

CABINET – 2 MARCH 2020

A meeting of Cabinet will be held at 6.00pm on Monday 2 March 2020 in the Council Chamber, Town Hall, Rugby.

Adam Norburn
Executive Director

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 3 February 2020.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

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

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

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

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

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

4. Question Time.

Notice of questions from the public should be delivered in writing, by fax or e-mail to the Executive Director at least three clear working days prior to the meeting (no later than Tuesday 25 February 2020).

Growth and Investment Portfolio

5. Air Quality Supplementary Planning Document (SPD)- Consultation

Corporate Resources Portfolio

Nothing to report to this meeting.

Communities and Homes Portfolio

6. UK Resettlement Scheme 2020 to 2024.

Environment and Public Realm Portfolio

Nothing to report to this meeting.

The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report

Nothing to report to this meeting.

7. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of information defined in paragraphs 1 and 3 of Schedule 12A of the Act.”

PART 2 – EXEMPT INFORMATION

Growth and Investment Portfolio

Nothing to report to this meeting.

Corporate Resources Portfolio

Nothing to report to this meeting.

Communities and Homes Portfolio

Nothing to report to this meeting.

Environment and Public Realm Portfolio

Nothing to report to this meeting.

The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report

1. Write Offs.

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

The Reports of Officers are attached.

Membership of Cabinet:

Councillors Lowe (Chairman), Mrs Crane, Poole, Roberts, Ms Robbins and Mrs Simpson-Vince.

CALL- IN PROCEDURES

Publication of the decisions made at this meeting will normally be within three working days of the decision. Each decision will come into force at the expiry of five working days after its publication. This does not apply to decisions made to take immediate effect. Call-in procedures are set out in detail in Standing Order 15 of Part 3c of the Constitution.

If you have any general queries with regard to this agenda please contact Claire Waleczek, Democratic Services Team Leader (01788 533524 or e-mail claire.waleczek@rugby.gov.uk). Any specific queries concerning reports should be directed to the listed contact officer.

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

AGENDA MANAGEMENT SHEET

Report Title: Air Quality Supplementary Planning Document (SPD)- Consultation

Name of Committee: Cabinet

Date of Meeting: 2 March 2020

Report Director: Head of Growth and Investment

Portfolio: Growth and Investment

Ward Relevance: Rugby Borough.

Prior Consultation: None

Contact Officer: Victoria Chapman

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

Protect the public (EPR)

- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background:

SPDs are planning documents which, once adopted, do not form part of the Development Plan but sit beneath the Local Plan. Their purpose is to provide additional detail and information to help guide comprehensive development. They are material considerations in the assessment of planning applications. This SPD will primarily support Local Plan policy HS5.

Summary:

This draft version of the Air Quality SPD has been prepared with the support of a wide range of external and internal stakeholders. It now requires a six week public consultation after which representations will be considered and a final version of the document will be produced.

Financial Implications:

There are no financial implications as a result of the adoption of this SPD. Any costs associated with Air Quality will at the expense of the applicant/developer submitting a planning application.

Risk Management Implications:

If the SPD is delayed or not produced at all, then it cannot be used to inform development. There could potentially be increased internal costs or an adverse response to the public consultation. Furthermore, following adoption there is a risk of officers approving decisions which are inconsistent with the SPD. These risks will be actively managed through the Council's established processes.

Environmental Implications:

The SPD sets out the required environmental assessment for proposed developments within the Air Quality Management Area to be submitted as part of any planning application and how implications can be mitigated against.

Legal Implications:

The document was required by the Local Plan Inspector and is written into modified policy HS5.

The SPD can only be adopted if a public consultation has taken place. Following the consultation, responses will be considered and any required changes will be made to the document before it is taken to full Council for adoption.

Failure to carry out the necessary public consultation could lead to the adoption of the SPD being challenged.

Equality and Diversity:

An Equality Impact Assessment on this document was undertaken on January 21 2020 and will be reviewed prior to adoption. This is attached at Appendix 3 to the report.

Options:

- 1) The current draft of the Air Quality SPD be approved for consultation.

Risks: None

Benefits: The consultation is required by the regulations and is the next step toward adoption of the document.

- 2) The current draft of the Air Quality SPD is not approved for consultation.

Risks: The document is delayed or not produced at all and cannot be used to inform development.

Benefits: None

Recommendation:

- (1) The current draft of the Air Quality Supplementary Planning Document (SPD), AS AT Appendix 1 to the report, be approved for a six week public consultation; and

- (2) delegated authority be given to the Head of Growth and Investment to make minor amendments following any review.

Reasons for Recommendation:

This will allow the document to progress toward adoption stage. Once adopted the document will support the Councils role in reducing air pollution in order to contribute to achieving national air quality objectives.

Cabinet - 2 March 2020

Air Quality Supplementary Planning Document (SPD) - Consultation

Public Report of the Head of Growth and Investment

Recommendation

- (1) The current draft of the Air Quality Supplementary Planning Document (SPD), as at Appendix 1 to the report, be approved for a six week public consultation; and
- (2) delegated authority be given to the Head of Growth and Investment to make minor amendments following any review.

1. Background

- 1.1. During the Local Plan hearings in January 2018 the Planning Inspector requested that further details be added to Local Plan with regards to air quality impacts and assessments and that policy HS5 be strengthened to reflect air quality issues within the Borough: As such a number of changes were added to the Main Modifications Version of the Local Plan, which was consulted on during August to October 2018.
- 1.2. The proposed changes strengthened the Local Plan's role in providing planning policy to support the Council's Air Quality Action Plan and ensure that air quality standards being targeted by the Council can be met.
- 1.3. The proposed changes also introduced the requirement that all development throughout the Borough of more than 1,000 sqm of floorspace or 10 dwellings or new floorspace within the Air Quality Management Area (AQMA) to achieve or exceed air quality neutral standards and mitigate against potential air quality impacts. In addition to the proposed amendments through the Local Plan Examination the Council committed to producing an Air Quality Supplementary Planning Document (SPD) to assist in the determination of planning applications and provide guidance on undertaking Air Quality Assessments and appropriate mitigation. The Local Plan itself was adopted on the 4th June 2019.
- 1.4. This consultation version of the Air Quality SPD has been produced to meet this requirement. A copy of the SPD can be found at Appendix 1 to this report.
- 1.5. The aim of SPDs is to build upon and provide more detailed guidance on the policies in the Local Plan. An SPD is not a development plan document but sits beneath the Local Plan and is a material consideration in planning applications.
- 1.6. In July 2019 Rugby Borough Council declared a Climate Emergency and established a cross party working group to advise on the actions and timescales required to make the Council's activities carbon neutral by 2030. This Air Quality SPD will aim to address carbon emissions across the Borough for different types

of development to enable Rugby Borough Council to help deliver the UK's carbon reduction targets by 2050.

- 1.7. This SPD has been produced with the input of a wide range of stakeholders including Rugby Borough Council Environmental Health Officers. Rugby have also been part of the production of joint Air Quality Planning Guidance between Coventry, Nuneaton and Bedworth, Stratford, and Warwick District Council. The current draft of the Rugby Air Quality SPD reflects the key mitigation measures of the joint commission, however the document has been amended to reflect the updated requirement of the Local Plan policy HS5.
- 1.8. Development Management Officers have also provided informal feedback on the draft document.

2. Consultation

- 2.1. Regulation 12b of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires a minimum period of 4 weeks for representations to be made on the draft SPD. As such, subject to Cabinet approval, the consultation is expected to run from Monday 9th March 2020 until Monday 20th April 2020.
- 2.2. Planning Services Working Party has been engaged during the production of the SPD. The attached draft has been distributed to all PSWP members and comments have been incorporated into the draft.
- 2.3. A legal input has been sought undertaken on aspects of the SPD, however, delegation is sought to the Head of Growth and Investment to make any further minor amendments following the any review.
- 2.4. In line with the Council's adopted Statement of Community Involvement a Consultation Strategy has been prepared. This forms Appendix 2 to this report. This Consultation Strategy includes details of who will be consulted, how they will be consulted and where copies of the SPD will be available.
- 2.5. Following the consultation, all of the representations will be considered carefully and any changes to the SPD will be made. A Consultation Statement will be published. This will detail the persons who were consulted, a summary of the main issues and how issues raised have been taken into account. In addition, following consultation and before adoption the SPD will be subject to a full legal review.

3. Next Steps

- 3.1. A final Air Quality SPD will be produced and taken to full Council for a decision to be made on adoption.

Name of Meeting: Cabinet

Date of Meeting: 2 March 2020

Subject Matter: Air Quality Supplementary Planning Document (SPD)

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY **YES** **NO**

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink
1	Air Quality Supplementary Planning Document-Consultation Draft
2	Consultation Strategy

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Draft Air Quality
Supplementary Planning Document
/ Air Quality & Planning Guidance

Rugby Borough Council

February 2020

Context

It is Rugby Borough Council's intention to prepare and keep up to date a series of Supplementary Planning Guidance (SPG) Notes which will provide detailed guidance on a range of development issues and topics.

The purposes of these SPG Notes are:

- To assist the public and their agents in preparing planning proposals and to guide them in discussions with officers prior to the submission of planning applications, specifically in relation to the interpretation of policy HS5 of the Local Plan which relates to air quality, noise and vibration;
- To guide officers in handling, and officers and councillors in deciding, planning applications, and
- To assist Inspectors in the determination of appeals.

The overall aim is to improve the quality of new development and facilitate a consistent and transparent approach to decision making.

This guidance has been developed in co-operation between Coventry City Council, Coventry & Warwickshire Public Health, Nuneaton and Bedworth Borough Council, Rugby, Stratford District Council and Warwick District Council.

This guidance supersedes the air quality guidance previously adopted within section 7 of the 'Planning Obligations – Supplementary Planning Document – March 2012' (other sections of this document that do not relate to air quality remain extant).

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1 Glossary

Air Quality Assessment (AQA)	An assessment of the impact of a development on the levels of certain pollutants in the local area and the impact of pollution levels on future occupants.
Air Quality Management Areas (AQMAs)	Areas where the air quality objectives are likely to be exceeded. Declared by way of an order issued under the Section 83(1) of the Environment Act 1995.
Air Quality Neutral	Emissions from the development proposal being no worse, if not better, than those associated with the previous use.
Air Quality Objectives	Air quality targets to be achieved locally as set out in the Air Quality Regulations 2000 and subsequent Regulations. Objectives are expressed as pollution concentrations over certain exposure periods, which should be achieved by a specific target date. Some objectives are based on long term exposure (e.g. annual averages), with some based on short term objectives. Objectives only apply where a member of the public may be exposed to pollution over the relevant averaging time.
Clean Air Zones (CAZ)	Zone implemented by a local authority setting nationally set emission standards for vehicles. Non-charging zones can be implemented through policies covering bus and taxi emissions. Charging zones require non-compliant lorries and possibly vans to pay a charge to enter the zone.
Damage costs	Damage costs are a simple way to value changes in air pollution. They estimate the cost to society of a change in emissions of different pollutants
Environmental Impact Assessment (EIA)	Assessment required for projects specified in Environmental Impact Assessment Directive. Governed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2017.
EU Limit Value	Legally binding pollutant concentration limit on Governments of EU Countries.
Euro Standards	European Emission Standard (progressively tightened emission standards for vehicles. Euro Standards for cars and small vans are stated in Hindu-Arabic numbers and HDVs in Roman numerals).
Exceedance	Concentrations of a specified air pollutant greater than the appropriate Air Quality Objective.
HDV	Heavy duty vehicle (lorry or bus greater than 3.5 tonnes gross vehicle weight).
LAQM.TG(16)	Local Air Quality Management Technical Guidance (2016). This document provides national advice on how local authorities should assess air quality.
Low Emission Strategy (LES)	Overarching council strategy to integrate policies and practices to achieve year on year vehicle emission reductions, optimising opportunities for national funding assistance.
Low Emission Zone (LEZ)	Council area in which emission standards apply for either road transport vehicles or power generation/industrial emissions. The council can set emission standards that differ in standard and scope from the Government requirements for implementing Clean Air Zones for vehicles.
LDV	Light duty vehicle (car or small van less than 3.5 tonnes gross vehicle weight).

Limit Values/EU limit values	The maximum pollutant levels set out in the EU Daughter Directives on Air Quality. In some cases the limit values are the same as the national air quality objective, but may allow a longer period for achieving.
Mitigation	Mitigation measures will minimise, but not necessarily remove, the impact of or effect of poor air quality on a development.
National Air Quality Objectives	See Air Quality Objectives.
National Air Quality Plan	Government Plan to improve roadside concentrations of nitrogen dioxide (July 2017).
NO ₂	Nitrogen dioxide
NO _x	NO _x = nitrogen oxides, which includes nitric oxide and nitrogen dioxide. Most pollution sources emit nitrogen oxides primarily as nitric oxide. However, once in the atmosphere nitric oxide can be converted to nitrogen dioxide. Therefore, it is important to know the concentrations of both NO _x and NO ₂
Offsetting	Measures which 'compensate' for anticipated increases in pollution in the area but not necessarily at the exact locality. This might be for example by funding more general measures in the air quality action plan.
PM	Particulate matter.
PM _{2.5}	Particulate matter with a diameter of 2.5 microns or less.
PM ₁₀	Particulate matter with a diameter of 10 microns or less.
Part A1 and A2 Processes	Industrial processes which are regulated under the Pollution Prevention and Control (PPC) Regulations and subsequent Integrated Pollution Prevention and Control (IPPC) for emissions to all media (i.e. atmosphere, land and water).
Part B Processes	Industrial processes which are regulated under the Local Air Pollution Control (LAPC) and Local Air Quality Pollution Prevention and Control (LAPPC) Regulations for emissions to air only.
Point sources	Chimneys.
Polluting development	A development which will directly or indirectly increase levels of relevant pollutants. This may include industrial processes but may also include developments which could cause increased traffic emissions. These types of development may increase pollution concentrations.
Sensitive development	A development which would allow users of the site to potentially be exposed to pollutants above the objective for the relevant period. For example, the introduction of a new residential development into an area where an air quality objective is already exceeded, would create the potential for the exposure of residents to poor air quality above the objective. Incidentally, this type of development may also generate significant additional traffic flow and also be a polluting development.

2 Introduction

- 2.1 Supplementary Planning Documents (SPD) are produced by Local Planning Authorities (LPA) to build upon and provide more detailed advice on the policies contained in a Local Plan. Specifically, they can add detail regarding any environmental, social, design and economic objectives which are relevant to the attainment of the development and use of land as indicated in a Local Plan. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan. They do not introduce new policy.
- 2.2 The requirements for producing SPDs are set out in Regulations 11 to 16 of the Town and Country Planning Regulations 2012 and the National Planning Policy Framework 2019. This SPD has been prepared in accordance with these regulations and guidance.
- 2.3 This Supplementary Planning Document aims to provide guidance based on relevant Local Plan policies and explain the consideration of air quality impacts associated with development proposals. A key focus relates to the mitigation of impacts of air quality, particularly countering the cumulative impacts of aggregated developments, and providing clarity to developers as to how the policy requirements can translate into acceptable mitigation.
- 2.4 The objectives of this SPD / Guidance are to:
 - Improve the consideration of air quality impacts in the planning process, in line with the NPPF, Planning Practice Guidance (PPG) and the Rugby Local Plan.
 - To help ensure consistency in the approach to dealing with air quality issues in planning applications across the Borough;
 - Explain how and when policy HS5 in particular is applied, and the mitigation requirements to achieve development that is compliant.
 - Identify the circumstances where detailed assessments will be required as part of planning applications when establishing baseline conditions when a development is not air quality neutral;
 - To provide guidance on measures that can be implemented to mitigate the potentially harmful impacts of new developments on air quality in line with policy HS5;
 - To promote the identification of suitable mitigation on development within the AQMA, either as part of planning applications or through pre-application discussions;
 - To provide guidance on the use of planning conditions in relation to policy HS5.

3 National Planning Policy Context

3.1 National planning policy is set by the National Planning Policy Framework (NPPF)¹. The NPPF places a general presumption in favour of sustainable development, stressing the importance of local development plans.

3.2 There are numerous regulatory regimes that affect air quality. This SPD is not intended to deal with wider air quality issues that affect Rugby that are outside of the planning system, such as the control of vehicle emissions of public transport, for example. This guidance is solely relating to the interpretation of policy HS5 of the Local Plan, and how this is interpreted in dealing with planning applications within the current UK planning regime. This scope is within the context of the National Planning Policy Framework (February 2019) in paragraph 183 emphasises that:

'the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.'

3.3 The NPPF goes on to state in paragraph 181 that:

'planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.'

3.4 The following paragraphs within the NPPF recognise the impact of traffic on air quality and health and the benefits of sustainable transport modes:

- Paragraph 102. *'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*
 - a) *the potential impacts of development on transport networks can be addressed;*

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;

c) opportunities to promote walking, cycling and public transport use are identified and pursued;

d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.'

- Paragraph 103. *'The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.'*
- Paragraph 110. *'applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use...
e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'*
- Paragraph 111. *'All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.'*

3.5 National Planning Practice Guidance (NPPG)² provides advice to planning authorities on implementing the NPPF, this includes further guidance on how air quality can be considered as part of the planning process.

3.6 NPPG states that *‘Whether air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor, particularly if it could affect the implementation of air quality strategies and action plans and/or breach legal obligations (including those relating to the conservation of habitats and species). Air quality may also be a material consideration if the proposed development would be particularly sensitive to poor air quality in its vicinity.*

Where air quality is a relevant consideration the local planning authority may need to establish:

- *the ‘baseline’ local air quality, including what would happen to air quality in the absence of the development;*
- *whether the proposed development could significantly change air quality during the construction and operational phases (and the consequences of this for public health and biodiversity); and*
- *whether occupiers or users of the development could experience poor living conditions or health due to poor air quality.’*

3.7 The NPPG also contains steps a local planning authority might take in considering air quality are set out in a flow diagram which is available to view here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/841149/Air_Quality_flowchart.pdf.

² <https://www.gov.uk/government/collections/planning-practice-guidance>

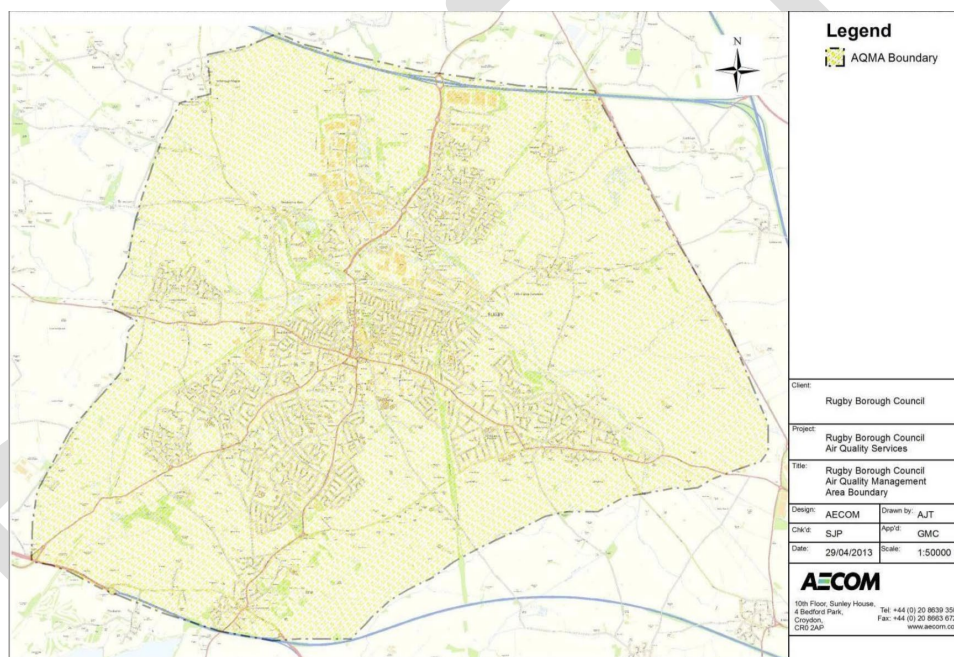
3.8 The NPPG also suggests the following could form part of air quality assessments:

- a description of baseline conditions and any air quality concerns affecting the area, and how these could change both with and without the proposed development;
- sensitive habitats (including designated sites of importance for biodiversity);
- the assessment methods to be adopted and any requirements for the verification of modelling air quality;
- the basis for assessing impacts and determining the significance of an impact;
- where relevant, the cumulative or in-combination effects arising from several developments;
- construction phase impacts;
- acceptable mitigation measures to reduce or remove adverse effects; and
- measures that could deliver improved air quality even when legally binding limits for concentrations of major air pollutants are not being breached.

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4 Local Air Quality

- 4.1 Air Quality Management Areas (AQMAs) are declared when there is an exceedance or likely exceedance of an air quality objective. After declaration, the authority must prepare an Air Quality Action Plan (AQAP) annually setting out measures it intends to put in place in pursuit of compliance with the objectives.
- 4.2 Rugby Borough Council declared an Air Quality Management Area (AQMA) in 2004 for exceedances of the annual mean NO₂ objective. This area covers the whole urban area of Rugby bounded by the southern boundary with Daventry District Council, the A5, M6, minor roads to the west of Long Lawford, A45 and M45 (https://uk-air.defra.gov.uk/aqma/details?aqma_ref=267#109).
- 4.3 Rugby's Air Quality Action Plan is focussed upon nitrogen dioxide. The AQMA also identifies that the urban area is also a Smoke Control Area preventing smoke from chimneys caused by the burning of unauthorised fuel or the use of an unauthorised appliance.



Map 1 – Rugby (Urban Area) Air Quality Management Area (AQMA)

- 4.4 Local authorities are expected to work towards reducing emissions and/or concentrations of PM_{2.5} (particulate matter with an aerodynamic diameter of 2.5µm or less). There is clear evidence that PM_{2.5} has a significant impact on human health, including premature mortality, allergic reactions, and cardiovascular diseases.
- 4.5 Between 2011-15, Rugby has been below the national average for the Public Health Framework Indicator, 'Fraction of mortality attributable to particulate air pollution'. However in 2016, the fraction value increased markedly from 4.6% to 5.5% and was higher than the national average (5.3%) for that time⁶. In 2017, the fraction value decreased to 5.0% and was below the national average of 5.1%.

- 4.6 This trend is not dissimilar to the neighbouring councils; Coventry, Warwick and Stratford-on-Avon, with all councils experiencing the peak in 2016. Since 2011, Rugby remains to have higher fraction values than Stratford-on-Avon but below that of Warwick and Coventry. With Coventry Council having fraction values higher than the national average.
- 4.7 Public Health Coventry (Coventry City Council) and Public Health Warwickshire (Warwickshire County Council) have established the joint Arden Health Protection Committee. Included in the members are Environmental Health managers in Warwickshire and Coventry comprising representatives from Public Health England, NHS, Public Health Coventry, Public Health Warwickshire and local authority Environmental Health officers.
- 4.8 Rugby Borough Council have worked alongside Coventry and Warwickshire Air Quality Alliance to implement the Air Quality objectives of the Health Protection Strategy 2017-2021. The success of this strategy and the measures it proposes will be demonstrated by reductions in ambient concentrations of NO₂ and PM_{2.5}, reductions in the use of private cars for short journeys and increased development and use of cycle ways.
- 4.9 Rugby Borough Council are currently identifying strategies for reducing levels of PM_{2.5}. The Local Plan and this SPD plays a key role in ensuring that future development of the area aims to reduce levels of particulate matter (PM₁₀) and is one of a number of Council strategies which aims to improve air quality.

Air Quality Assessment Local Plan evidence base.

- 4.10 Part of the development of the Local Plan key evidence considered the potential impacts of the proposed development on air quality. This involved transport modelling that assessed the planned growth as part of the Local Plan on a borough wide basis up until 2031, known as the Strategic Transport Assessment 2017, using a PARAMICS Rugby Wide Area modelling assessment. This is available here:
[file:///rugby.internal/shares/homedrives/simmom/Downloads/Strategic Transport Assessment June 2017 .pdf](file:///rugby.internal/shares/homedrives/simmom/Downloads/Strategic%20Transport%20Assessment%20June%202017.pdf)
- 4.11 A subsequent piece of evidence was produced which extracted the data and analysed the air quality effects of the growth using a Paramics Analysis of Instantaneous Road Emissions. This is available here:
[file:///rugby.internal/shares/homedrives/simmom/Downloads/OTH07 Rugby Air Quality Assessment%20\(1\).pdf](file:///rugby.internal/shares/homedrives/simmom/Downloads/OTH07%20Rugby%20Air%20Quality%20Assessment%20(1).pdf)
- 4.12 The air quality assessment focussed upon the most congested areas of the Rugby Wide Area model which included;
- Dunchurch Crossroads
 - Rugby Gyrotory
 - Leicester Road Corridor
 - Hillmorton Road/Whitehall Road

4.13 The modelling reveals that there will be significant increases in emissions in future years as result of the volumes of trips associated with the growth predicted as part of the Local Plan, with congestion on the network increasing. The areas identified have resulted in the development of the Infrastructure Delivery Plan which identifies the parts of the network that require improvements that will benefit air quality. In response to the key issue of air quality the Local Plan has developed policies to ensure all future development mitigates any future impacts.

5 Local Plan

- 5.1 Rugby Borough Council adopted the Local Plan on 4th June 2019. In order to minimise the air quality impacts of SDC1 of the adopted plan relates to Sustainable design. A key element of this policy is to ensure that; *“proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.”* It is explained in the supporting text that developers should consider the impact of environmental factors such as high noise areas, areas of low air quality and contaminated land to ensure such sensitive sites achieve relevant statutory compliance/current best practice guidance and that a high level of sustainable design is achieved.
- 5.2 Policy HS5 of the adopted plan relates to Traffic Generation and Air Quality. The main aim of the policy is to promote sustainable development in order to minimise the impacts upon air quality. The focus of the policy is on both large sites above 1,000 square metres or 10 or more dwellings, and any development that generates new floorspace within the Air Quality management area. These two categories of development are likely to have the greatest impact upon air quality that would most likely require mitigation. The Council will support developments that are air quality neutral. If they are not air quality neutral it is necessary to mitigate their impacts.

Policy HS5: Traffic Generation and Air Quality, Noise and Vibration

Development proposals should promote a shift to the use of sustainable transport modes and low emission vehicles (including electric/hybrid cars) to minimise the impact on air quality, noise and vibration caused by traffic generation.

Proposals should be located where the use of public transport, walking and cycling can be optimised.

Proposals should take full account of the cumulative impact of all development including that proposed in this Local Plan on traffic generation, air quality, noise and vibration. Development proposals should complement the Air Quality Action Plan.

Development throughout the Borough of more than 1,000 sqm of floorspace or 10 or more dwellings or development within the Air Quality Management Area (see Appendix 8) that would generate any new floorspace must:

1. Achieve or exceed air quality neutral standards; or
2. Address the impacts of poor air quality due to traffic on building occupiers, and public realm or amenity space users by reducing exposure to and mitigating their effects, proportionate to the scale of the development. This can be achieved using design solutions that include:
 - Orientation and layout of buildings, taking into account building occupiers, public realm and amenity space users;
 - Appropriate abatement technologies; and
 - Urban greening appropriate for providing air quality benefits.
3. Where air quality neutral standards are not met, measures to offset any shortfall will be required, according to the following hierarchy:
 - On-site measures; then
 - Off – site measures; then
 - Financial contributions.
4. Address the adverse impacts of noise and vibration on existing and future occupiers and users of the public realm.

Air Quality Neutral

- 5.3 Developments that are air quality neutral will help to minimise air pollution within the AQMA. Policy HS5 aims to ensure that air quality neutral development is supported, whilst ensuring that development that has an impact upon air quality within the AQMA (or major developments that would affect the AQMA) are appropriately mitigated.
- 5.4 **The definition of air quality neutral is defined as emissions from the development proposal being no worse, if not better, than those associated with the previous use.**
- 5.5 In addition to HS5, Policy D1 of the adopted plan relates to transport and the need for transport assessments.

6 Development Classification, Assessment and Mitigation

6.1 The assessment of air quality for relevant planning applications should follow a three-stage process:

1. Determining the classification of the development proposal;
2. Key Assessment criteria and quantifying the impact on local air quality;
3. Determining the level of a mitigation required by the proposal to make the scheme acceptable and policy compliant with HS5 including an assessment of whether the development is considered to be air quality neutral.

Stage 1 - Determining the classification of the development proposal

6.2 Different levels of development will require different approaches to assessing the impact on air quality.

6.3 Policy HS5 sets a threshold for developments differentiating the requirements in terms of air quality mitigation. These are defined as:

- Development throughout the Borough of 10 units or more, or if above 1000 square metres.
- All development within the Air Quality Management Area that would generate any new floorspace;

6.4 The classification of development proposals in terms of their likely impacts upon air quality is shown in table 1.

Table 1 – Air quality classification of developments

Scheme Type	Below HS5 threshold	Impacts on Air Quality
Thresholds	<p>(i) outside the AQMA.</p> <p>(ii) Development that is below HS5 threshold criteria of development of 1000 square metres in floorspace or 10 or more dwellings</p>	<p>(i) Development within the Air Quality Management Area that would generate any new floorspace</p> <p>(ii) Development of 1000 square metres in floorspace or 10 or more dwellings</p>
Relevant Policy	Policy SDC1	Policy HS5, Policy D1, Policy SDC1, Policy D3.
Assessment	None	Air Quality Assessment may be required including an evaluation of changes in emissions ³
Mitigation	None	Types 1 and 2

³ Assessment includes monetisation of the impacts arising from emission changes in line with Defra IGCB Damage Costs

Stage 2 - Air Quality Impact Assessment Key Assessment Criteria and quantifying the impact on air quality.

Additional floorspace within an AQMA

- 6.5 Smaller development proposals may not in themselves create an additional air quality problem but will add to local air pollution and potentially introduce more people likely to be exposed to existing levels of poor air quality. An assessment of the likelihood of introducing additional exposure will be determined if the proposal is within the AQMA.
- 6.6 Policy HS5 states that additional floorspace within the AQMA must achieve or exceed air quality neutral standards and provide appropriate mitigation measures. The definition of air quality neutral is defined as emissions from the development proposal being no worse, if not better, than those associated with the previous use.
- 6.7 Not all development is likely to require an air quality assessment, as part of the assessment of development proposals by Development Management officer's additional information to understand the proposal and potential air quality impacts may be required by the Council.
- 6.8 Further information may also be sought by the Commercial Regulation Team and there may be the requirement to undertake an exposure assessment. The outcome of the exposure assessment, which is explained in below, will determine the level of mitigation required to make the development acceptable.

Development of 10 dwellings or more or above 1000 square metres throughout the Borough

- 6.9 It is important that all schemes that meet the above threshold should identify suitable assessment requirements and potential mitigation it is recommended that early pre-application discussions are undertaken to consider the Council's requirements.
- 6.10 The scale and nature of a proposed development may mean that a detailed air quality assessment will be required to determine the impact on public health and the local environment. The assessment requires:
 - The identification of the level of exposure through the change in pollutant concentrations including cumulative impacts arising from the proposal, during both demolition/construction operations and operational phases. Mitigation measures should be identified and modelled where practicable.
 - The calculation of pollutant emissions costs from the existing and proposed development. Where there is long development build out programmes, we may require the developer to consider a longer period than 5 years where construction activity is likely to be intensive.

A. The methodology to be used for the determination of pollutant concentration change should meet the requirements of the Department for the Environment, Food and Rural Affairs (DEFRA) Technical Guidance Note LAQM TG. (16)⁴. Further details of the air quality assessment requirements can be found in Appendix 1 and through the Rugby Commercial Regulations Team.

B. The calculation should utilise the most recent DEFRA Emissions Factor Toolkit⁵ to estimate the additional pollutant emissions from a proposed development and the latest DEFRA IGCB Air Quality Damage Costs for the specific pollutant of interest, to calculate the resultant damage cost⁶. The damage costs associated with the existing development and the proposed development should be clear to assist development management officers in assessing the overall impacts on air quality arising from the development.

C. A comparison of emissions from the proposed development with those associated with the previous use of the site and how the proposed mitigation measures aim to ensure that the development achieves air quality neutral. Evidence must be provided to demonstrate that emissions from the development proposal being no worse, if not better, than those associated with the previous use.

6.11 Development management officers **may** use the damage costs in considering the appropriate scale and kind of mitigation that is required to make certain major schemes acceptable in terms of air quality. The overall benefit of the scheme will be taken into account in making the site acceptable.

6.12 Calculations should be provided for utilise the most recent DEFRA Emissions Factor Toolkit⁷ to estimate the additional pollutant emissions from a proposed development and the latest DEFRA IGCB Air Quality Damage Costs for the specific pollutant of interest, to calculate the resultant damage cost⁸.

6.13 The calculation process includes:

- Identifying the additional trips generated by the proposal (from the Transport Assessment);
- The emissions calculated for the pollutants of concern (NO_x and PM₁₀) [from the Emissions Factor Toolkit];
- The air quality damage costs calculation for the specific pollutant emissions (from DEFRA IGCB);
- The result is totalled for a five-year period to enable mitigation implementation.

⁴ <https://laqm.defra.gov.uk/technical-guidance/>

⁵ <https://laqm.defra.gov.uk/review-and-assessment/tools/emissions-factors-toolkit.html>

⁶ <https://www.gov.uk/guidance/air-quality-economic-analysis>

⁷ <https://laqm.defra.gov.uk/review-and-assessment/tools/emissions-factors-toolkit.html>

⁸ <https://www.gov.uk/guidance/air-quality-economic-analysis>

6.14 The calculation is summarised below. Further information can be obtained from the Commercial Regulations Team. **Should there be no net increase in trips arising from a development scheme then the damage costs are zero.** Further information on damage costs can be found in Appendix 2.

Road Transport Emission Increase =
 Σ [Estimated trip increase for 5 years X Emission rate per 10 km per vehicle type X
Damage Costs]

6.15 All Air Quality Assessments received will be assessed by the Council against the requirements of this Supplementary Planning Guidance. If the requirements are not met, the Council may request that the applicant carries out the assessment again.

6.16 Where air quality neutral is not achieved, measures to offset any shortfall will be required, proposals would need to mitigate their effects, proportionate to the scale of development.

6.17 If the impacts of the development cannot be successfully mitigated, where air quality neutral are not met, measures to offset any shortfall will be required according to:

- on site measures
- off site measures
- financial contributions.

Stage 3 - Mitigation

6.18 Where mitigation is not integrated into a proposal, we will require this through planning conditions. The NPPF (paragraph 152) states that “where adequate mitigation measures are not possible, compensatory measures may be appropriate”. On-site measures will be mitigated through planning conditions. Where is not possible then Rugby Borough Council will seek off site measures for the identified air quality impacts through a section 106 agreement or similar agreement.

6.19 Default mitigation measures are presented for each type of proposal that demonstrate a minimum requirement. This is not an exhaustive list but a suggested suite of measures and will be adapted for particular locations and needs identified by the Council. We welcome the opportunity to work with developers to devise innovative measures that will lead to improving local air quality.

6.20 Type 1 mitigation is listed in table 2 and Type 2.

6.21 Due to elevated concentrations of particulate matter in the Borough, developments will be required to implement suitable abatement controls for the use of non-road mobile machinery (NRMM) see table 3.

Type 1 Mitigation

Table 2 – Type 1 Mitigation

Plug-in Vehicle Re-Charging:

Residential:

1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking) and ensure appropriate cabling is provided to enable increase in future provision.

Commercial, Industrial and Retail

1 charging point per 10 spaces to include 1 charging point for every 10 disabled car parking spaces.

Passive charging points are to be provided for dwellings. These ensure cabling is provided for owners to install the correct socket for their vehicle.

Additional information can be found within the Warwickshire County Council Electric Charging Vehicle Strategy <https://apps.warwickshire.gov.uk/api/documents/WCCC-930-349>

Code of Construction Practice

Construction Environmental Management Plan (CEMP) to be incorporated into developments and agreed with Council Officers. This shall include NRMM controls (see table 3).

Green Infrastructure

Certain types of plants, shrubs and trees can be effective in removing particulates from the atmosphere and have positive impacts for air quality, particularly if used cumulatively. Green infrastructure could be used where it can be shown that such infrastructure will reduce exposure from air pollution. (See paragraph 7.13)

Heating⁹

All gas-fired boilers to meet a minimum standard of <40 mgNO_x/kWh

All gas-fired CHP plant to meet minimum emission standards of:

Spark ignition engine 250 mgNO_x/Nm³

Compression ignition engine 400 mgNO_x/Nm³

Biomass boiler 275 mgNO_x/Nm³ & 25 mgPM/Nm³

⁹ Heating standards reflect 2019 emissions, these may be superseded by national legislation.

Type 2 Mitigation

6.22 The following tables provide a suite of measures to be considered where appropriate.

Table 3 – Type 2 Mitigation
<ul style="list-style-type: none">• Monitored Travel Plan;• Measures to support public transport infrastructure and promote use;• Measures to support cycling and walking infrastructure;• Measures to support an Electric Vehicle Plan;• Non-road mobile machinery (NRMM) controls (see table 6). <p>Commercial development specific:</p> <ul style="list-style-type: none">• Use reasonable endeavors to use/require vehicle use complying with the latest European Emission Standard;• Provide a fleet emission reduction strategy/Low Emission Strategy, including low emission fuels and technologies, including ultra-low emission service vehicles.
<p>Off-set mitigation to support:</p> <ul style="list-style-type: none">• Implementation and operation of Clean Air Zones (CAZ), Low Emission Zones (LEZ) or Low Emission Strategies (LES);• Growth in low and ultra-low emission public transport, including buses;• Electric Vehicle Plans;• Car clubs (including electric) and car sharing schemes;• Cycling Hubs and corridors;• Plugged-in development and demonstration schemes; <p>Infrastructure for low emission, alternative fuels e.g. refuse collection and community transport services.</p>

<p>Further information on the suitability of mitigation for developments can be obtained from the Commercial Regulation Team and through pre-application discussions.</p> <p>Table 3 – Non-Road Mobile Machinery (NRMM) Controls</p>
<p>NRMM of net power between 37kW and 560kW will be required to meet the standards based upon the engine emissions standards in EU Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM.</p> <p>From 1 September 2020 the following changes will apply:</p> <ul style="list-style-type: none">• (a) NRMM used on any construction or demolition site within the Rugby urban area will be required to meet Stage IIIB of the Directive as a minimum.• (b) NRMM used on any development will be required to meet Stage IV of the Directive as a minimum. <p>The requirements may be met using the following techniques;</p> <p>(a) Reorganisation of NRMM fleet (b) Replacing equipment (with new or second-hand equipment which meets the policy) (c) Retrofit abatement technologies (d) Re-engining.</p> <p>All eligible NRMM should meet the standards above unless it can be demonstrated that the machinery is not available or that a comprehensive retrofit to meet both PM and NOx emission standards is not feasible.</p>

Assessing the acceptability of a scheme

- 6.23 The acceptability of the scheme will be dependent upon how it relates to policy HS5 which requires development of 1,000 sqm of floorspace or 10 or more dwellings or development within the Air Quality Management Area (see Map 1) that would generate any new floorspace to demonstrate air quality impacts.
- 6.24 Any air quality assessment must include an assessment of policy HS5 and an associated assessment relating to its air quality and how air quality neutrality will be achieved and the appropriate mitigation measures.
- 6.25 The responsibility for providing and satisfying these criteria rests with the developer and would normally be undertaken by a suitably qualified person carrying the appropriate professional indemnity. The Council's Commercial Regulation Team can provide advice to assist them.
- 6.26 While applicants may present evidence as to the significance of scheme impacts or the impact of air quality on a scheme, Rugby Borough Council reserves the right to determine the acceptability of an application based on local air quality evidence and the cumulative impacts of schemes.
- 6.27 Failure to meet the requirements in this guidance may result in the application being delayed as Rugby Borough Council may request extra information, amendments or conditions to the application. If the issues remain, planning permission will not normally be granted.

7 Specific Issues

Biomass boilers

- 7.1 Biomass boiler provision has increased over recent years, supported by the financial benefits of the Government's Renewal Heat Incentive (RHI)¹⁰. However, the emissions from biomass plant can lead to significant emissions of NO_x and PM, even from relatively small plant.
- 7.2 All biomass boiler plant applications will require a full air quality assessment to be submitted and will be resisted in the Rugby urban area unless mitigation is provided to achieve emissions of NO_x and PM that are capable of achieving the following standards:
- Solid biomass boiler (< 1 MW thermal input) NO_x 180mgNm³ / PM 5mgNm³
 - Solid biomass boiler (>=> 1 MW thermal input) NO_x 125 mgNm³ / PM 5mgNm³

Standby / back-up power generation

- 7.3 All standby/back-up power generation applications will require a full air quality assessment to assess the acceptability of the site for such a scheme.
- 7.4 Rugby Borough Council expect all such assessments to include reasoning as to whether gas powered generation can be utilised in the first instance e.g identify the provision of suitable gas mains in the vicinity.
- 7.5 Any diesel-powered generators will be required to incorporate abatement equipment such as selective catalytic reduction and particulate trap (SCRT).

Permitting Under Part 1 of the Environmental Protection Act 1990

- 7.6 Industrial processes which may range from large industrial plant to dry cleaners and paint spraying workshops, are regulated by the Environment Agency (Part A1 processes) and the borough (Part A2 and Part B processes). The planning regime must assume that the permitting regime will ensure the processes comply with their permits and the Act. The planning regime can, however consider whether a land use is appropriate and it must consider the exposure to pollutants.
- 7.7 All Part A and B Process developments requiring planning applications will require a detailed air quality assessment

Mechanical Ventilation

¹⁰ http://www.energysavingtrust.org.uk/scotland/grants-loans/renewables/renewable-heat-incentive?gclid=EAlaIqobChMI_ZiY2Z7Q2gIVgbHtCh0dwxCEAAYASABEgKGgvD_BwE

- 7.8 Air quality concentrations may affect the suitability of certain locations for sensitive developments and this should be assessed in line with section 6.
- 7.9 Some applications in areas of poor air quality have proposed mechanical ventilation as a solution to overcoming potential exposure to poor air quality. This may involve sealed windows / triple glazing with trickle vents and a forced ventilation system, incorporating filters to remove pollutants.
- 7.10 Not only do such schemes increase the energy requirements of developments but also provide a questionable living space in what is essentially a 'hermetically sealed unit' and should not be seen as an accepted solution to mitigating against exposure
- 7.11 Any sensitive development in an area of pollutant exceedance should incorporate the following considerations:
- The sensitive development should be at least 20m from the kerb, with the alignment of living space to afford further separation from a pollutant source
 - Take account of the height separation of living accommodation from a road source e.g. in blocks of flats
 - The use of green infrastructure to provide a barrier to an adjacent pollution source
 - The projected length of time that the sensitive dwelling will be exposed to elevated pollution levels from scheme completion
 - Reduce the potential for internal pollution e.g. through electric cooking provision
 - Provision of monitoring data to support applications for sensitive developments
- 7.12 Where the above considerations cannot achieve acceptable exposure for a sensitive development then consideration should be given to the refusal of the scheme.

Green Infrastructure

- 7.13 Plants and trees provide an aesthetically pleasing aspect to a scheme, may benefit biodiversity and may also be used to provide a barrier from a pollutant source such as a trafficked road. Green infrastructure in general can also be used in both large and small schemes to help in mitigating the impacts of air quality.
- 7.14 Certain types of plants, shrubs and trees can be effective in removing particulates from the atmosphere and have positive impacts for air quality, particularly if used cumulatively.
- 7.15 The Woodland Trust has published guidance on how trees can improve air quality this can be found here: <https://www.woodlandtrust.org.uk/publications/2012/04/trees-improve-urban-air-quality/>

8 Engagement and pre application advice

8.1 Early engagement with Rugby Development Management officers and the Commercial Regulation Team is important to establish the scope of the required air quality assessment and any mitigation that will be needed to support a proposed planning application in order to comply with policy HS5. It should be noted that for major schemes, pre-application charging applies. More information about this can be found here:

https://www.rugby.gov.uk/info/20084/planning_control/451/do_i_need_planning_permission/2

8.2 For large and complex industrial processes, the Commercial Regulation Team should also be able to help by identifying:

- if there are any significant air quality issues that may arise at the permitting stage (so there are 'no surprises'); and
- advising whether there are any special requirements that might affect the likelihood of getting planning permission (such as the height of chimneys).

DRAFT

Appendix 1 Assessment Protocol

Air Quality Assessment Protocol to Determine the Impact of Vehicle Emissions from Development Proposals

An air quality assessment should clearly establish the likely change in pollutant concentrations at relevant receptors resulting from the proposed development during both the construction and operational phases. It must take into account the cumulative air quality impacts of committed developments (i.e. those with planning permission or allocated in the Local Plan).

Air quality assessments should consider NO_x and PM emissions and NO₂ and PM concentrations

Key Components of an Air Quality Assessment

The assessment will require dispersion modelling utilising agreed monitoring data, traffic data and meteorological data. The modelling should be undertaken using recognised, verified local scale models by technically competent personnel and in accordance with LAQM TG.16. The study will comprise of:

1. The assessment of the existing air quality in the study area for the baseline year with agreed receptor points and validation of any dispersion model;
2. The prediction of future air quality without the development in place (future baseline or do-nothing);
3. The prediction of future emissions and air quality with the development in place (with development or do-something).
4. The prediction of future emissions and air quality with the development (with development or do-something) and with identified mitigation measures in place.

The assessment report should include the following details:

- A. A detailed description of the proposed development, including:
 - Identify any on-site sources of pollutants;
 - Overview of the expected traffic changes;
 - The sensitivity of the area in terms of objective concentrations;
 - Local receptors likely to be exposed;
 - Pollutants to be considered and those scoped out of the process.
- B. The relevant planning and other policy context for the assessment.
- C. Description of the relevant air quality standards and objectives.
- D. The assessment method details including model, input data and assumptions:
 - For traffic assessment;
 - Traffic data used for the assessment;
 - Emission data source;
 - Meteorological data source and representation of area;
 - Baseline pollutant concentration including any monitoring undertaken;
 - Background pollutant concentration;
 - Choice of base year;

- Basis for NO_x:NO₂ calculations;
- A modelling sensitivity test for future emissions with and without reductions;

For point source assessments:

- Type of plant;
 - Source of emission data and emission assumptions;
 - Stack parameters – height, diameter, emission velocity and exit temperature;
 - Meteorological data source and representation of area;
 - Baseline pollutant concentrations;
 - Background pollutant concentrations;
 - Choice of baseline year;
 - Basis for deriving NO₂ from NO_x.
- E. Model verification for all traffic modelling following DEFRA guidance LAQM.TG (09):
- F. Identification of sensitive locations:
- G. Description of baseline conditions:
- H. Description of demolition/construction phase impacts:
- I. Summary of the assessment results:
- Impacts during the demolition/construction phase;
 - Impacts during the operation phase;
 - The estimated emissions change of local air pollutants;
 - Identified breach or worsening of exceedances of objectives (geographical extent)
 - Whether Air Quality Action Plan is compromised;
 - Apparent conflicts with planning policy and how they will be mitigated.
- J. Mitigation measures.

Air Quality Monitoring

In some case it will be appropriate to carry out a short period of air quality monitoring as part of the assessment work. This will help where new exposure is proposed in a location with complex road layout and/or topography, which will be difficult to model or where no data is available to verify the model. Monitoring should be undertaken for a minimum of six months using agreed techniques and locations with any adjustments made following Defra technical guidance LAQM.TG (09).

Assessing Demolition/Construction Impacts

The demolition and construction phases of development proposals can lead to both nuisance dust and elevated fine particulate (PM₁₀ and PM_{2.5}) concentrations. Modelling is not appropriate for this type of assessment, as emission rates vary depending on a combination of the construction activity and meteorological conditions, which cannot be reliably predicted. The assessment should focus on the distance and duration over which there is a risk that impacts may occur. The Institute of Air Quality Management (IAQM)¹¹ has produced a number of documents to which this guidance refers. The document 'Guidance on the

¹¹ IAQM www.iaqm.co.uk

Assessment of the Impacts of Construction on Air Quality and the Determination of their Significance' should be the reference for reporting the construction assessment.

Cumulative Impacts

The NPPF (paragraph 181) recognises that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.

Where relevant, the cumulative or in-combination effects arising from several developments, can impact of air quality when developments are permitted sequentially, with each individually having only a relatively low polluting potential, but which cumulatively result in a significant worsening of air quality.

This will occur where:

- A single large site is divided up into a series of units, such as an industrial estate or retail park, or where large allocations are divided up into development parcels;
- A major development is broken down into a series of smaller planning applications for administrative ease; and
- There are cumulative air quality impacts from a series of unrelated developments in the same area.

The first two cases the cumulative impact may be addressed by a single developer-bringing forward an outline application for the whole site which includes an air quality assessment as part of an Environmental Impact Assessment. For major developments that are broken down into a series of smaller planning applications, the use of a 'Master or Parameter Plan' that includes an air quality assessment may address the cumulative impact. The onus will be on the developer to satisfy the Council, how cumulative impacts have been satisfactorily addressed.

Appendix 2 – Damage Costs: calculations and example

Damage costs are the costs to society (mainly health) per tonne of pollutant emitted. They provide an easy reckoning of the monetised value of changes in pollution. The Government publishes damage costs for NOx and PM and also provides an Emission Factor Toolkit to allow the calculation of the emissions from schemes over the coming years.

Applicants calculating damage costs should incorporate the following:

- The most recent version of the Emission Factor Toolkit
- Both NOx and PM to be considered
- Appropriate HGV % traffic split to be used
- Traffic speed of 30km / hour to be used
- The appropriate damage cost category as advised by the Rugby Commercial and Regulations Team

The following example outlines the damage cost calculation process for an urban mixed-use development outside London, to be operational in 2019, including residential development in 2 blocks and a hotel. The trip generation for the residential scheme is low due to less than 50% parking level per dwelling, including 25% provision of electric vehicle charging points (and a further 25% potential) and cycle stores. The hotel scheme includes 100+ space parking provision. Service deliveries to both the residential and hotel scheme are also considered.

The scheme is categorised as ‘outer conurbation (not London)’ for damage costs.

Step 1 – Using the trip increase for each aspect of the scheme calculate the annual emissions of NOx and PM (in tonnes) for each of the 5 years from opening

	Projected yearly emissions (Defra Emission Factor Toolkit v8)				
	2019	2020	2021	2022	2023
Residential NOx	129.73952	120.58516	110.44020	100.85574	92.75155
Residential PM	11.50558	11.31002	11.17497	11.06880	10.98908
Hotel NOx	506.79502	471.03580	431.40703	393.96773	362.31073
Hotel PM	44.94366	44.17977	43.65224	43.23749	42.92610
Deliveries NOx	477.56736	409.78076	347.56394	296.07882	256.18598
Deliveries PM	32.62307	31.71858	30.96677	30.38716	29.94013
Total NOx (kg)	1,114.1019	1,001.4017	889.41117	790.90229	711.24826
Total PM (kg)	98.07231	87.20837	85.79398	84.69345	83.85531
Total NOx (t)	1.1141019	1.0014017	0.8894111	0.7909022	0.7112482
Total PM (t)	0.0980723	0.0872083	0.0857939	0.0846934	0.0838553

Step 2 – Using the selected damage cost category, uplift the 2015 prices provided by the IGCB by 2% per annum to reflect the correct cost in each of the first 5 years from opening

	Price per tonne of pollutant in projected years (Defra IGCB)					
	2015 price/tonne	2019	2020	2021	2022	2023
NOx	£31,776	£34,395	£35,083	£35,784	£36,500	£37,230
PM	£87,770	£95,003	£96,903	£98,841	£100,817	£102,833

Step 3 – Multiply the tonnage of emissions for each pollutant by the damage cost price for each year. Provide a cumulative total for 5 years

	Damage Costs				
	2019 (year 1)	2020	2021	2022	2023 (year 5)
NOx	£38,319	£35,132	£31,826	£28,867	£26,479
PM	£9,317	£8,450	£8,479	£8,538	£8,623
Totals (cumulative)	£47,636	£91,218	£131,523	£168,928	£204,030

The application in this example provided a scheme car club to make the scheme acceptable in air quality terms.

Appendix 3 – Local Plan Policy

Relevant Local Plan Policies:

Policy SDC1: Sustainable Design

All development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are situated.

Factors including the massing, height, landscape, layout, materials and access should also be a key consideration in the determination of planning applications.

The Council will consider appropriate housing density on a site by site basis with decisions informed by local context of the area in terms of design considerations, historic or environmental integration, local character, identified local need and, where relevant, a Neighbourhood Development Plan.

Proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.

Proposals for housing and other potentially sensitive uses will not be permitted near to or adjacent sites where there is potential for conflict between the uses, for example, an existing waste management site. Such proposals must be accompanied by supporting information demonstrating that the existing and proposed uses would be compatible and that the proposal has addressed any potential effects of the existing use on the amenity of the occupiers of the proposed development.

Developers should provide adequate off-street storage space for wheeled bins, including storing recycling, to serve all new residential properties, including conversions. This requirement is particularly important in designated Conservation Areas where the visual importance of the street scene has been acknowledged and there is a duty for the area's character and appearance to be

Policy D1: Transport

Development will be permitted where sustainable modes of transport are prioritised and measures designed to mitigate transport impacts arising from individual developments proposals or cumulative impacts caused by a number of proposals are provided. Proposals should have regard to the Sustainable Transport Strategy.

All large scale developments which result in the generation of significant traffic movements, should be supported by a Transport Assessment and where necessary a Travel Plan, to demonstrate practical and effective measures to be taken to mitigate the adverse impacts of traffic. It must consider:

- The impact of the proposal upon existing infrastructure;
- How the site will connect safely to public transport;
- Safe and convenient access to pedestrians and cyclists;
- Potential impact of heavy goods vehicles accessing the site, including during construction: and
- The entering into of bus and/or freight partnerships with the County Council and/or third parties.

Smaller scale development must also be accompanied by a Transport Statement which should address:

- Opportunities for sustainable transport to serve the proposed development;
- Whether safe and suitable access to the site can be achieved; and
- Whether improvements can be undertaken that cost effectively mitigate the impacts of the development.

Proposals should be considered in the light of the transport mitigation measures identified in the Infrastructure Delivery Plan, and other localised impacts as identified in the transport assessment statements.

Policy D3: Infrastructure and Implementation

The delivery of new development will be dependent on sufficient capacity being available in existing infrastructure and/or measures being proposed to mitigate its impact. Where this cannot be demonstrated permission for new development will only be granted where additional capacity can be released through new infrastructure, or better management of existing infrastructure.

Developer contributions may be sought to fund new infrastructure when required to mitigate development impacts and a programme of delivery will be agreed before development can take place.

Proposals should be considered in the light of the mitigation measures identified in the Infrastructure Delivery Plan.

DRAFT

Air Quality Supplementary Planning Document**Consultation Statement**

Document Title: Air Quality Supplementary Planning Document (SPD)- Consultation Draft Version	
Nature of Plan being Prepared	<p>The document is a supplementary planning document (SPD). Once adopted it will not form part of the Development Plan but will sit beneath the Local Plan. Its purpose is to provide additional detail and information to assist the public and their agents in preparing planning proposals and to guide them in discussions with officers prior to the submission of planning applications, specifically in relation to the interpretation of policy HS5 of the Local Plan which relates to air quality, noise and vibration.</p> <p>It has been specifically referenced in Local Plan Policy HS5 and once adopted will be a material consideration in the assessment of planning applications.</p>
Purpose of Consultation	<p>Regulation 12b of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires SPDs to be consulted on for a minimum of 4 weeks. The aim of this consultation is to ensure the wider public are aware of the content of the document and give the public and other stakeholders an opportunity to submit representations on the draft document.</p>
Nature of issues that need to be consulted upon	<p>The SPD aims to improve the consideration of air quality impacts in the planning process, in line with the NPPF, Planning Practice Guidance (PPG) and the Rugby Local Plan. The SPD also aims to explain how and when policy HS5 in particular is applied, and the mitigation requirements to achieve development that is compliant.</p> <p>The SPD will provide guidance on measures that can be implemented to mitigate the potentially harmful impacts of new developments on air quality in line with policy HS5.</p> <p>The SPD crucially does not introduce new policy but develops and expands upon Local Plan policies and facilitate a consistent and transparent approach to air quality throughout the Borough.</p>
Who should be consulted	<p>The consultation will be open to anyone who wishes to submit a representation.</p> <p>In line with the Councils Statement of Community Involvement the following groups will be notified directly of the consultation. This will be done by email where possible with letters sent to those for whom an email address is not available:</p> <ul style="list-style-type: none"> • All statutory bodies; • All Parish Councils; and • All groups and individuals who have opted to be on the Consultation Database.

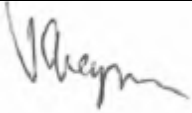
	<p>In addition to direct emails and letters, in order to raise wider public awareness of the consultation it will be promoted in the following ways, in line with the Council's Statement of Community Involvement:</p> <ul style="list-style-type: none"> • Information and documents will be published on the Council's website; • The consultation will be advertised in the local paper; and • Hard copies of the documents will be available to view at the Town Hall, Rugby Library, Dunchurch Library and Wolston Library.
Why are we consulting them	<p>We are carrying out this consultation to ensure all individuals and groups who may be affected or have an interest in air quality have the opportunity to voice their opinions on the content of the document.</p>
When consultation will take place	<p>The consultation will take place for a period from the 9th March 2020 to 5pm on the Monday 20th April 2020.</p>
Accessible Inclusive Consultation	<p>As outlined above the consultation will be promoted both online and in the local newspaper and the document will be available to read both online or in hard copy form.</p> <p>In addition to this, to ensure the consultation is accessible and inclusive, the following measures will be put in place:</p> <ul style="list-style-type: none"> • Hard copies of the documents can be posted out to individuals upon request; • Individuals can call or email to discuss the document with a planning officer; • Adapted versions of the document can be produced on request, e.g. large print; • Representations can be submitted by email or post.
How comments will be taken into account	<p>Each representation will be read and carefully considered. If it is felt that as a result of the representation changes should be made to the SPD then these will be incorporated into the final document. It is important to note that not all representations received will lead to changes in the SPD.</p> <p>A comment will be provided by the Council on each representation received and this will be published as part of the Consultation Statement.</p>
How comments will be reported	<p>A Consultation Statement will be published following the close of the consultation. This will include:</p> <ul style="list-style-type: none"> • A list of the persons consulted; • A summary of each representation; and • A comment on how each representation has been considered.

EQUALITY IMPACT ASSESSMENT (EqIA)

Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sex/gender
 - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:
Minakshee Patel
Corporate Equality & Diversity Advisor
minakshee.patel@rugby.gov.uk
Tel: 01788 533509

Equality Impact Assessment

Service Area	Development Strategy
Policy/Service being assessed	Air Quality Supplementary Planning Document.
Is this is a new or existing policy/service? If existing policy/service please state date of last assessment	This is a new planning document which will sit underneath the new Local Plan
EqlA Review team – List of members	Victoria Chapman- Development Strategy Manager Jessica Dewar- Consultant Planning Officer
Date of this assessment	21 st January 2020
Signature of responsible officer (to be signed after the EqlA has been completed)	

A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.

If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: minakshee.patel@rugby.gov.uk or 01788 533509

Details of Strategy/ Service/ Policy to be analysed

<u>Stage 1 – Scoping and Defining</u>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	The document is a planning document which sits beneath the Local Plan. It will assist in the implementation of the of the Council's Air Quality Strategy. Its purpose is to provide additional detail and information to assist the public and their agents in preparing planning proposals and to guide them in discussions with officers prior to the submission of planning applications, specifically in relation to the interpretation of Policy HS5 of the Local Plan which relates to air quality, noise and vibration.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	It primarily fits in with priorities on: <ul style="list-style-type: none"> • Encourage healthy and active lifestyles to improve wellbeing within the Borough; • Protect the public; • Enhance our local, open spaces to make them places where people want to be; and • Promote sustainable growth and economic prosperity. <p>It meets our service area priorities as this is a document required by the Local Plan Inspector and written into Policy HS5 of the new Local Plan.</p>
(3) What are the expected outcomes you are hoping to achieve?	The document will be used to assist developers and planning officers to ensure air quality is improved throughout the Borough.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> • Customers • Employees • Wider community or groups 	All three groups may benefit from the adoption of the document. At this stage the document is being taken to Cabinet for approval to consult on the document. This consultation will be open to all residents, employees and the wider public and provides an opportunity for them to share their views.

<u>Stage 2 - Information Gathering</u>	As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, e.g service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).		
(1) What does the information tell you about those groups identified?	As the SPD aims to improve air quality throughout the Borough it is difficult to pinpoint a specific group who will benefit. This proposed consultation will be open to the wider public which will allow us to gather information and opinions from a cross section of the community.		
(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?	This is the part of the process we are currently undertaking, comments will be considered as part of the progress of the SPD.		
(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.	If granted approval at Cabinet a four week public consultation will take place which will be widely advertised in line with our Statement of Community Involvement.		
<u>Stage 3 – Analysis of impact</u>			
(1) <u>Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination?	RACE	DISABILITY	GENDER
	MARRIAGE/CIVIL PARTNERSHIP	AGE	GENDER REASSIGNMENT

If yes, identify the groups and how they are affected.	RELIGION/BELIEF	PREGNANCY MATERNITY	SEXUAL ORIENTATION
<p><u>(2) Cross cutting themes</u> (a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>As the SPD aims to improve air quality throughout the Borough it is difficult to pinpoint a specific group who will benefit.</p> <p>The SPD is unlikely to have an impact on a carer who looks after older people or people with disabilities.</p>		
(3) If there is an adverse impact, can this be justified?			
(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)			
(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?			
(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?			
(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?			

<u>Stage 4 – Action Planning, Review & Monitoring</u>																														
<p>If No Further Action is required then go to – Review & Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>No further action is required.</p> <p>EqIA Action Plan</p> <table border="1" data-bbox="875 536 2116 762"> <thead> <tr> <th>Action</th> <th>Lead Officer</th> <th>Date for completion</th> <th>Resource requirements</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					Action	Lead Officer	Date for completion	Resource requirements	Comments																				
Action	Lead Officer	Date for completion	Resource requirements	Comments																										
<p>(2) Review and Monitoring State how and when you will monitor policy and Action Plan</p>	<p>This EqIA will be reviewed again prior to adoption of the Air Quality SPD later in 2020.</p>																													

Please annotate your policy with the following statement:

‘An Equality Impact Assessment on this policy was undertaken on (date of assessment) and will be reviewed on (insert review date).’

AGENDA MANAGEMENT SHEET

Report Title: UK Resettlement Scheme 2020 to 2024

Name of Committee: Cabinet

Date of Meeting: 2 March 2020

Report Director: Head of Communities and Homes

Portfolio: Communities and Homes

Ward Relevance: All

Prior Consultation: Portfolio Holder for Communities and Homes
Head of Communities and Homes

Contact Officer: Andrew Odom, Community Advice and Support
Team Leader, 01788 533836

Public or Private: Public

Report Subject to Call-In: Yes

Report En-Bloc: No

Forward Plan: No

Corporate Priorities: This report relates to the following priority(ies):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background:

The Syrian Vulnerable Persons' Resettlement Scheme emerged as the British Government's response to the Syrian Crisis and represents the government's commitment to resettle 20,000 Syrian refugees over the course of the 2015 and subsequent parliaments. Warwickshire County Council committed to housing 30 families, 10 of which were housed through Rugby Borough Council.

The use of social housing to provide accommodation for this project is in accordance with the Housing Allocations Policy adopted by Council in 2019.

Summary:

The Syrian Vulnerable Persons' Resettlement Scheme is due to come to an end in the spring of 2020 and will be replaced by a broader UK Resettlement Scheme which will not have a specific geographical focus. This report follows a request from Warwickshire County Council to support this new project through the provision of further accommodation within the Borough.

Financial Implications:

The Council has incurred additional cost due to the participation in the current scheme, this is attributable to the use of private sector leased accommodation. Future financial risk to the Council can be minimised through the use of social housing.

Risk Management Implications:

There are no risk management implications arising from this report

Environmental Implications:

There are no environmental implications arising from this report

Legal Implications:

Participation in the scheme remains voluntary and there is not a statutory duty to offer accommodation to families, however in participating in the scheme the

Council is able to exercise its power in accordance with the General Power of Competence under s.1 of the Localism Act 2011.

The Council will be exercising a public function and will therefore also be subject to s149 of the Equalities Act 2010.

The 1951 United Nations Convention Relating to the Status of Refugees defines a Refugee as:

“A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”

Individuals arriving in the UK through the UK Resettlement Scheme will have been granted refugee status by the United Nations High Commissioner for Refugees (UNHCR), in advance of arriving in the UK. They will be granted 5 year ‘humanitarian leave’ to stay in the UK and access to public funds, access to the labour market and the possibility of a family reunion.

Equality and Diversity:

An Equality Impact Assessment on this policy was undertaken on 19 February 2020 and will be reviewed in 2024. A copy of the assessment is attached at Appendix 1

Options:

1. Cabinet can approve the participation of the Council in delivering accommodation as part of the UK Resettlement Scheme 2020 to 2024.
2. Cabinet can decide not to participate in the scheme
3. Cabinet can agree to the use of social housing for the provision of accommodation within the scheme
4. Cabinet can decide that social housing cannot be used to provide initial accommodation, therefore properties would be sought within the private rented sector.

5. Cabinet can specify the number of families accommodated within the borough.

Recommendation:

- (1) This Council supports Warwickshire County Council's participation in the UK Resettlement Scheme 2020 to 2024;
- (2) the number of families accommodated by Rugby Borough Council be limited to a maximum of three over the course of the project, with no more than one family being accommodated in a given year; and
- (3) families be accommodated in social housing, including both Council and housing association stock.

Reasons for Recommendation:

1. The government has requested support and assistance from local authorities to deliver the new UK Resettlement Scheme. This in turn supports the UN in the provision of humanitarian relief. Warwickshire County Council have indicated a willingness to participate in this scheme but require the agreement of District and Borough Councils regarding the accommodation of families within the local authority area.
2. During the operation of the first scheme, RBC's initial pledge was to accommodate the highest number of families out of the Warwickshire councils (10 out of 30 families). This has in turn impacted on the ability of the Council to provide temporary accommodation for homeless families within the borough.
3. Through the limited use of social housing, the Council can mitigate the financial risk of incurring additional accommodation charges that cannot be passed onto the family being housed. This amounts to a minimum cost to the Council of £1,200 per family per year, based on current occupation details.

The impact of three units of social housing being used over the course of this project can be absorbed with minimal impact on the Council's Housing Waiting list.

Cabinet - 2 March 2020

UK Resettlement Scheme 2020 to 2024

Public Report of the Head of Communities and Homes

Recommendation

- (1) This Council supports Warwickshire County Council's participation in the UK resettlement Scheme 2020 to 2024;
- (2) the number of families accommodated by Rugby Borough Council be limited to a maximum of three over the course of the project, with no more than one family being accommodated in a given year; and
- (3) families be accommodated in social housing, including both Council and housing association stock.

1. Background

- 1.1 Special Council on 1st March 2016 agreed to participate in the Syrian Vulnerable Persons Resettlement Scheme (SVPRS) and agreed to make up to 10 properties available to house vulnerable families within the Borough. This was the highest commitment of accommodation within the county. Although all District and Borough Councils initially agreed to participate in the scheme, North Warwickshire Borough Council had to withdraw due to settlement issues experienced by migrant families in a very rural location.
- 1.2 It was agreed between District and Borough Councils to use accommodation rented from the private sector, rather than utilising social housing.
- 1.3 Between 2016 and the end of 2019, 10 families have been provided with accommodation, with support services being provided by Warwickshire County Council and local volunteer groups.
- 1.4 This resettlement scheme is due to be completed nationally in the spring of 2020, and will be replaced by a new scheme.

2. Review of the existing scheme

- 2.1 Overall the Council's involvement with the scheme has been successful but some operational issues have been experienced in trying to source and maintain the supply of accommodation required to house 10 families.

- 2.2 Families have on the whole settled well into the local community with children attending local schools and some families finding local employment.
- 2.3 Some families have experienced issues due to unrealistic expectations, which have had to be managed by both Rugby Borough Council and Warwickshire County Council.
- 2.4 The Council has been using properties leased from the private sector to house families within the scheme. These leasing arrangements were intended to provide interim accommodation for homeless families. Repurposing these resources has placed additional pressure on the Council's ability to provide suitable options for this cohort. This option has been utilised out of necessity because of the difficulty that has been experienced in attempting to engage private sector landlords to provide accommodation for use within the SVPRS. Only two households out of 10 were initially settled into the broader private rented sector.
- 2.5 Families cannot be housed in private sector leased interim accommodation in the long-term and options for move-on accommodation within the private sector are very limited due to affordability and availability issues. The two families initially settled into the broader private rented sector have lost their accommodation through no fault of their own. Social housing was the only viable option for the provision of settled accommodation.
- 2.6 Social housing is a more viable option for families in the future. If the number of households to be accommodated is reduced significantly for participation in future schemes, this solution is sustainable.

3. Participation in the UK Resettlement Scheme

- 3.1 From the spring of 2020 a new resettlement scheme is due to be introduced. This is called the UK Resettlement Scheme and will consolidate three existing endeavours (including SVPRS) into one scheme. This new initiative will be open to refugees identified by the United Nations High Commissioner for Refugees (UNHCR) to be in need of resettlement to the UK because of their vulnerability and does not have a specific geographical focus. The government is looking for local authorities to support the new scheme through the provision of accommodation for future refugees.
- 3.2 Warwickshire County Council indicated that it wishes to continue supporting the new scheme and has requested that district and borough councils confirm their commitment to working in partnership on this new project. Warwickshire County Council has also asked for an indicative pledge on family numbers to be resettled in each area.

- 3.3 The involvement of Rugby Borough Council would be to provide accommodation for the families with personal support continuing to be provided through Warwickshire County Council assisted by local volunteers. This means that existing arrangements would continue unchanged.

4. Funding

- 4.1 For each family accommodated within Rugby, the Council receives £2,000 to cover the cost of officer time involved in sourcing and supporting the family to move into the identified accommodation and any future issues regarding the management of the property.
- 4.2 Warwickshire County Council also provides funds to cover up to two months void loss on each property. This is due to the uncertainty regarding when families are due to arrive and therefore requiring accommodation to be held pending confirmation of arrival dates. It also allows Warwickshire County Council to pre-install furniture for the families.
- 4.3 Despite the provision of funding from Warwickshire County Council, there has been a cost incurred by Rugby Borough Council for each family that has been housed in private sector leased accommodation. In order to make housing affordable to families, the rent charged by the Council has been restricted to the Local Housing Allowance, the maximum amount of rent supported by Universal Credit, which applies to all cases in the first instance. However this is less than the leasing cost incurred by the Council and the additional cost falls as a direct charge to the General Fund. This amounts to costs of £1,022 per month (£12,264 per annum) being incurred. This is the gross outlay for all families as opposed to the cost for each respective household.

5. Conclusion

- 5.1 Although there has been some financial cost to the Council through the provision of accommodation for the families within the current scheme, the issues experienced have been outweighed by the positives of being able to support the resettlement of vulnerable families within the UK.
- 5.2 It is recognised that each District and Borough within Warwickshire will supply accommodation in accordance with the priorities and pressures in their respective areas.
- 5.3 It be noted that Rugby Borough Council has previously provided a significant amount of accommodation under the legacy scheme. And it is recommended that the Council continues to provide this moving forward. The use of social housing is sustainable if used to underpin a smaller commitment.

Name of Meeting: Cabinet
Date of Meeting: 2 March 2020
Subject Matter: Vulnerable Persons Resettlement Scheme 2020 to 2024
Originating Department: Communities and Homes

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

EQUALITY IMPACT ASSESSMENT (EqIA)

Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
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 - disability
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 - marriage/civil partnership
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 - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
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10. For advice and support, contact:
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Corporate Equality & Diversity Advisor
minakshee.patel@rugby.gov.uk
Tel: 01788 533509

Equality Impact Assessment

Service Area	Communities and Homes
Policy/Service being assessed	UK Resettlement Scheme
Is this is a new or existing policy/service? If existing policy/service please state date of last assessment	New
EqlA Review team – List of members	Andrew Odom Community advice and Support Team Leader David Wortley Community Advice and Support Team Manager
Date of this assessment	19 February 2020
Signature of responsible officer (to be signed after the EqlA has been completed)	

A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.

If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: minakshee.patel@rugby.gov.uk or 01788 533509

Details of Strategy/ Service/ Policy to be analysed

<u>Stage 1 – Scoping and Defining</u>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	To recommend to Cabinet that Rugby Borough Council supports the implementation of the UK Resettlement Scheme through the provision of accommodation for vulnerable families being resettled in the UK
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	<ul style="list-style-type: none"> • To provide excellent, value for money services and sustainable growth • Enable our residents to live healthy, independent lives • Prioritise use of resources to meet changing customer needs and demands • Ensure residents have a home that works for them and is affordable • Understand our communities and enable people to take an active part in them
(3) What are the expected outcomes you are hoping to achieve?	The provision of accommodation to assist vulnerable families to settle within the borough.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> • Customers • Employees • Wider community or groups 	Wider Community Vulnerable families will be assisted to settle and integrate within their local community
<u>Stage 2 - Information Gathering</u>	
(1) What does the information tell you about those groups identified?	A small number of vulnerable families as identified by UNHCR will be assisted to settle in a safe country (UK). Until families are allocated to the UK by UNHCR no information on the families is known.

<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>Consultation cannot be undertaken due to affected families not being currently resident within the UK</p>		
<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>No consultation is planned due to the very low number of families planned to be resettled within the borough..</p>		
<p><u>Stage 3 – Analysis of impact</u></p>			
<p><u>(1)Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination? If yes, identify the groups and how they are affected.</p>	<p>RACE N/A</p>	<p>DISABILITY N/A</p>	<p>GENDER N/A</p>
	<p>MARRIAGE/CIVIL PARTNERSHIP N/A</p>	<p>AGE N/A</p>	<p>GENDER REASSIGNMENT N/A</p>
	<p>RELIGION/BELIEF N/A</p>	<p>PREGNANCY MATERNITY N/A</p>	<p>SEXUAL ORIENTATION N/A</p>

<p><u>(2) Cross cutting themes</u> (a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>Affected families could be fleeing persecution and will be moving to a safer environment.</p> <p>Not known at this time.</p>
<p>(3) If there is an adverse impact, can this be justified?</p>	<p>N/A</p>
<p>(4)What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<p>N/A</p>
<p>(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?</p>	<p>N/A</p>
<p>(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?</p>	<p>The families will be supported to integrate into the local community by access to employment, education, training and ESOL</p>
<p>(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?</p>	<p>Support will be provided via Warwickshire County Council and local volunteers to address language and cultural issues.</p>

Stage 4 – Action Planning, Review & Monitoring

If No Further Action is required then go to – Review & Monitoring

(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.

EqlA Action Plan

Action	Lead Officer	Date for completion	Resource requirements	Comments

(2) Review and Monitoring
State how and when you will monitor policy and Action Plan

2024 at the end of the proposed scheme

Please annotate your policy with the following statement:

‘An Equality Impact Assessment on this policy was undertaken on (date of assessment) and will be reviewed on (insert review date).’