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Residents' and Environmental Services Policy Overview Committee

Date: WEDNESDAY, 20 SEPTEMBER 2017

Time: 5.30 PM

Venue: COMMITTEE ROOM 6 -CIVIC CENTRE, HIGH STREET, UXBRIDGE UB8 1UW

MeetingMembers of the Public andDetails:Press are welcome to attendthis meeting

Councillors on the Committee

Michael White (Chairman) Michael Markham (Vice-Chairman) Tony Burles Jas Dhot Patricia Jackson Kuldeep Lakhmana Allan Kauffman Judy Kelly Brian Stead

Published: Tuesday, 12 September 2017

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Putting our residents first

Lloyd White Head of Democratic Services London Borough of Hillingdon, 3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW www.hillingdon.gov.uk

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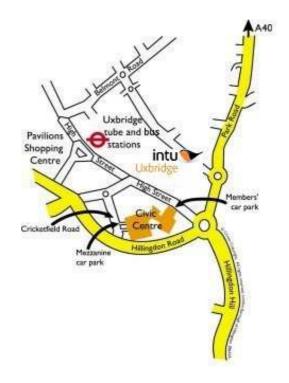
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Terms of Reference

A central role of a Policy Overview Committees is to undertake in-depth policy reviews on specific issues. Reviews provide the opportunity to hear from members of the public and expert witnesses, including people from a wide range of external organisations. Reviews usually make recommendations to the Cabinet on how the Council could improve its work. They therefore perform an important role in opening up the policy-making process to a wider audience, including people who would not normally have the opportunity to participate.

This Committee undertakes the policy overview role in relation to the following matters:

- Highways, traffic, parking & street environment
- Local transport, including rail, cycling & London Underground
- Footpaths and Bridleways
- Road safety and education
- Planning & Building Control
- Libraries
- The Borough's heritage and history
- Sport & Leisure services
- Waste management & recycling
- Green spaces, allotments, woodlands, conservation and sustainable development
- Consumer Protection, Trading Standards & Licensing
- Registrars & Bereavement Services
- Local watercourses, drainage and flooding
- Environmental Health, Air & Noise Quality
- Local impacts of Heathrow expansion
- Local impacts of High Speed Rail

Agenda

Chairman's Announcements

1	Apologies for Absence

- 2 Declaration of Interest in matters coming before this meeting
- **3** To confirm that all items marked Part 1 will be considered in Public and that any items marked Part 2 will be considered in Private
- 4 To agree the Minutes of the previous meeting held on 26 July 2017 1 4

5	Residents' & Environmental Services Policy Overview Committee - Major Review 2017- 18- Revision of the Air Quality Action Plan for the London Borough of Hillingdon	5 - 26
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Agenda Item 4

Minutes RESIDENTS' AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE



26 July 2017 Meeting held at Committee Room 6- Civic Centre, High Street, Uxbridge UB8 1UW

	 Committee Members Present: Councillors Michael White (Chairman), Michael Markham (Vice-Chairman), Tony Burles, Jas Dhot, Patricia Jackson, Allan Kauffman, Judy Kelly, Kuldeep Lakhmana and Brian Stead. Officers: Chris Mansfield (Deputy Director, Planning & Transportation, Ali Kashmiri (Council's Principal Access Officer), Gregory Pike (Operational Finance Manager, Residents Services) and Khalid Ahmed (Democratic Services Manager). 			
10.	TO CONFIRM THAT ALL ITEMS MARKED PART I WILL BE C IN PUBLIC AND THAT ANY ITEMS MARKED PART II WILL B CONSIDERED IN PRIVATE			
	It was confirmed that all items on the agenda would be considered in public.			
11.	MINUTES OF THE MEETING HELD ON 27 JUNE 2017			
	Agreed as an accurate record, subject to the inclusion of the problem of the disposal of silver canisters of nitrous oxide within the Borough, in the list of areas and ideas of potential review topics and updates, for the Committee to consider in its work programme.			
12.	ACCESSIBLE HILLINGDON SUPPLEMENTARY PLANNING DOCUMENT			
	The Council's Principal Access Officer attended the meeting and provided the Committee with a summary on the Draft Revised Accessible Hillingdon Supplementary Planning Document.			
	Members were informed that the suggested changes would be over and above the accessible guidelines detailed in building regulations and housing standards. Accessibility should be an important factor in all developments and the SPD would ensure developers gave greater consideration to utilising space to enable better accessibility for wheelchair users, the elderly and children.			
	RESOLVED -			
	1. That the Committee welcomed the content of the Draft Revised Accessible Hillingdon Supplementary Planning Document before its submission to Cabinet.			

13.	BUDGET PLANNING REPORT FOR RESIDENTS SERVICES 2018/19	
	The Operational Finance Manager attended the meeting and informed Members that this report provided the Committee with two opportunities to give consideration to the development of budget planning.	
	Members were informed that the budget report which had been reported to Council in February 2017 had identified £22.2m savings requirement for 2018/19. This comprised of £5m planned drawdown from balances and £1.1m previously developed & approved savings.	
	Reference was made to the announcement of £2.9m additional Social Care funding through the Improved Better Care Fund and the additional £1.6m released from the Council's Collection Fund. This reduced the gap to be managed to £11.6m.	
	The Committee was informed that the Council had a good track record of coming in or under budget each years and reference was made to balances of £38.7m which would help smooth the impact of Government funding reductions.	
	Reference was made to the following five broad themes where savings would be developed:	
	 Service Transformation - delivered through the existing Business Improvement Delivery programme. Effective Procurement - through review of existing contracts and reviewing models of delivery. Income Generation & Commercialisation - reviewing fees & charges whilst maintaining charges at 90% of neighbouring authorities, alongside initiatives to ensure the Council's commercial offer delivered value for money. Preventing Demand - initiatives such as the Supporting Living Programme where investment in early intervention and other support could prevent more costly intervention at a later date. Zero Based Reviews - range of projects to realign budgets to reflect current spend. 	
	A summary was provided of the key financial issues within Residents Services. Savings had been identified which totalled £6m. At month 2, £824,000 of these savings had been "banked", with £3,482k on track and £1,766k still at early stages.	
	The Committee was informed that 2017/18 efficiency savings included a review of discretionary budgets across the group, plus a number of BID Reviews including Highways/Street Lighting, ICT and Admin & Business Support.	

	 Residents Services issues which would be closely tracked through the process included: Waste Disposal Levy & Associated Contracts - Waste tonnages were continuing to grow in line with population growth, increases in Land Fill Tax and market conditions for recycling materials. 		
	 HS2 and Heathrow Expansion Challenge Funds - with £100,000 set aside for HS2 and £200,000 set aside for the Heathrow expansion. 		
	 Fees & Charges - Where applicable, levels of residents and non-residents fees and charges would be kept under review. 		
	RESOLVED –		
	1. That the financial context in which the 2018/18 budget setting process would take place in advance of detailed savings proposals being developed and approved at Cabinet in December 2017, be noted.		
14.	SAFETY AT SPORTS GROUNDS		
	This item was withdrawn.		
15.	RESIDENTS' & ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE - POSSIBLE REVIEW TOPICS AND INFORMATION ITEMS		
	At the Committee's last meeting held on 27 June 2017, a number of areas of interest were raised by Members in relation to possible review topics. Officers were asked to provide information on the requests to enable Members to agree on the major review for the year.		
	The Committee was provided with background information to the suggestions put forward.		
	Discussion took place on the suggestions and it was agreed that the Committee should undertake a review on Air Quality in the Borough and for the next meeting of the Committee a draft scoping report be presented for Member discussion.		
	RESOLVED –		
	1.That officers be asked to provide a draft scoping report to the next meeting of the Committee on a review into Air Quality in the Borough.	Val Beale Chris Mansfield Khalid Ahmed	/ /

16.	WORK PROGRAMME	
	Noted.	
	It was agreed that information update items be added to the work programme at the next meeting of the Committee.	Khalid Ahmed
17.	FORWARD PLAN	
	Noted.	
	Meeting commenced at 5.30pm and closed at 6.20pm Next meeting: 20 September 2017 at 5.30pm	

These are the minutes of the above meeting. For more information on any of the resolutions please contact Khalid Ahmed on 01895 250833. These minutes are circulated to Councillors, Officers, the Press and Members of the Public.

Agenda Item 5

Residents' & Environmental Services Policy Overview Committee -Major Review 2017- 18- Revision of the Air Quality Action Plan for the London Borough of Hillingdon

Contact Officers: Khalid Ahmed Telephone: 01895 250833

REASON FOR ITEM

The Committee is asked to consider the attached draft scoping report and to receive an introduction from officers on the review topic

OPTIONS OPEN TO THE COMMITTEE

The Committee is asked to discuss the draft scoping report for the review, and make suggestions and amendments where necessary.

INFORMATION

- At the last meeting of the Committee it was agreed that the first major review of the Municipal Year would be on Air Quality within the Borough. Officers have produced a draft scoping report which provides Members with details of the extent of air pollution in Hillingdon. It is suggested that the objective of the review should be to develop a revised Air Quality Action Plan (AQAP), as required by the Mayor of London.
- 2. For this meeting Chris Mansfield, Deputy Director, Planning, Transportation & Regeneration and Val Beale, Environmental Specialist from the Planning Specialist Team will be in attendance to provide an introduction to the topic and to answer Member's questions.
- 3. It is envisaged that there will be three witness sessions and suggested witnesses could be:- a representative from Public Health at Hillingdon, Air Quality experts, a representative from Greater London Authority, officers from Council services such as Planning, Procurement and Transport.

Papers with the Report

Draft Scoping Report

Residents' & Environmental Services POC 20 September 2017



Residents' & Environmental Services Policy Overview & Scrutiny Committee Review Scoping Report

Revision of the Air Quality Action Plan for the London Borough of Hillingdon

1. REVIEW OBJECTIVES

Aim and Background to review

The review seeks to make Members aware of the extent of air pollution in Hillingdon, the way that the Council has managed air quality since 2004 and to assist in the development of a revised Air Quality Action Plan (AQAP), as required by the Mayor of London.

In Hillingdon, as in the majority of London Boroughs, the national air quality standard for the pollutant, nitrogen dioxide, is exceeded across areas of the Borough, most notably in the south around Heathrow Airport and also in association with the major road networks such as the M4, the A312, the A40 and the A4 and on busy parts of the Borough road network which pass through the Borough's towns.

Poor air quality has been described as the largest environmental risk to public health in the UK, known to have more severe effects on vulnerable groups, for example the

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elderly, children and people already suffering from poor health such as respiratory disease. (para 3, page, DEFRA Air Quality Plan, 2017).

In Hillingdon, the public health team has undertaken an assessment which highlights that respiratory diseases are the third highest cause of death in Hillingdon and that air pollution is a risk factor which has been linked to 1,100 life years lost due to aspects such as exacerbations of asthma and Chronic Obstructive Pulmonary Disease (COPD) leading to emergency admissions to hospital. The health effects of air pollution are distributed unequally across the population with the heaviest burden borne by those with the greatest vulnerability and/or exposure. The elderly, children and those with cardiovascular and/or respiratory disease are at greater risk from the health effects of air pollution.

The development of the AQAP will ensure that improvements to health form an important objective in terms of the outcomes of the actions to be included. It is hoped that Members will develop suitable recommendations to Cabinet around the development of the revised Air Quality Action Plan for the Borough.

Terms of Reference

- 1. To understand the Council's responsibilities on air quality, examine how air quality in Hillingdon has been managed by the Council since 2004, why expected improvements are not as large as predicted and what is now required with the new Mayor of London air quality regime in terms of reviewing the AQAP;
- 2. To consider the options available for reducing pollution, including actions that can be taken directly by the Council, and identify the best means by which the Council can influence other organisations whose activities detrimentally impact on the air quality in Hillingdon.
- 3. In terms of the Council, examine the interactions that will be necessary between departments in order to bring about improvements in pollution levels and make a positive contribution to securing improvements to health.
- 4. To consider how the Council should prioritise air quality improvements, for example, Air Quality Focus Areas, on Borough-wide initiatives, directed towards at-risk/vulnerable groups.
- 5. To look at measures to best inform residents and local businesses in the Borough of the actions required to reduce air pollution.

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6. To advise on the development of the Air Quality Action Plan before its submission to Cabinet for approval.

2. INFORMATION AND ANALYSIS

Key Information

Background

In 2003, following assessments of pollution as required in the legislation set by the Environment Act, the Council declared an Air Quality Management Area (AQMA) for the pollutant nitrogen dioxide. The AQMA boundary was chosen to ensure it covered all the areas that had been predicted to have levels of pollution above the recognised health limit for nitrogen dioxide when measured as a yearly average. The AQMA covers approx the bottom two thirds of the Borough (**see Appendix 1**)

Following on from this declaration, in 2004, an Air Quality Action Plan (AQAP) was developed which looked at measures that could be taken to improve air quality. The Plan recognised that this would require input and actions from a range of sources including the Council itself, the residents, businesses and employees in the Borough plus action from other organisations and businesses whose operations influence the levels of pollution, but over which the Council has no direct control.

The Plan was divided into seven packages which reflected the sources of pollution which needed to be tackled in order to bring about reductions in pollution

- Switching to cleaner transport modes;
- · Tackling through traffic
- · Promotion of cleaner vehicle technology
- Measures specific to Heathrow
- Measures concerning local businesses and industry
- · Improvements through the planning system
- · Working with regional and central government

In accordance with the legislative requirements, the Borough has continued to produce annual air quality progress reports for submission to DEFRA. These include an update of the air quality monitoring carried out in the Borough and an update on the actions taken to address air quality. All of this information is publicly available.

Progress to date

Many inroads have been made in terms of measures that have been put in place to improve air quality. The Mayor of London was one of the first regional powers to

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declare a Low Emission Zone across the whole of London which has restricted access to polluting lorries, buses and coaches; there is published best practice guidance for reducing emissions from large constructions sites; technical guidance for assessing potential pollution impacts from new developments and improvements have been made in terms of promoting the use of cleaner technologies in buses, lorries, taxis and cars, including the installation of plug in electric charging points across London.

In Hillingdon, the implementation of measures, via the Air Quality Action Plan, has influenced actions across the Council. For example, all schools in the Borough now have travel plans; there are more dedicated cycle and walking paths; new developments are required to produce air quality assessments and include mitigation to reduce their impact on pollution; residents and people working in the borough are able to sign up to a free service, AirText, which alerts users to when a pollution episode is predicted to allow them to take appropriate action; pilot projects have been undertaken in regards to the use of green infrastructure to protect vulnerable receptors from pollution, and there is now Borough-wide enforcement against idling vehicles.

However, despite continued actions by regional and local government over the years, the air quality levels in certain areas still remain above the recommended limits.

The current situation

An assumption of a dramatic reduction in emissions from road vehicles is something the Government has relied upon for a number of years in terms of being the solution to the pollution problem. In reality this has not happened. Data from air quality monitoring stations, confirmed by those within Hillingdon, show that over the more recent years the pollution levels have remained more or less static and indicate little signs of a dramatic reduction. **See Appendix 2**.

Evidence from the increased use of diesel vehicles, along with the "Dieselgate Scandal" in regard to falsification of the actual emissions being emitted by diesel vehicles, has been given as one of the major causes for the lack of improvement of air pollution in urban areas.

New pollution information

The Mayor of London has provided updated pollution information for each London Borough. This information includes a breakdown of the sources of pollution. For Hillingdon this demonstrates that road transport, airport-related emissions, industrial emissions and domestic and commercial heating all contribute to the pollution levels found in the borough. **See Appendix 3 for breakdown**

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In addition to this information the Borough has been provided with pollution maps. These updated maps indicate the same distribution of pollution as that for the original Action Plan in 2004 in that the higher levels are found to the south of the borough, with Heathrow airport an easily identifiable pollution hotspot. The operation of the road network through the Borough such as the A40, the A312, M4, A4, Uxbridge Road, also contribute to the pollution levels and congested high streets and road junctions add to the local levels of pollution.

In addition the GLA has introduced a number of Air Quality Focus Areas where action should be prioritised. A Focus Area is defined as being where there are higher levels of pollution alongside a greater number of people exposed. (**see Appendix 4 for map of nitrogen dioxide and Focus Areas**)

Review of the Air Quality Action Plan

Using the updated pollution information, the GLA expects each borough to take the opportunity to review their AQAPs. The Boroughs are required to consider the following six areas for taking action:

- Emissions from developments and buildings
- · Public health and awareness raising
- · Delivery servicing and freight
- · Borough fleet actions
- · Localised solutions
- · Cleaner transport

Whilst these areas are similar to the packages outlined in the Borough's original action plan, the Borough is impacted by a number of sources outside its direct control, which detrimentally impact on the air quality in the Borough. This will require the consideration of additional areas for inclusion, such as specific liaison with Heathrow Airport and with the Mayor of London, to ensure measures to improve air quality within Hillingdon are a priority for these organisations. In addition the Borough is impacted by a number of decisions taken by national Government such as hard shoulder running on the M4, expansion of Heathrow Airport, the construction of High Speed 2. The Action Plan will need to include a mechanism by which the Council's concerns can be brought to the attention of national Government.

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Responsibilities

In line with the new London local air quality management guidance the action plan is required to be signed off by the Directors' responsible in each Borough for Public Health and for Transport before it is submitted for Cabinet approval. In recognition of the importance the Council attaches to the issue, the review of the AQAP is also being scrutinised via the Health and Wellbeing Board to ensure air quality and health improvements are integrated in terms of their approach to bring about reductions in pollution.

Achieving air quality improvements will require commitment across the Council, across businesses and residents in the Borough and from the major stakeholders whose actions influence the pollution levels experienced in the Borough. Some of these actions can be achieved via the provision of information and guidance to allow an informed change in behaviour, others will require the enforcement of legislation to bring about reductions, others will need a co-ordinated approach with other stakeholders to bring about improvements.

3. EVIDENCE & ENQUIRY

Information on pollution levels, air quality monitoring and actions currently taken by the Council will be presented along with more detail on what the Mayor of London expects Boroughs to consider plus an overview of the challenges for the Borough such as Heathrow expansion, M4 widening and HS2 construction.

Witness testimony

Witnesses may be invited from:

Public health - to give an overview of the health issues within Hillingdon and what actions could be taken to bring about improvements to health, where/which groups should be prioritised;

AQ experts - to give detail on air pollution levels and what is predicted to happen, information on the sources of pollution, up to date information on measures that can reduce pollution;

Representative from Greater London Authority

Representatives from Council departments on actions, for example:

• **Planning** - overview of Council policy, what the planning system can achieve, what it can't achieve;

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- **Transport** overview of LIP priorities, Healthy Streets Initiative, working with schools, idling vehicles initiative, what issues the boroughs can't control;
- **Procurement** reductions in energy use through council buildings and assets, improvements in emissions from council fleet, are there financial constraints;

Residents groups or individuals affected by poor air quality? - what are their concerns, what do they perceive as the problem, what do they perceive as the solution?

Lines of enquiry

What are the roles of different departments in the Council for improving air quality, and are there actions to be taken to ensure they work more closely together?

What actions could the Council itself undertake that would make a significant difference to air quality, recognising funding constraints.

How should the council work with other organisations (Heathrow, Transport for London, Highways England, Department for Transport etc.) to improve air quality? What should the council do if these bodies do not provide plans that sufficiently address the problem?

The GLA considers that actions should be initially prioritised in the Focus Areas, is there sufficient evidence to support this view? Is there sufficient evidence to support actions are taken borough-wide? Are there specific at risk groups that should be prioritised?

How should the Council engage with businesses and residents to raise the profile of air quality and provide sufficient information to allow them to bring about changes in behaviour which could aid reductions in pollution?

Emerging conclusions or themes for development

To be developed as the review progresses.

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5. REVIEW PLANNING & ASSESSMENT

Proposed timeframe & milestones for the review up to Cabinet and beyond in terms of monitoring:

Meeting Date	Action	Purpose / Outcome
20 September 2017	Draft Scoping Report and introduction from officers	Information and analysis plus witness evidence from internal sources.
17 October 2017	1st Witness session	Evidence & enquiry - witness evidence from internal sources and others
21 November 2017	Witness Session	Evidence & enquiry - witness evidence
24 January 2017	Witness Session	Evidence & enquiry - witness evidence
28 February	Draft Final Report and suggested recommendations	Proposals – agree recommendations and final draft report

* Specific meetings can be shortened or extended to suit the review topic and needs of the Committee

Resource requirements

None.

Equalities impact

The review could examine whether there are specific areas of deprivation within the Borough where there are problems with air quality.

Appendices

1 AQMA

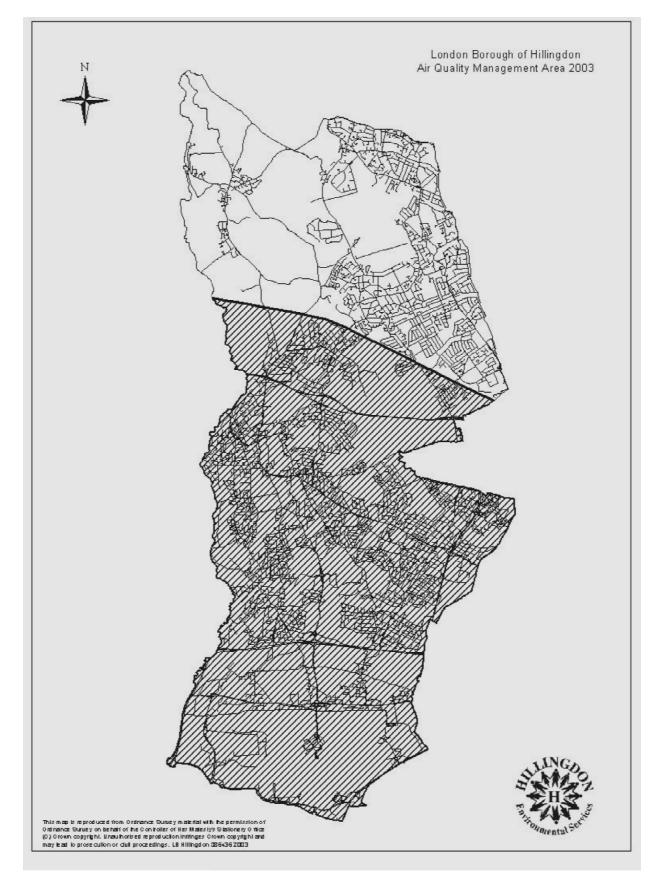
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- 2 Air quality monitoring graph
- 3 Breakdown of pollution sources
- 4 Pollution map and Focus Areas

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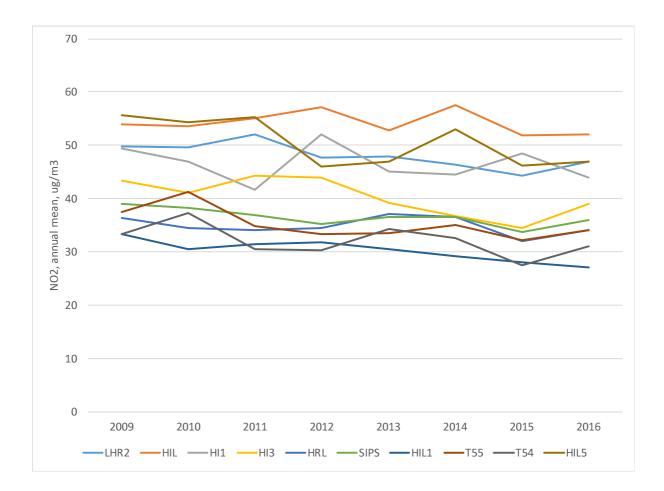
Appendix 1

Map of Air Quality Management Area



Appendix 2

Air quality trends at monitoring stations in Hillingdon



1,799

2,093

2,386

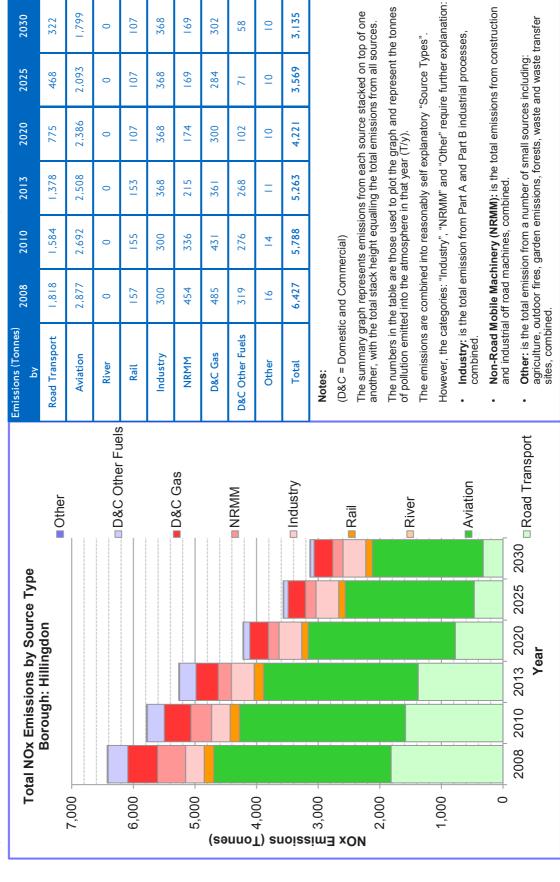
2,508

2,692

1,378

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3,569

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5,263

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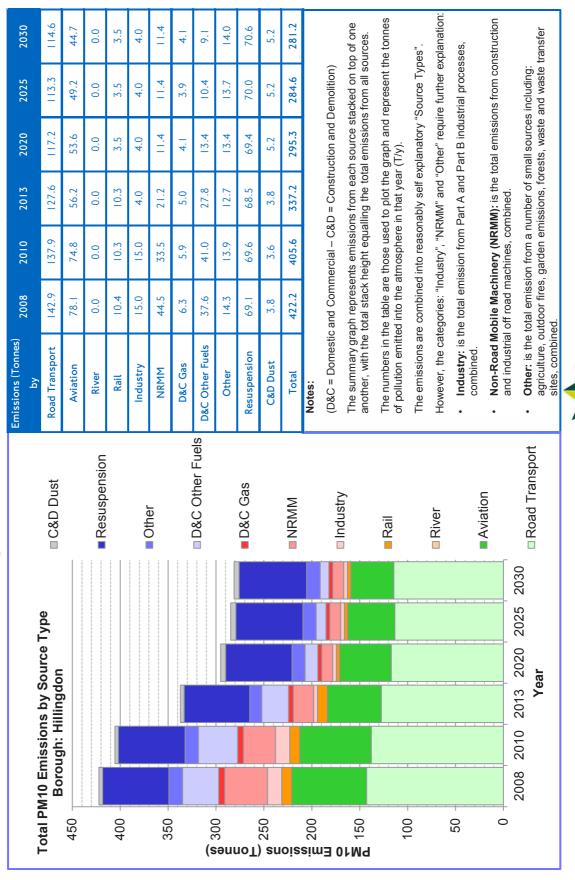
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MAYOR OF LONDON

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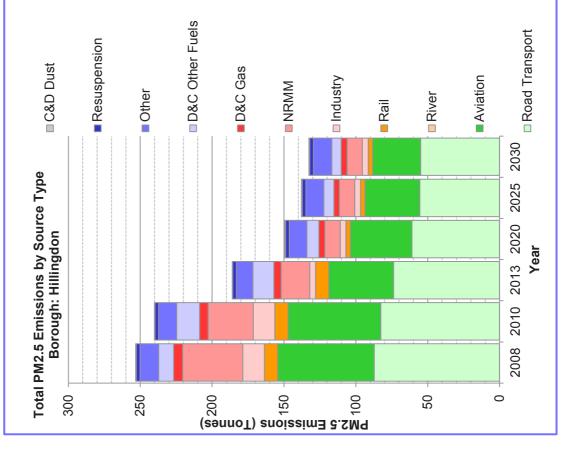
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CLEANERAIR FOR LONDON

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PM2.5 Emissions - Hillingdon



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41.9 31.4 19.9 10.7 10.7 6.3 5.9 5.0 4.1 3.9 10.3 15.9 14.6 8.4 7.0 10.3 15.9 14.6 8.4 7.0 10.3 15.9 14.6 8.4 7.0 11.1 12.7 11.6 12.2 12.5 13.1 12.7 11.6 12.2 12.5 2.5 2.6 2.5 2.6 2.6 0.4 0.4 0.5 0.5 0.5 0.4 0.4 0.4 0.5 0.5 0.4 0.4 0.4 0.5 0.5 2.53.1 240.2 186.0 149.4 137.8	Industry	15.0	15.0	4.0	4.0	4.0	4.0
6.3 5.9 5.0 4.1 3.9 10.3 15.9 14.6 8.4 7.0 10.3 15.9 14.6 8.4 7.0 13.1 12.7 11.6 12.2 12.5 13.1 12.7 11.6 12.2 12.5 2.5 2.6 2.5 2.6 2.6 2.6 0.4 0.4 0.4 0.5 0.5 12.5 0.4 0.4 0.4 0.5 0.5 15.6 0.4 0.4 0.4 0.5 0.5 15.6 15.6 2.53.1 240.2 186.0 149.4 137.8 157.8	NRMM	41.9	31.4	6.61	10.7	10.7	10.7
I0.3 I5.9 I4.6 8.4 7.0 I3.1 I2.7 I1.6 12.2 12.5 2.5 2.6 2.5 2.6 2.6 0.4 0.4 10.2 12.5 12.5 2.5 2.6 2.5 2.6 2.6 0.4 0.4 0.4 0.5 0.5 0.4 0.4 0.5 0.5 0.5 2.53.1 240.2 186.0 149.4 137.8	D&C Gas	6.3	5.9	5.0	4.1	3.9	4.
I3.1 I2.7 I1.6 I2.2 I2.5 I2.6 I2.5 I2.5 <th< th=""><th>D&C Other Fuels</th><th>10.3</th><th>15.9</th><th>14.6</th><th>8.4</th><th>7.0</th><th>6.5</th></th<>	D&C Other Fuels	10.3	15.9	14.6	8.4	7.0	6.5
2.5 2.6 2.5 2.6 2.6 0.4 0.4 0.4 0.5 0.5 253.1 240.2 186.0 149.4 137.8 sstic and Commercial - C&D = Construction and Demolition)	Other	13.1	12.7	9.11	12.2	12.5	12.8
	Resuspension	2.5	2.6	2.5	2.6	2.6	2.6
	C&D Dust	0.4	0.4	0.4	0.5	0.5	0.5
Notes: (D&C = Domestic and Commercial – C&D = Construction and Demolition)	Total	253.1	240.2	186.0	149.4	137.8	132.6
(D&C = Domestic and Commercial – C&D = Construction and Demolition)	Notes:						
	(D&C = Domestic	c and Comn	nercial – C8	D = Constr	uction and [Demolition)	

The summary graph represents emissions from each source stacked on top of one another, with the total stack height equalling the total emissions from all sources.

The numbers in the table are those used to plot the graph and represent the tonnes of pollution emitted into the atmosphere in that year (T/y).

The emissions are combined into reasonably self explanatory "Source Types".

However, the categories: "Industry", "NRMM" and "Other" require further explanation:

- Industry: is the total emission from Part A and Part B industrial processes,
 - combined.
- Non-Road Mobile Machinery (NRMM): is the total emissions from construction and industrial off road machines, combined
- **Other:** is the total emission from a number of small sources including: agriculture, outdoor fires, garden emissions, forests, waste and waste transfer sites, combined.

MAYOR OF LONDON CLEANERAIR FOR LONDON

M

GREATERLONDON AUTHORITY

CO2 Emissions - Hillingdon



170,509

27,381

614,420

356,184

2030

74,516

8,773

0

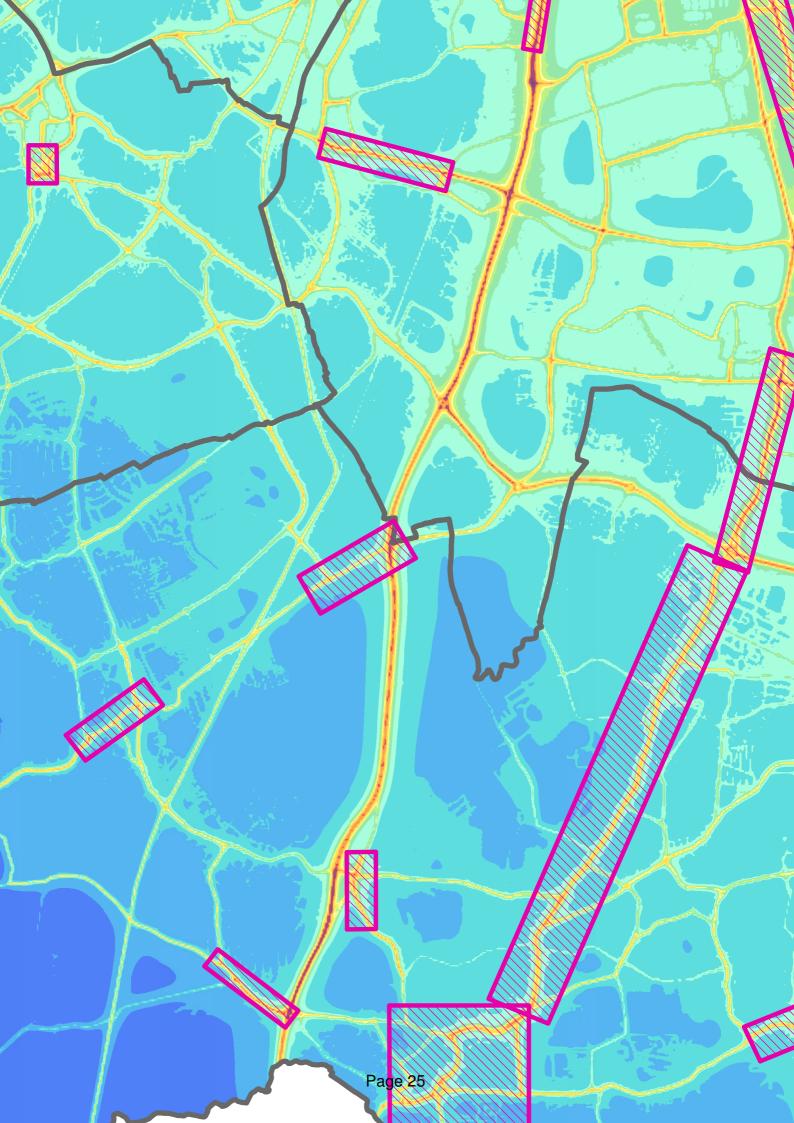
24,646 372,066

GREATERLONDONAUTHORITY

MAYOR OF LONDON

CLEANERAIR FOR LONDON

4



Agenda Item 6

Residents' & Environmental Services Policy Overview Committee -Major Review Shisha Bars, Cafes & Lounges

Contact Officers: Khalid Ahmed Telephone: 01895 250833

REASON FOR ITEM

To enable the Committee to give consideration to an Equality Impact Assessment on the Committee's recent major review into Shisha Bars, Cafes & Lounges

OPTIONS OPEN TO THE COMMITTEE

The Committee is asked to consider the Equality Impact Assessment which has been prepared by the Council's Equality, Diversity and Inclusion Manager as part of the Committee's major review into Shisha Bars, Cafes and Lounges

INFORMATION

- 1. Subsequent to the Committee's last major review into Shisha Bars, Cafes & Lounges, and after the draft final report and recommendations were agreed by the Committee, communication was received from the Council's Equality, Diversity and Inclusion Manager. The communication was in relation to an Equality Impact Assessment which had been carried out into the recommendations of the Committee's review. It was felt that the evidence/ comments should be heard by the Committee before the report was finalised.
- 2. **Vicky Trott**, the Equality, Diversity and Inclusion has been invited to attend the meeting to talk Members through the issues raised in the attached Equality Impact Assessment.
- 3. Members will be sent separately the latest draft final report of the review.

Papers with Report

Equality Impact Assessment



STEP A) Description of what is to be assessed and its relevance to equality

What is being assessed? Please tick

Review of a service Staff restructure Decommissioning a service

Changing a policy Tendering for a new service A strategy or plan

Report of the Residents & Environmental Services Policy Overview Committee 2016/17 Shisha Bars, Lounges and Cafes

Who is accountable? E.g. Head of Service or Corporate Director Chairman, Residents & Environmental Services Policy Overview Committee

Date assessment completed

4 September 2017

Names and job titles of people carrying out the assessment Vicky Trott, Equality, Diversity and Inclusion Manager

A.1) What are the main aims and intended benefits of what you are assessing?

The Terms of Reference of the review are:

- To understand the health and amenity impacts of shisha smoking.
- To examine the range of regulatory tools which could be used to help mitigate the impact of shisha smoking, working with different services and partners.
- To look at the extent of the problem of unauthorised shisha bars, lounges and cafes in the Borough.
- To assess the impact of shisha bars, lounges and cafes on residents who live close to these premises
- To look at what other local authorities are doing in relation to regulating shisha bars, lounges and cafes.

Page 1 of 6

• To look at options available, and the development of a strategy, if appropriate and report to Cabinet as appropriate.

A.2) Who are the service users or staff affected by what you are assessing? What is their equality profile?

There is no equality data available for waterpipe (Shisha) users in the borough.

The main source of data on adult waterpipe use in Britain is the ASH Smokefree GB survey. Between 2012 and 2016, this annual cross-sectional survey obtained data on waterpipe use in 12,000 - 12,500 adults.¹

The data indicate that current waterpipe smoking (up to once or twice per month) in the British general population is very low, at around 1%.

Young adults are more likely to have tried waterpipe smoking than older adults, but current use remains low, at around 2% in 18-24 year olds.

Waterpipe use is higher in Black and Minority Ethnic (BAME) groups; the prevalence of current use is close to 7% in Asian/Asian British populations and slightly higher in young males than young females.

Stakeholders	Interest
Waterpipe (shisha) users	To ensure Public Health concerns around waterpipe smoking are considered in the review.
	To ensure due regard is taken to any potential equality issues that arise in the review.
Shisha lounge/bar/cafe owners	To ensure advice and support for bar/cafe owners is considered in the review, including all relevant policies, guidance, regulations and legislation.
	To ensure due regard is taken to any potential equality issues that arise in the review.

A.3) Who are the stakeholders in this assessment and what is their interest in it?

¹ Public Health England Waterpipe smoking (shisha) in England - The public health challenge Report February 2017 Page 2 of 6

Hillingdon residents	To ensure enforcement action is considered in the review and taken where appropriate and relevant to do so.
	To ensure due regard is taken to any potential equality issues that arise in the review.
Hillingdon Council officers	To ensure all information that is made available to them is considered in the review, so that they can provide relevant and appropriate advice and support for waterpipe users and bar/cafe owners. To ensure due regard is taken to any potential equality issues that arise in the review.
Hillingdon Council Corporate Management Team	To ensure due regard is taken to any potential equality issues that arise in the review.
Residents & Environmental Services Policy Overview Committee	To ensure due regard is taken to any potential equality issues that arise in the review.
Hillingdon Council Cabinet	To ensure due regard is taken to any potential equality issues that arise in the review.

A.4) Which protected characteristics or community issues are relevant to the

assessment? \checkmark in the box.

Age	1	Religion or belief	1
Disability		Sex	1
Gender reassignment		Sexual Orientation	
Marriage or civil partnership		Carers	
Pregnancy or maternity		Community Cohesion	1

Race/Ethnicity

STEP B) Consideration of information; data, research, consultation, engagement

 \checkmark

B.1) Consideration of information and data - what have you got and what is it telling you?

The national equality data that is available shows that young men from BAME communities, specifically those who are Asian/Asian British, are more likely to be waterpipe users.

The shisha bar/cafe/lounges are also more likely to be owned by people from BAME communities.

Consideration therefore needs to be given to any recommendations proposed in the review to ensure they do not unintentionally discriminate on the grounds of race/ethnicity.

Operational/enforcement

The links below show some relevant guidelines and advice for licensed premises that are available on the council and other websites. These could be updated to make more explicit references to setting up a shisha louge/bar/cafe.

Apply for a premises license http://www.hillingdon.gov.uk/article/21471/Apply-for-a-premises-licence

Tobacco and nicotine inhaling products - age related sales http://www.hillingdon.gov.uk/article/17496/Age-related-sales-in-Hillingdon?frmClient=EDB54C9C-AC18-2B1B-0D4E61CF1C6FCFE9&frmItemID=122630&frmShared=1

Tobacco etc - labelling, advertising & packaging http://www.hillingdon.gov.uk/article/17496/Age-related-sales-in-Hillingdon?frmClient=EDB54C9C-AC18-2B1B-0D4E61CF1C6FCFE9&frmItemID=316298&frmShared=1

London Trading Standards Association - changes to law 20 May 2017 http://www.londontradingstandards.org.uk/news/tobacco-vaping-law-changes-london-tradingstandards-reminds-smokers-retailers/

<u>Health</u>

The dangers of shisha smoking are included in the Hillingdon smoking cessation service. More could be done however to raise awareness amongst young people of school and further education age, about the greater risk to health of waterpipe smoking than cigarette smoking.

Consultation

B.2) Did you carry out any consultation or engagement as part of this assessment?

Please tick 🗸

NO 🗸

YES

No consultation was carried out specifically as part of this assessment.

It is proposed that the owners of the shisha bars/cafes/lounges are consulted on the best way that they would like to receive information, support and guidance on how to comply with all relevant policies, guidance, regulations and legislation for waterpipe smoking. These include smoking, planning, health and safety, trading standards, food standards.

B.3) Provide any other information to consider as part of the assessment

Legal context	
The council has a public duty to pay due regard to the need to eliminate	
discrimination, advance equality of opportunity and foster good relations (Equality Act	
2010).	

C) Assessment

C.1) Describe any NEGATIN	E impacts (actual or potential):
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Equality Group	Impact on this group and actions you need to take
Young Asian/Asian British men	As this equality group are more likely to be waterpipe users and owners of shisha bar/cafe/lounges, recommendations in the review, specifically around enforcement, could have a potentially negative impact on this group.
	The recommendations therefore need to take due regard of the Council's general duty under the Equality Act 2010; to eliminate discrimination, advance equality of opportunity and foster good relations and ensure there is no unintentional direct or indirect discrimination.
	It is proposed that the owners of the shisha bars/cafes/lounges are consulted on the best way that they would like to receive information, support and guidance on how to comply with all relevant policies, guidance, regulations and legislation for waterpipe smoking. These include smoking, planning, health and safety, trading standards, food standards.

Page 5 of 6

C.2) Describe any **POSITIVE** impacts

Equality Group	Impact on this group and actions you need to take
Young Asian/Asian British men	As this equality group are more likely to be waterpipe users, the outcomes of the review may have a positive impact on the health of this group, by raising awareness of the serious health impacts of smoking a waterpipe and by ensuring all relevant policies, guidance, regulations and legislation for waterpipe smoking are adhered to by the bar/cafe/lounge owners.

D) Conclusions

As identified in the assessment, addressing the issues related to shish smoking in the borough would have a positive impact on the health of predominantly young Asian/Asian British males, who are more likely to be waterpipe users, by raising awareness of the severe health risks associated with this type of smoking.

It is important, however, to understand that operational/enforcement issues targeted at a specific group could be problematic in relation to the Equality Act 2010, so a better approach would be to integrate waterpipe smoking with current tobacco legislation and other relevant policies, guidance, regulations and legislation.

It is suggested that the recommendations of the report are updated to reflect these conclusions.

Signed and dated:

Leco 4/9/17

Name and position: Vicky Trott, Equality, Diversity and Inclusion Manager

Forward Plan

Contact officer: Khalid Ahmed Telephone: 01895 250833

REASON FOR ITEM

The Committee is required by its terms of reference to consider the Forward Plan and comment as appropriate to the decision maker on key decisions that relate to services within its remit (before they are taken by Cabinet or Cabinet Member).

OPTIONS OPEN TO THE COMMITTEE

- To comment on items going to the Cabinet or Cabinet Members for decision.
- Or to note the items and decide not to comment.

INFORMATION

- 1. The Forward Plan for the following months has been published. Those items that are within this Committee's remit are shown on the attached version of the Forward Plan. The Committee may wish to consider and comment on these items.
- 2. Committee Members are requested to send in any questions they have regarding the attached Forward Plan or on any reports going to the next meeting of Cabinet, and to notify any officers that they would like to attend to give advice.

SUGGESTED COMMITTEE ACTIVITY

• To consider whether there are comments or suggestions that the Committee wishes to make that will aid Cabinet's decision making.

Ref	Upcoming Decisions	Further details	Ward(s)	Final Cabinet decision by Member(s) Full Council	Final Cabinet decision by Member(s) Full Council Responsible	Officer Contact for further information	Consultation NEW on the decision ITEM	NEW ITEM	Public / Private Decision & reasons
Cat	si = standard Item each month Cabinet - 28 September 2017	si = standard item each month September 2017		Council Departme	ents: RS = Residents {	Council Departments: RS = Residents Services SC = Social Care CEO = Chief Executive's Office FD= Finance	re CEO = Chief Execut	tive's Office	FD= Finance
205	205 Mayor's Transport	On 21 June 2017, the Mayor of London published a All	AII		Cllr Keith	RS - Alan Tilly		NEW	Public
	Strategy	draft of the Mayor's Transport Strategy for			Burrows				
		policies and proposals to regarding transport in							
		London over the next 25 years. Cabinet will be							
		asked to agree Hillingdon's response.							
206	206 Transport for	Cabinet will consider the Council's submission to	All		Cllr Keith	RS - Alan Tilly		NEW	Public
	London Interim	Transport for London for funding on local			Burrows				
	Spending	transport infrastructure projects for the ensuing							
	Submission 2018/19 financial year.	financial year.							
Cal	Cabinet - 19 October 2017	r 2017							
SI	Voluntary Sector	Regular report on discounted leases to voluntary	AII		Cllr Jonathan	RS - Michael		MEW	Private (3)
	Leases Report	sector organisations that benefit residents and the			Bianco	Patterson /			
		wider community				Michele Wilcox			
Cal	Cabinet - 16 November 2017	ber 2017							
S	Voluntary Sector	Regular report on discounted leases to voluntary	AII		Cllr Jonathan	RS - Michael		MEW	Private (3)
	Leases Report	sector organisations that benefit residents and the			Bianco	Patterson /			
		wider community				Michele Wilcox			

WORK PROGRAMME 2017/18

Contact Officer: Khalid Ahmed Telephone: 01895 250833

REASON FOR ITEM

This report is to enable the Committee to review meeting dates and forward plans. This is a standard item at the end of the agenda.

OPTIONS AVAILABLE TO THE COMMITTEE

- 1. To confirm dates for meetings
- 2. To make suggestions for future working practices and/or reviews.

INFORMATION

All meetings to start at 5.30pm

Meetings	Room
27 June 2017	CR3
26 July 2017	CR6
20 September 2017	CR6
17 October 2017	CR3
21 November 2017	CR3
24 January 2018	CR3
28 February 2018	CR3
27 March 2018	CR3

Residents' & Environmental Services POC

20 September 2017

PART I - MEMBERS, PUBLIC & PRESS

Residents & Environmental Services Policy Overview Committee

2017/18 DRAFT Work Programme

Meeting Date	Item
27 June 2017	Residents & Environmental Services Policy Overview Committee Possible Review Topics 2017/18
	Shisha Bars, Cafes and Lounges - Draft final report and recommendations
	Work programme for 2017/18
	Cabinet Forward Plan

26 July 2017	Budget Planning Report for Residents Services
	Accessible Hillingdon Supplementary Planning Document
	Safety at Sports Grounds
	Review Topic and information reports for this municipal year
	Work Programme
	Cabinet Forward Plan

20 September 2017	Major Review - Scoping Report and Witness Session
	Equality Impact Needs Assessment - Shisha Bars, Cafes and Lounges - Committee's final report
	Cabinet Forward Plan
	Work Programme

17 October 2017	Major Review - Second witness session
	Update Report on past reviews
	Cabinet Forward Plan
	Work Programme

21 November 2016	Major Review - Witness Session
	Single meeting review

Residents' & Environmental Services POC 20 September 2017

PART I – MEMBERS, PUBLIC & PRESS

Cabinet Forward Plan
Work Programme

24 January 2018	Draft Budget Proposals Report for Residents Services 2018/19
	Major Review - Consideration of suggested recommendations
	Cabinet Forward Plan
	Work Programme

28 February 2018	Major Review - Consideration of draft final report
	Single meeting review
	Cabinet Forward Plan
	Work Programme

27 March 2018	Update on past review
	Single meeting review
	Cabinet Forward Plan
	Work Programme

Residents' & Environmental Services POC 20 September 2017

PART I – MEMBERS, PUBLIC & PRESS