partnership to address air pollution?_

No, they haven’t. Officers are aware of a local action group being formed. With the local plan emerging, there will be measures that could help to improve the air quality in the longer term.

_Other areas in the borough (Ryton, Pailton, etc) haven’t been tested for air pollution and have a high concentration of HGVs going through them. Developments in Magna Park will only increase the volume. What is being done about these areas?_

One of the recommendations of CUSP was extend air quality monitoring to some of the rural communities flagged up by the committee. Monitoring and collection of data takes time.

_Has air quality monitoring been carried out at Dunchurch Primary School? Are children walking to school, using these routes, affected by the exceedances?_

Monitoring has not been carried out at the school. At the moment, four locations are being monitored in Dunchurch. The only location showing exceedances is the crossroad by Dun Cow. Children could be affected by elevated levels, but the figures are an annual average and children would have to be on the roadside all day to experience harm. The school is far enough from the road to be well below the health related standard.

Nationally, Public Health England has been tasked to look at air quality and, locally, the Council has been pushing them to look at the cumulative impact of a range of health inequality indicators in deprived areas.

Members were keen to emphasise that the council took its responsibilities in relation to air quality very seriously and was already doing a great deal in partnership with Warwickshire County Council, both to monitor and manage air quality in the borough.

The NO₂ exceedances in Dunchurch were a concern to councillors, but they were satisfied that there was nothing further the council could practically do at this time to alleviate the problem.
RESOLVED THAT –

(1) the Head of Planning and Recreation Services and Regulatory Services Manager be thanked for their attendance; and
(2) IT BE RECOMMENDED TO CABINET THAT:
(a) the council recognises the continued exceedance of the annual nitrogen dioxide objective outside the Dun Cow in Dunchurch;
(b) the council continues to monitor air quality in Dunchurch and explores available options as they arise to help reduce air pollution in the village; and
(c) the overview and scrutiny committees continue to scrutinise the council’s air quality monitoring reports and management arrangements.

8. AMBULANCE SERVICE RESTRUCTURING: FREEDOM OF INFORMATION REQUEST

The committee received a report (Part 1 – Agenda Item 4) concerning the response received to a Freedom of Information request made to West Midlands Ambulance Service (WMAS) on behalf of the committee.

The item was discussed in detail at the meeting and the following additional points were raised:

- Councillor Mrs Garcia expressed an interest in joining the Quality Assurance Task and Finish Group (QATFG) on WMAS that was being established by Warwickshire County Council’s Adult Social Care and Health Overview and Scrutiny Committee (ASCHOSC) in her role as Health Champion.
- A member highlighted that one of the main issues was the patient handover from the ambulance service to the hospital. The ambulance cannot leave until the patient is fully discharged to a hospital’s member of staff.
- Members were concerned that ‘green’ incidents were not reflected in the data on response times and ambulance attendance, and considered that such incidents could become more serious if patients were left waiting for a long time.
- Members also commented on the high (and increasing) numbers of calls received each month in Rugby, with demand only likely to grow as the borough expanded.
- Clarification was sought as to whether the delayed response in the four incidents reported in section 3.1 of the report was due to a disagreement over which Trust would respond, as they occurred close to a regional border.

RESOLVED THAT –

(1) the committee revisit the performance of the ambulance service in Rugby in the next municipal year, taking the performance data provided as a baseline;
(2) a recommendation be made to Cabinet to appoint a Rugby Borough representative to sit on the Warwickshire County Council’s Quality Assurance Task and Finish Group, if invited;
(3) further enquiries be made with regard to the four incidents recorded as over 45 minutes and details be presented to the committee at a future meeting; and
(4) the Scrutiny Officer to inform Coventry and Rugby Clinical Commissioning Group and Warwickshire County Council’s Adult Social Care and Health Overview and Scrutiny Committee of the committee’s findings about local ambulance services.
9. COMMITTEE WORK PROGRAMME

The committee received a report (Part 1 – Agenda Item 5) concerning the progress of task group reviews and the future work programme.

A report on changes to the constitution will include a recommendation to Council to consider new names for the two overview and scrutiny committees. Suggestions have been made but members are welcome to put further suggestions forward at the Council meeting on Tuesday 27 October.

3. Next meeting of the committee

The primary focus of the meeting would be on crime and disorder.

Members were invited to submit questions on specific issues on each topic by email to the Scrutiny Officer.

Members asked for the following points to be added to the list for the Community Safety Partnership Manager report:

- Police response times
- Deployment of Police Officers and PCSOs in local areas
- Asian gold theft (which had been raised as an issue at the council’s Equality and Diversity Steering Group)

The Scrutiny Officer advised the committee that the Review of Universal Credit and Welfare Reform (UCWR) report will be delayed until January 2016 as the task group chairman is unavailable to attend the committee’s meeting in November. The UCWR task group last met on Wednesday 7 October and had decided to rework its one page strategy to focus on Welfare Reform and, specifically, the impact of the new proposals outlined by the government in the Summer Budget. This would be presented to the committee for approval in January 2016. It was anticipated that the group would finish its work by end of the 2015/16 municipal year.

Appendix – Programme of Reviews 2015/16

The Review of Hackney Carriage Stands would be considered by the other Overview and Scrutiny Committee, chaired by Councillor Howard Roberts, on Thursday 22 October.

The review of Rugby Borough Council’s SLAs with voluntary sector organisations would commence as soon as resources became available.

RESOLVED THAT –

(1) the progress of task groups reviews be noted;
(2) an invitation be extended to Rugby Youth Council to attend the next meeting; and
(3) the focus of the committee’s next meeting on Thursday 12 November be approved.

CHAIRMAN