



Please ask for Rachel Appleyard
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The Chair and Members of Cabinet

4 January 2021

Dear Councillor,

Please attend a meeting of the CABINET to be held on TUESDAY, 12 JANUARY 2021 at 10.30 am, the agenda for which is set out below.

This meeting will be held virtually via Microsoft Teams software, for which members of the Cabinet and others in attendance will receive an invitation. Members of the public will be able to access the meeting online by following the link [here](#).

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the Agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 14)

To approve as a correct record the Minutes of the Cabinet meeting held on 15 December, 2020.

4. Forward Plan

Please follow the link below to view the latest Forward Plan.

[Forward Plan](#)

5. Delegation Report (Pages 15 - 16)

Items Recommended to Cabinet via Cabinet Members

Deputy Leader

6. Collection Fund revised estimates (Pages 17 - 22)

Cabinet Member for Governance

7. Commemorations review outcomes and consultation approval (Pages 23 - 34)

Cabinet Member for Health and Wellbeing and Cabinet Member for Economic Growth

8. East Midlands Network (Chesterfield) Air Quality Technical guidance document (Pages 35 - 78)

Cabinet Member for Housing

9. Annual Housing Revenue Account (HRA) rent and service charge setting review (Pages 79 - 94)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

CABINET

Tuesday, 15th December, 2020

Present:-

Councillor P Gilby (Chair)

Councillors Serjeant
Blank
Holmes
J Innes

Councillors

Mannion-Brunt
Sarvent
D Collins

Non-voting Members P Innes

*Matters dealt with under the Delegation Scheme

16 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

17 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Ludlow.

18 **MINUTES**

RESOLVED –

That the minutes of the meeting of Cabinet held on 1 December, 2020 be approved as a correct record and signed by the Chair.

19 **FORWARD PLAN**

The Forward Plan for the four month period 1 January to 30 April, 2021 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

20 **STAVELEY TOWN DEAL INVESTMENT PLAN**

The Interim Director (Projects), Michael Rich, presented a report to update Members on the Staveley Town Investment Plan that had been submitted to Government as part of the national Town Funds programme.

Staveley was chosen to develop proposals for a Town Deal as part of Government's £3.6bn Towns Fund. A prospectus was issued in November, 2019 which set out the aims of the programme and required eligible towns to establish a Town Deal Board to lead the process of developing a vision, strategy and investment plan for each town.

The Town Deal Board was convened in January 2020 with Ivan Fomin, Managing Director of MSE Hillier, appointed as independent chair and Councillor Tricia Gilby as vice-chair. Further guidance was issued in June, 2020 which provided greater detail on the Town Deal process and set out revised timelines for towns to submit their Town Investment Plans.

To inform the development of the Staveley Town Investment Plan, engagement activities took place during late summer and autumn 2020. These activities included a community survey, focus groups and material generated through the national 'my town' website. A copy of the engagement plan was attached at Appendix 1 of the officer's report. Thinking Place consultants used the results of the engagement activities to generate a new vision for Staveley.

The Town Investment Plan set out how the vision for Staveley would be delivered over the long term and made the case to Government for funding to be allocated to specific Towns Fund projects. A copy of the Town Investment Plan was attached at Appendix 2 of the officer's report.

The final stage of the process would involve the development of a full business case for each of the projects included within the Town Investment Plan. As the accountable body for the funds allocated to Staveley, Chesterfield Borough Council would be responsible for running the business case assurance process.

The Chair thanked Ivan Fomin, Lindsay Wetton, Lynda Sharp, Michael Rich and the consultants for their work in developing the Plan.

***RESOLVED –**

1. That the Staveley Town Investment Plan submitted to the Ministry for Housing, Communities and Local Government on 11 December, 2020 be noted and endorsed.
2. That the proposed allocation of resources to fund a masterplan review for Staveley Town Centre be noted and endorsed.
3. That the role which Chesterfield Borough Council will play throughout the 5 year Town Deal programme as the accountable body for the Towns Fund allocated to Staveley be noted.

REASON FOR DECISIONS

To ensure that Cabinet is aware of the work underway within the Town Deal programme and the role that Chesterfield Borough Council will play as the accountable body for future funding within that programme.

21 GENERAL FUND REVENUE BUDGET SUMMARY

The Acting Chief Finance Officer submitted a report to update members on the development of the General Fund Revenue Budget Summary for 2021/22 and future years.

The latest revised budget for 2020/21 showed a projected deficit of £165k. The report attributed the deficit largely to the impact of the Covid-19 pandemic on the Council's main income streams, notably the sports centres, car parks and venues.

The Acting Chief Finance Officer reported that the Council had made good use of various Government Covid-19 reliefs and grant schemes including the furlough scheme, compensation for lost sales fees and charges income and the cultural recovery grants scheme.

The report also provided an update on the Medium Term Financial Forecast. The latest projected deficit for 2021/22 was £40k, which increased to £183k by 2025/26. The deficit position for 2021/22 assumed savings from the ICT Digital Innovation Programme and that the Council's core trading income streams would be sustained at estimated levels.

The Acting Chief Finance Officer advised that, in advance of the final General Fund Revenue Budget Summary report for 2020/21 being agreed

by Full Council on 24 February, 2021, work would be undertaken between Cabinet Members and the Corporate Leadership Team to identify further savings and income generation proposals.

***RESOLVED –**

1. That the updated budget projections for 2020/21 and future years, as detailed in Appendix A of the officer's report, recognising the difficulty of producing accurate estimates in the current climate and the continued risks associated with these budget estimates, be noted.
2. That work continues to refine the draft estimates for 2020/21 and future years and to develop budget saving proposals to address the forecast deficits from 2021/22.
3. That the changes to budget assumptions outlined in paragraph 7.3 of the officer's report be approved.

REASON FOR DECISIONS

To keep Members informed about the council's current financial standing, the budget estimates for 2020/21 and 2021/22 and the latest medium term financial forecasts.

22 LEISURE CENTRES FEES AND CHARGES 2021/22

The Service Director – Leisure, Culture and Community Wellbeing submitted a report setting out the proposed fees and charges for sport and leisure activities at Queen's Park Sports Centre and Staveley Healthy Living Centre for 2021/22.

The proposed fees and charges were detailed in Appendix 2 of the officer's report.

***RESOLVED –**

1. That the proposed fees and charges, as detailed in Appendix 2 of the officer's report, be approved and implemented from 1 April, 2021 until 31 March, 2022.

2. That the Service Director – Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Health and Wellbeing, be granted delegated authority to apply appropriate fees and charges to new activities that are introduced during the period covered by this report.
3. That the Service Director – Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Health and Wellbeing, be granted delegated authority to adjust the approved fees and charges to maximise promotional opportunities to stimulate usage, support the retention of customers and/or to respond to external market forces.

REASON FOR DECISIONS

In accordance with the Council's Financial Regulations, it is necessary for all fees and charges to be reviewed annually.

23 OUTDOOR LEISURE FEES AND CHARGES 2021/22

The Environmental Services Manager submitted a report setting out the proposed fees and charges for outdoor leisure facilities for 2021/22.

The proposed fees and charges were detailed in Appendix 1 of the officer's report.

***RESOLVED –**

1. That an increase of 3% be introduced from 1 April 2021 for:
 - the hire of pitches for football;
 - the hire of recreation grounds and community rooms in parks; and
 - to the ground rent charge for circus, funfairs and one off events.
2. That the arrangements for the hire of bowling greens, tennis courts and cricket pitches be reviewed in line with current lease arrangements.
3. That there be no increase in ticket prices for the miniature railway (currently £2 for an individual or £5 for a family ticket).

4. That the Environmental Services Manager, in consultation with the Cabinet Member for Health and Wellbeing, be granted delegated authority to adjust the approved fees and charges to maximise promotional opportunities to stimulate usage, support the retention of customers and/or to respond to external market forces.

REASON FOR DECISIONS

To comply with the Council's Budget Strategy.

24 WASTE MANAGEMENT FEES AND CHARGES 2021/22

The Environmental Services Manager submitted a report setting out the proposed charges for the collection and disposal of waste for 2021/22.

The proposed fees and charges were detailed in Appendix 1 of the officer's report.

***RESOLVED –**

1. That the proposed fees and charges, as detailed in Appendix 1 of the officer's report, be approved and implemented from 1 April, 2021.
2. That the Environmental Services Manager, in consultation with the Cabinet Member for Health and Wellbeing, be granted delegated authority to adjust the approved fees and charges to maximise promotional opportunities to stimulate usage, support the retention of customers and/or to respond to external market forces.

REASON FOR DECISIONS

To comply with the Council's Budget Strategy.

25 ENVIRONMENTAL HEALTH FEES AND CHARGES 2021/22

The Senior Environmental Health Officer submitted a report setting out the proposed fees and charges for various environmental health functions for 2021/22.

The proposed fees and charges were detailed in Appendix 1 of the officer's report.

***RESOLVED –**

1. That the proposed fees and charges, including concessionary rates (where applicable), as detailed in Appendix 1 of the officer's report, be approved and implemented from 1 April, 2021.
2. That the Senior Environmental Health Officer be granted delegated authority to have discretion to offer reduced charges for micro-chipping of dogs at promotional events and campaigns associated with the mandatory chipping that came into effect in April 2016.
3. That the Senior Environmental Health Officer be granted delegated authority to offer an alternative enforcement option, which could include a caution or prosecution, for fly-tipping offences instead of issuing a fixed penalty notice.

REASON FOR DECISIONS

In accordance with the Council's Financial Regulations, it is necessary for all fees and charges to be reviewed annually.

26 CEMETERY FEES AND CHARGES 2021/22

The Bereavement Services Manager submitted a report setting out the proposed fees and charges for the Council's cemeteries for 2021/22.

The proposed fees and charges were detailed in Appendix A of the officer's report.

***RESOLVED –**

1. That the proposed fees and charges for the council's cemeteries, as detailed in Appendix A of the officer's report, be approved and implemented from 1 April, 2021.
2. That the Bereavement Services Manager be granted delegated authority to reduce the fees and charges where appropriate.

REASON FOR DECISIONS

To generate income to contribute to the costs of providing and

maintaining a burial service.

27 VENUES FEES AND CHARGES 2021/2022

The Arts and Venues Manager submitted a report setting out the proposed fees and charges for venue and equipment hire at the Pomegranate Theatre, The Winding Wheel Theatre, the Assembly Rooms in the Market Hall and Hasland Village Hall for 2021/22.

The proposed fees and charges were detailed in Appendices A to E of the officer's report.

***RESOLVED –**

1. That the proposed theatre hire charges for the Pomegranate Theatre, as detailed in Appendix A of the officer's report, be approved and implemented from 1 April, 2021.
2. That the proposed room hire charges for The Winding Wheel Theatre, as detailed in Appendix B of the officer's report, be approved and implemented from 1 April, 2021.
3. That the proposed equipment hire charges at The Winding Wheel Theatre, as detailed in Appendix B of the officer's report, be approved and implemented from 1 April, 2021.
4. That the proposed theatre hire charges for The Winding Wheel Theatre for professional companies and commercial use, as detailed in Appendix C of the officer's report, be approved and implemented from 1 April, 2021.
5. That the proposed room hire charges at the Assembly Rooms in the Market Hall, as detailed in Appendix D of the officer's report, be approved and implemented from 1 April, 2021.
6. That the proposed room hire charges at Hasland Village Hall, as detailed in Appendix E of the officer's report, be approved and implemented from 1 April, 2021.

REASON FOR DECISIONS

To make further progress towards a sustainable financial position for the venues.

28 CHESTERFIELD MARKET FEES AND CHARGES 2021/22

The Town Centre Operations Manager submitted a report setting out the proposed fees and charges for Chesterfield's open markets and the Sunday Car Boot sale for 2021/22. The report proposed no increases to the fees and charges.

The proposed fees and charges were detailed in Appendix 1 of the officer's report.

***RESOLVED –**

1. That there be no increase to the fees and charges for Chesterfield's open markets and Sunday Car Boot sale for 2021/22.
2. That, as part of the market reconfiguration project being undertaken in 2021, the pricing structures be reviewed to identify the premium and secondary pitches, follow best practice adopted nationally and ensure a value for money approach is taken to realise the full income potential of the market.
3. That the Service Director for Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Town Centres and Visitor Economy, be granted delegated authority to apply appropriate fees and charges to new activities that are introduced during the period covered by this report; and to also negotiate pitch fees to support individual traders by responding to external forces that may impact directly on trading as well as initiatives to support new and start-up traders.

REASONS FOR DECISIONS

1. The impact of COVID-19 has significantly reduced market income since March 2020 and continues to do so. Visitor, shopper and worker numbers to the town centre are directly impacting market occupancy, utilisation and income generation. Footfall in the town centre is significantly reduced and, trading opportunities are therefore greatly weakened.

2. Trader numbers have steadily improved since 15 June when nonessential retailers could return to the market, however the market is fragile and trader morale and confidence is extremely low. The second national lockdown from 5 November to 2 December only further exacerbated the situation.
3. In line with delegated authority, and with both Cabinet Member and SLT approval, concessionary rates for Traders have been in place since 23 March, initially free rent until July, £5 until September and currently £10, all per stall, across all market days. This is under continuous review but is deemed necessary to support the market.
4. Whilst many of the Traders have been able to obtain financial assistance through the Discretionary Grant Scheme a significant number do not qualify for any assistance, as they do not meet the criteria required to apply. The Council continues to support the traders through targeted marketing schemes and infrastructure investment, including shop local, Christmas lights and Christmas promotional activity, all aimed at driving footfall safely into the town centre.
5. Although income will not be achieved for 2020/21, to increase any fees for markets could further exacerbate market occupancy and damage the council's reputation in relation to bringing footfall safely back to the town centre.

29 **CAR PARKS FEES AND CHARGES 2021/22**

The Town Centre Operations Manager submitted a report setting out the proposed fees and charges for car parks for 2021/22. The report proposed no increases to the fees and charges.

The proposed fees and charges were detailed in Appendix 1 of the officer's report.

***RESOLVED –**

1. That there be no increase in the fees and charges for car parks for 2021/22.
2. That tariffs be reviewed for 2022/23.

3. That all residents of the Borough will continue to benefit from free parking in 2021/22 before 10am and after 3pm Monday to Saturday and all-day Sunday, and Bank Holidays at selected surface car parks using the Resident Parking Scheme.
4. That the Service Director for Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Town Centres and Visitor Economy, be granted delegated authority to apply appropriate negotiated fees for new activities and opportunities that are introduced or arise during the period covered by this report.

REASONS FOR DECISIONS

1. The 2020/21 Car Park Fees and Charges report notes that if the income target for 2020/21 is achieved then there will be no increase in tariffs for 2021/22 and a review will be made for 2022/23. As there has been limited opportunity to achieve any meaningful income comparison it is felt that the fees and charges review for 2021/22 should take this into consideration and the next review made for 2022/23.
2. The impact of COVID-19 has significantly reduced car park income since March 2020 and continues to do so. Visitor, shopper and worker numbers to the town centre are directly impacting on car park utilisation and income generation.
3. Although the income target will not be achieved for 2020/21 to increase any fees for parking could further exacerbate parking uptake and damage the Council's reputation in relation to bringing footfall safely back to the town centre.

30 EXCLUSION OF THE PUBLIC

RESOLVED –

That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972.

31 SALE OF LAND TO THE EAST OF LINACRE ROAD

The Service Director – Economic Growth presented a report seeking approval to accept the headline offer from Kier Living Limited to purchase land owned by the Council located east of Linacre Road for a new housing scheme.

The report also outlined the proposal for the Council to purchase 26 new affordable homes as part of the proposed development; the homes would be offered to applicants on the Council's housing register.

***RESOLVED –**

1. That the 'headline' offer from Kier Living Limited, KLL, to purchase land owned by the Council located east of Linacre Road, as set out in Appendices A and B of the officer's report, be accepted.
2. That delegated authority be granted to the Executive Director, in consultation with the Cabinet Members for Economic Growth and Housing, to approve the final terms and detailed contract of sale and conclude the transaction.
3. That the future purchase of 26 affordable housing units from KLL through the Housing Revenue Account capital programme be approved, and that delegated authority be granted to the Executive Director, in consultation with the Cabinet Members for Housing and Economic Growth, to agree the final details of the acquisition and conclude the transaction.

REASONS FOR DECISIONS

1. The financial offer made represents good commercial value and 'a substantial offer' for the site, based on advice provided by BNP Paribas, the council's surveyor and market advisor.
2. The outline housing scheme of 285 units achieves the outcomes of the original site development brief/masterplan, and also supports the council to meet a number of housing delivery and planning objectives as set out within the council's Housing Strategy and the adopted Local Plan, the Chesterfield Borough Local Plan 2018-2035.

CABINET MEETING

12 January 2021

DELEGATION REPORT

DECISIONS TAKEN BY LEAD MEMBERS

Cabinet Member for Health and Wellbeing

Decision Record No.	Subject	Delegation Reference	Date of Decision
4/20/21	Cemetery Bench Policy	HW390	23 November 2020
<p>Decision</p> <p>(1) That the Policy, as attached to the report, be approved and adopted by the Cemeteries Office.</p> <p>(2) That a fee of £200.00 be added to the Cemetery Fees and Charges described as “Permit to Install Memorial Bench”.</p>			
<p>Reasons for Decision</p> <ol style="list-style-type: none"> 1. To ensure that benches in Cemeteries are regularly inspected and are in a safe condition to comply with the Council’s Health and Safety obligations to visitors to the Cemeteries. 2. To introduce a permit application to ensure that proposed benches are only approved if they are in keeping with the Cemetery. 3. To obtain income for services previously provided free of charge which cover the cost of installation and annual inspection. It is anticipated that approximately £1,200 additional income per annum will be recovered. 4. To allow for the removal of benches that fall into disrepair, usually due to reasons of long neglect, in an approved and orderly manner. 			

Cabinet Member for Governance

Decision Record No.	Subject	Delegation Reference	Date of Decision
5/20/21	Representatives on Outside Bodies, Joint Committees, Other Bodies and Charities - 2020/21	GV000L	25 November 2020
<p>Decision</p> <p>That the schedule of appointments of representatives to outside bodies for 2020/21, attached at Appendix A to the report, be confirmed.</p>			
<p>Reason for Decision</p> <p>To confirm appointment of representatives to outside bodies for the 2020/21 Council year.</p>			

For Publication

Collection Fund Revised Estimates 2020/21

Meeting:	Cabinet
Date:	12 th January 2021
Cabinet portfolio:	Deputy Leader
Directorate:	Finance

1.0 Purpose of report

- 1.1 To agree the revised estimate of the surplus or deficit on the Collection Fund for 2020/21 so that it can be shared amongst the major precepting authorities in 2021/22.

2.0 Recommendations

- 2.1 That the estimated deficit on the Council Tax of £704,062 be agreed and allocated to the major precepting authorities as detailed in Appendix A.

3.0 Reasons for recommendations

- 3.1 To fulfil a statutory requirement and to feed into the budget setting process for 2021/22.

4.0 Background

- 4.1 The Local Government Finance Act 1992 requires Billing Authorities to calculate the estimated surplus or deficit on the Council Tax elements of the Collection Fund each year.
- 4.2 The Act prescribes that the estimated surplus or deficit should be allocated to the major precepting authorities in proportion to their precepts and that the major preceptors should then take it into account when calculating their Council Taxes for the following financial year.

5.0 Considerations

5.1 Council Tax Transactions

- 5.1.1 The estimate of Council Tax income for the year 2020/21 is £54.1m.
- 5.1.2 The accumulated bad debt provision has been estimated at £2,180,000.
- 5.1.3 In setting the Council Tax for 2020/21 it was originally estimated that there would be a surplus from the previous year of £940,939 to allocate. However, at the end of 2019/20 there was surplus of £901,726. The difference of £39,213 will be allocated in 2021/22.
- 5.1.4 The precepts on the fund in 2020/21 total £53.7m.
- 5.1.5 The net result of the above items is to produce an estimated deficit of £704,062 on the Fund at 31st March 2021. Appendix A shows how the deficit is to be shared between the major precepting authorities. The majority (73.35%) goes to the County Council. The Borough Council receives 10.10% of the deficit i.e. £71,110.
- 5.1.6 The forecast deficit of £704,062 would usually be recovered in 2021/22 from all precepting authorities. However, due to the Covid19 pandemic, billing authorities are required to spread that element of the deficit relating to the current year, over the next three financial years from 2021/22 and 2023/24. Therefore £260,830 will be recovered in 2021/22 and £221,616 in 2022/23 and 2023/24. The Borough Council share is £26,344 in 2021/22 and £22,383 in 2022/23 and 2023/24.

6.0 Alternative options

- 6.1 None.

7.0 Implications for consideration – Council Plan

- 7.1 There are no Council Plan implications to consider in this report.

8.0 Implications for consideration – Financial and value for money

- 8.1 Financial and value for money implications are detailed in sections 4 to 5.

9.0 Implications for consideration – Legal

9.1 The Local Government Finance Act 1992 requires Billing Authorities to calculate the estimated surplus or deficit on the Council Tax elements of the Collection Fund each year.

10.0 Implications for consideration – Human resources

10.1 There are no human resource implications to consider in this report.

11.0 Implications for consideration – Risk management

11.1 There are a number of significant risks inherent in any budget forecasting exercise. The most significant budget risk currently is the impact of Covid19 and the council's ability to collect Council Tax.

12.0 Implications for consideration – community wellbeing

12.1 There are no community wellbeing implications to consider in this report.

13.0 Implications for consideration – Economy and skills

13.1 There are no economy and skills implications to consider in this report.

14.0 Implications for consideration – Climate Change

14.1 Individual climate change impact assessments are not required for the budget process. These are included as part of the decision-making processes for specific spending options.

15.0 Implications for consideration – Equality and diversity

15.1 Individual equality and diversity impact assessments are not required for the budget process. These are included as part of the decision-making processes for specific spending options.

Decision information

Key decision number	996
Wards affected	All

Document information

Report author	Contact number/email
Richard Staniforth	01246 936274 richard.staniforth@chesterfield.gov.uk
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.	
<i>This must be made available to the public for up to 4 years.</i>	
Appendices to the report	
Appendix A	Revised Collection Fund Estimates 2020/21

REVISED COLLECTION FUND ESTIMATES 2020/21

	Council Tax £	
Surplus/(deficit) b/fwd		901,726
<u>Income:</u>		
Gross Debit	54,075,000	
Reduction/(increase) in bad debt provision	(1,063,000)	53,012,000
		53,913,726
<u>Expenditure:</u>		
Parishes	(463,469)	
Chesterfield BC	(5,052,044)	
Derbyshire CC	(40,068,224)	
Derbyshire Fire & Rescue	(2,308,141)	
Police & Crime Commissioner for Derbyshire	(6,725,910)	(54,617,788)
Estimated Surplus/(Deficit)		(704,062)
<u>Share of Surplus / (Deficit):</u>	%	£
Chesterfield BC	10.10	(71,110)
Derbyshire CC	73.35	(516,430)
Derbyshire Fire & Rescue	4.23	(29,782)
Police & Crime Commissioner for Derbyshire	12.32	(86,740)
Total Surplus/(Deficit)	100%	(704,062)

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For Publication

Commemorations Review

Meeting:	Cabinet
Date:	12.01.2021
Cabinet portfolio:	Governance
Directorate:	Corporate

1.0 Purpose of the report

- 1.1 To report on the findings so far of the commemorations review and to move to the consultation stage of the review.

2.0 Recommendations

- 2.1 That members note the findings from phase 1 of the commemorations review and the work undertaken to develop a broader understanding of the borough's monuments, statues, plaques and street names.
- 2.2 That phase 2 of the review is commenced which includes further public consultation to inform future commemoration activity.
- 2.3 That information is improved on the Chesterfield Borough Council website regarding street naming and re-naming and that Derbyshire Building Control are also requested to review and improve information on their website.
- 2.4 That Chesterfield Borough Council works with Derbyshire County Council and Chesterfield Civic Society to seek to improve the information listed about current and future blue plaques to provide more historical context and support educational opportunities.

3.0 Reasons for recommendations

3.1 To improve access to information about current commemorations within Chesterfield Borough and to help to shape future plans.

4.0 Report details

4.1 Background

In June 2020, the Leader of Chesterfield Borough Council made a commitment, alongside the leaders of a large number of other Councils to review the appropriateness of commemorations within Chesterfield Borough on public land including monuments, statues, plaques and street names. A commitment was also made to ask our communities who is currently missing from our commemorations and how we can ensure future commemorations provide opportunities for education and to celebrate the history of Chesterfield Borough and our diverse communities.

4.2 Monuments and statues

There are a large number of monuments and statues across Chesterfield Borough which showcase our rich industrial heritage and culture. There is a particular wealth of commemorations dedicated to the mining industry, early trade unionism and railway engineering. There are also a number of first and second world war memorials.

4.3 The council has operated a 'Percent for Art' scheme since 1994 which has seen the completion of over 80 new art schemes located throughout the borough that help to create a sense of place and add character to the built environment.

4.4 Many of these schemes draw on our industrial heritage including the statues of industrial workers in Staveley Market Place commemorating our railways, mining and steel industries or Mollusc at Riverside Village which depicts the huge water turbines once made at Markham Works which used to occupy the site. Other schemes draw inspiration from nature and our environment such as the Woodland Guardians at West Wood in Inkersall and Summer Fruits at Linacre Road which commemorates our rural history. Other schemes highlight our ambitions for the future including the famous Growth sculpture at Horns Bridge roundabout which signifies the confidence and continuous growth of the town.

- 4.5 The Chesterfield Borough Local Plan previously required all development schemes within the borough costing over £1 million to include a work of art to the value of 1% of the total cost of the project. Smaller schemes were also encouraged to include artworks within their design. The percent for art scheme has not only provided over 80 fantastic art works and schemes for the borough but also included considerable community involvement with artists leading workshops with schools, Chesterfield college and with community groups to develop the works.
- 4.6 During the last Local Plan examination in 2020 the Planning Inspector recommended that this requirement be eased. This may impact on our ability to increase the number of art works and commemorations within the borough but we have made a commitment to continue to encourage developers to commit to the scheme and community involvement.
- 4.7 The review of monuments and statues has identified a large number of commemorations which are a valuable part of our heritage and commemorate individuals, organisations, historical events, our industrial past and future as well as our environment. These have helped to shape our great borough and have formed a valuable part of our townscape for many years and will continue to do so. The full percent for art trail guide can be found [here](#).
- 4.8 In June 2020, we asked residents to identify any monuments or statues that they would particularly like the review to consider. No submissions were received.
- 4.9 Plaques
- Chesterfield Borough Council, Derbyshire County Council and Chesterfield Civic Society place blue plaques to commemorate either the intrinsic worth of a building, or an association with people or historical events of significance to the borough. There are currently twenty within the borough.
- 4.10 Some of the plaques relate to prominent individuals with key links to our borough such as Emma Miller the women's rights activist and founder of the Queensland (Australia) Labour movement or George Stephenson the engineer and railway pioneer. There are also more contemporary plaques including the commemoration to James Pullen

MBE at the corner of Elder way for his service to all the charities he collected for over a 40 year period at that site.

4.11 The majority of plaques however relate to key buildings showcasing our rich architectural heritage including Tipton House, Elder Yard Unitarian Chapel and the Peacock Building. One of these commemorated buildings is Heathcote House, a grade II* listed stone-built house c.1620, however the site history at St. Mary's Gate can be dated to 1496. The plaque was erected by the Chesterfield Civic Society on private property and relates to the building rather than the Heathcote family.

4.12 The Chesterfield Civic Society website includes a small amount of information regarding the Heathcote family in relation to Heathcote House and Chesterfield *"It was acquired in 1614 by Gilbert Heathcote , who probably erected the present structure before his death in 1634 . The Heathcote family were prominent in the business and corporate life of Chesterfield from the end of the fifteenth century to the seventeenth"*. During our review of commemorations, we identified several direct links between members of the Heathcote family and the trans-Atlantic slave trade and colonialism.

4.13 While the blue plaque itself relates to the Grade II* listed building (privately owned) rather than the Heathcote family, there is potentially an opportunity to work with the Chesterfield Civic Society to better reflect the historical context of the house and family connections within the plaque listing. There is also an opportunity for Chesterfield Borough Council, Derbyshire County Council and Chesterfield Civic Society to improve the information listed about current and future plaques to provide more context and educational opportunities.

4.14 In June 2020, we asked residents to identify any plaques that they would particularly like the review to consider. No submissions were received. Further information about blue plaques and their locations can be accessed [here](#).

4.15 Street names

There are over 1600 street names within Chesterfield Borough, a very small number of which have associations with the trans-Atlantic slave trade and/or colonialism through significant historical figures. This includes three roads named after Boar War Generals – Lord Roberts

Road, Redvers Buller Road and Baden Powell Road in the Birdholme area of Chesterfield.

4.16 In June 2020, we asked residents to identify any streets names that they would particularly like the review to consider. Representations were made by the public regarding the street names Rhodes Avenue in Newbold and Rhodesia Road in Brampton. Concerns were raised around potential links to the British Crown colony of Southern Rhodesia and/or linked to Cecil Rhodes the Prime Minister of Cape Colony. There is however a weight of evidence that these particular street names were named for William Rhodes the former mayor of Chesterfield, Alderman and Freeman of the Borough. William Rhodes was a developer and builder but also one of the most prominent borough councillors in the inter-war period driving forward a number of large private and public housing schemes.

4.17 Street naming

Derbyshire Building Control Partnership (on behalf of Chesterfield Borough Council) are responsible for all street naming and property numbering within the Chesterfield Borough Council area. The primary objective in naming streets is to facilitate easy identification of premises by, the emergency services, postal / delivery services and general visitors to the area, amongst others. All addresses form part of the National Land and Property Gazetteer (NLPG) which covers the whole of England and Wales.

4.18 In the majority of cases the developer will propose names for the new development or request suggestions from the Council. In both cases local ward members for the area will be consulted. A number of street naming conventions are followed including:

- Street names for new developments should not be duplicated within a postal district area
- Street names should not be difficult to pronounce or awkward to spell
- Names of living or deceased persons will not be allowed, unless agreement of the named person's family or estate administrators has been obtained
- Street names, where possible should reflect the history or geography of the site or area
- Street names construed as advertising will not be allowed

- Street names that could be considered to be offensive will not be allowed
- Dependant street names will not be allowed (eg Mill Close, Park Lane)
- Where a road is in two parts, the use of North, South, East and West in street names should be avoided (eg North Road East and North Road West). It is preferred that two different road names are used
- Phonetically similar names within a postal town area should be avoided
- Historic street naming and Numbering practices have often resulted in many streets in close proximity being assigned the same name but with a differing suffix, eg. Brunel Road, Brunel Avenue, Brunel Close, etc. The Department of Transport advises against this practice. Proposals to name new roads in an area using a differing suffix will normally be refused

4.19 Street re-naming

Street re-naming is a lengthy and complicated legal process to complete. A key part of the process includes consultation with residents living at properties on the street or road and businesses operating from that location. This is important as any name change will affect residents and businesses in many ways. This could include updating property deeds, mortgage, rental, insurance and bills associated with the property, personal records such as driving licenses, medical records and bank details and for businesses website changes, letterheads and tax and payroll records, this is all at a cost to the residents and businesses residing on the particular street. A number of statutory bodies would also need to be consulted including the Highways Authority, Derbyshire County Council. Key information including the consultation responses would then need to be considered by Chesterfield Borough Council's Planning Committee with a decision being taken on the name change. Residents have a right of appeal to the Magistrates Court.

4.20 Street naming information

Information about street naming and re-naming is fairly limited on both the Chesterfield Borough Council website and on the Derbyshire Building Control website. This is potentially a barrier for residents seeking to make suggestions for future street names on developments and to consider if they would like to apply for street re-naming. We are

recommending that information is reviewed and improved on both key websites.

4.21 Other types of commemoration activity

Chesterfield Museum's main display tells the story of Chesterfield, from its beginnings as a Roman Fort to the building of the 'Crooked Spire', the growth of the market town, the industrial revolution and into more modern history.

4.22 The Museum also has a changing programme of exhibitions that look at Chesterfield in a variety of different ways including the commemoration and celebration of people, organisations and communities. This has included building a trench to commemorate the end of World War One, hosting exhibitions from local community groups and organisations including the Chinese Big Society, Chesterfield College and Derbyshire LGBT+. In 2016 there was an extensive exhibition looking at the 'Great and the Good' of Chesterfield in portraits. Chesterfield Museum presents a significant opportunity for further commemoration, celebration and education.

4.23 The Council directly delivers and supports other partners to deliver a range of activities and events across the Borough. Some of these offer excellent opportunities for commemorating, celebrating and supporting education activities linked to individuals, historical events and communities. For example, Chesterfield Borough Council and the Chesterfield equality and Diversity Forum have supported Black History Month projects with the African Caribbean Association, supported and promoted Chesterfield Pride amongst a range of events and activities.

4.24 In more recent years flag flying from key buildings and social media activity has become more prominent in commemorating events and celebrating our diverse communities. The Mayor of Chesterfield is also often invited to represent the Borough at a range of commemorations and celebratory activity. There are also civic commemorations including Alderman status for former elected members and Freeman of the Borough – the highest honour that Chesterfield Borough Council can give in recognition of service to the borough and out communities.

4.25 Future Commemorations consultation

As part of the review we are recommending further consultation around future commemorations. This will include:

- Preferred ways to commemorate and celebrate key figures, organisations, historical events and communities
- Principles for commemorations for example links to the Borough
- Gathering ideas for potential future commemorations and celebration activity
- Improving access to information about existing commemoration activity

5.0 Alternative options

5.1 No alternative options have been identified.

6.0 Implications for consideration – Council Plan

6.1 This activity contributes to the improving the quality of life for local people strand of the Council Plan.

7.0 Implications for consideration – Financial and value for money

7.1 The majority of commemorations have previously been funded via external sources including percent for art contributions, grant funding or community funds. Funding is in place for a small number of temporary exhibitions at the museum, events and flag flying. Community Infrastructure Levy (Neighbourhood Portion) funding has recently been used to support Chesterfield Civic Society in creating further blue plaque commemorations for the borough. There is currently no budget set aside for commemorations – either their creation or indeed removal where appropriate.

7.2 Estimated costs of further commemoration activity has been identified as part of the review:

- Additional blue plaques £500 each
- Additional museum exhibition - £1,000
- Additional equality and diversity event or partnership support £500
- Additional sculpture – up to £15,000

Street re-naming incurs the following estimated costs from Derbyshire Building Control Partnership (DBCP) - £309 fee per street name change for up to 20 properties then £11 per property thereafter. In addition to DBCP fees there will also be financial and resource commitments for:

- Visiting all properties to discuss the name change with residents prior to the formal DBCP consultation
- Preparing and submitting block plans for existing street names and numbers including any business addresses
- Developing and potentially consulting on new name options
- Preparing the report for Planning Committee
- Legal action taken against the Council for additional costs emerging from the name change by residents, organisations and businesses
- Changes to street furniture including new street signage

8.0 Implications for consideration – Legal

8.1 The street naming legislation covering England and Wales (excluding London) is contained in:

- Section 64 and 65 of the Town Improvement Clauses Act 1847
- Section 160 of the Public Health Act 1875
- Section 21 of the Public Health Act 1907
- Section 17, 18 and 19 of the Public Health Act 1925
- The Local Government Act 1972

9.0 Implications for consideration – Human resources

9.1 Additional commemoration activity including schemes, event, activities, funding bids and support all require human resource commitments. These will need to be considered against other commitments and priorities as part of the decision-making process.

10.0 Implications for consideration – Risk management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Being unable to secure additional funding and/ partnerships / developer agreements to enable support further commemorations.	M	H	Continue to encourage developers to take part on the percent for art scheme. Work with partners and funders to levy external funding where possible. Creativity with existing funding streams to	L	M

			improve commemoration, celebration and education activity.		
Human resource challenges to support new commemoration develop.	M	H	Ensure human resource impacts are fully assessed before committing to and engaging in activity. Re-prioritisation of resources where possible. Take a partnership approach where possible to maximise capacity and skills are all partners.	M	M
Street re-naming costs financial, human resources and legal implications.	H	H	Improve access to information about street naming and re-naming to ensure full implications are known prior to applications being submitted. Support a resident led approach to street re-naming.	M	M

11.0 Implications for consideration – Community wellbeing

11.1 The proposed commemoration consultation offers an excellent opportunity for further community engagement and will help shape further commemoration, celebration and education work.

12.0 Implications for consideration – Economy and skills

12.1 No specific considerations have been identified.

13.0 Implications for consideration – Climate Change

13.1 Climate change considerations including the carbon footprint will need to be a key consideration in developing plans for future commemoration activity.

14.0 Implications for consideration – Equality and diversity

14.1 Past and future commemorations offer an excellent opportunity to celebrate the Borough of Chesterfield’s diverse communities. Members of the equality and diversity forum along with all residents and community groups will be encouraged to take part in the proposed consultation. Any policy or practice change following the consultation will include development and consideration of an equality impact assessment as part of the decision-making process.

Decision information

Key decision number	1001
Wards affected	All

Document information

Report author
Donna Reddish – Service Director – Corporate
Background documents
These are unpublished works which have been relied on to a material extent when the report was prepared.
None
Appendices to the report
None

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For Publication

East Midlands Network (Chesterfield) Air Quality Technical Guidance document

Meeting:	Cabinet
Date:	12 th January 2021
Cabinet portfolio:	Health and Wellbeing Economic Growth
Directorate:	Health & Wellbeing Economy Growth

1.0 **Purpose of report**

1.1 To seek approval for the East Midlands Network (Chesterfield) Air Quality Technical Guidance document.

2.0 **Recommendations**

2.1 To approve the East Midland Network (Chesterfield) Air Quality Technical Guidance document, a copy of which is in Appendix 1.

3.0 **Reason for recommendations**

3.1 The East Midland Network (Chesterfield) Air Quality Technical Guidance document has been developed in partnership with the Council's Environmental Health and Planning teams and is intended to support ongoing joint working on all matters of air quality through the planning process.

3.2 In addition to the above and to address the part of the wider impact of air quality across the East Midlands area, this Technical Guidance document was produced in partnership and collaboration with other local authorities in the East Midlands region including Derbyshire County Council Public Health.

- 3.3 The document is intended to provide technical guidance and support Policy CLP14 ('A Healthy Environment') of the Chesterfield Borough Local Plan. Local Plan 2018 - 2035 provides a framework for determining planning applications following its adoption in July 2020.
- 3.4 Another option to consider is to not approve this Technical Guidance and to rely solely on the policy in the Local Plan and how applicants interpret the policy. This option has not been recommended as it would place greater reliance on how applicants use the policy and could generate greater inconsistency in evidence submitted in support of applications and lead to greater resource pressure for planning officers and environmental protection officers managing applications.

4.0 **Background**

- 4.1 The quality of the air breathed in local areas has implications for public health. Public Health England attribute approximately 400 deaths each year in the East Midlands to poor air quality. Nationally, poor air quality is estimated to cause 29,000 premature deaths per year – greater than road traffic accidents and smoking combined – and the economic impact due to poor health is also estimated to cost between £8bn and £20bn each year, those with asthma, lung diseases and heart conditions being most susceptible. Poor air quality also causes damage to buildings and local ecology. Smoke and dust emissions also damage local physical amenity. The majority of air pollution comes from road transport.
- 4.2 Air quality is a high national political priority. The issue is geographically spread, though concentrated in urban and industrial areas and around roads. The impact on human health is significant and although local authorities are important delivery agents, improvements in local air quality can only be achieved with input from key stakeholders, developers, businesses and residents. Steps have been taken to ensure effective joint working arrangements between the Borough and County Councils.
- 4.3 Part IV of the Environment Act 1995 places a statutory duty on local authorities to review and assess air quality within their area.
- 4.4 Local authorities have enforcement duties in relation to air pollution that support those of the government, the Environment Agency, and of other local authority planning activities such as land use and transport planning. Local authorities have to review and assess ambient levels of air quality in their areas; to designate local Air Quality Management Area's (AQMA's) where there are issues around national air quality objectives and take action to work towards meeting those objectives. Around 130 authorities

have designated AQMA's mainly in urban areas along busy roads and in some industrial areas. In Chesterfield there is a designated AQMA at Church Street, Brimington.

- 4.5 Although the implementation of our air pollution duties at a local level may be difficult to quantify, it is clear that the planning functions of local authorities (both in land use planning and transport planning) can make a major impact in controlling and reducing air pollution.
- 4.6 The planning process has a significant role to play in ensuring health and wellbeing, new development to be sustainably located (to limit traffic growth and encourage active travel) and constructed, including securing measures to mitigate impact on air quality through planning permissions.
- 4.7 The Council has worked closely with other East Midlands local authorities as part of the 'East Midlands Air Quality Network' and seeks to promote joint working to reduce regulated road transport emissions, primarily Oxides of Nitrogen (Nox) and particulates (as coarse PM10 and fine, PM2.5, fractions).
- 4.8 The Technical Guidance document in Appendix 1 to this report sets out guidance for dealing with all planning applications where air quality needs to be addressed. The document is aimed at helping developers provide the information needed to demonstrate that the proposed development will improve the environment and promote health. This will be achieved by preventing new emissions, and encouraging emission reduction. The overall aim is to improve activity and facilitate healthy lifestyle choices by the population as a whole. The main focus of the document is on traffic-sourced pollution (as this is the main cause of pollution), but also addresses static sources (such as boilers, incinerators, etc.). The document breaks the advice into a stepped approach, becoming more directed and specific at each step. The document also addresses the impact of construction work, particularly in large scale developments.
- 4.9 The Technical Guidance document is not a formal Supplementary Planning Document (SPD), as these need to be prepared and consulted on accordingly to specific requirements. Instead it provides valuable guidance on how and when air quality assessments required as part of a planning application should be undertaken and assessed, measures that can be used to mitigate the impact on air quality, and will be a material consideration in determining relevant planning applications.

5.0 **Alternative options**

5.1 To support local authorities with the delivery of their statutory air quality functions there is a wealth of air quality guidance available. However; there is a lack of national guidance to support developers at the planning stage when considering air quality issues and mitigation as part of their application. This Technical Guidance document provides that guide for developers at a local level.

5.2 At the time of writing this report there are no alternatives.

6.0 **Implications for consideration – Council Plan**

6.1 Make Chesterfield a thriving borough by ensuring that Chesterfield is the best place to live, work and visit.

6.2 Improving the quality of life for local people by ensuring that measures to mitigate air pollution across the Borough are implemented when new residential and commercial developments are built.

6.3 Providing value for money services by ensuring that those responsible for new developments contribute towards the mitigation measures.

7.0 **Implications for consideration – Financial and value for money**

7.1 There are no financial implications arising directly from this report.

8.0 **Implications for consideration - Legal**

8.1 There are no legal implications arising directly from this report.

9.0 **Implications for consideration – Human Resources**

9.1 There are no implications arising directly from this report.

10.0 **Implications for consideration - Risk management**

10.1 The Council is responsible for monitoring air quality across the Borough and where there are breaches air pollutants the Council must work with key stakeholders to implement mitigation measures to improve local air quality. Details of the risks associated with the absence of a technical guidance document are in Table 1.

Table 1 – risks with the absence of a guidance document

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
UK has been referred to the EU court of Justice for failure to respect limit values for NO2	High	Medium	Addressing air quality issues at a local level	Medium	Low
Poor air quality across Chesterfield	High	Medium	Addressing air quality issues at a local level as part of the planning process	Medium	Low

11.0 Implications for consideration – community wellbeing

11.1 Improving air quality at a local level can improve the health and wellbeing of residents and ensure that Chesterfield is a healthy location to live, work and visit.

12.0 Implications for consideration – Economy and skills

12.1 There are no issues arising from this report.

13.0 Implications for consideration – Climate Change

13.1 Air quality is a key environmental issue. The Technical Guidance will help ensure the Council is meeting its obligations regarding air pollution.

14.0 Implications for consideration – Equality and diversity

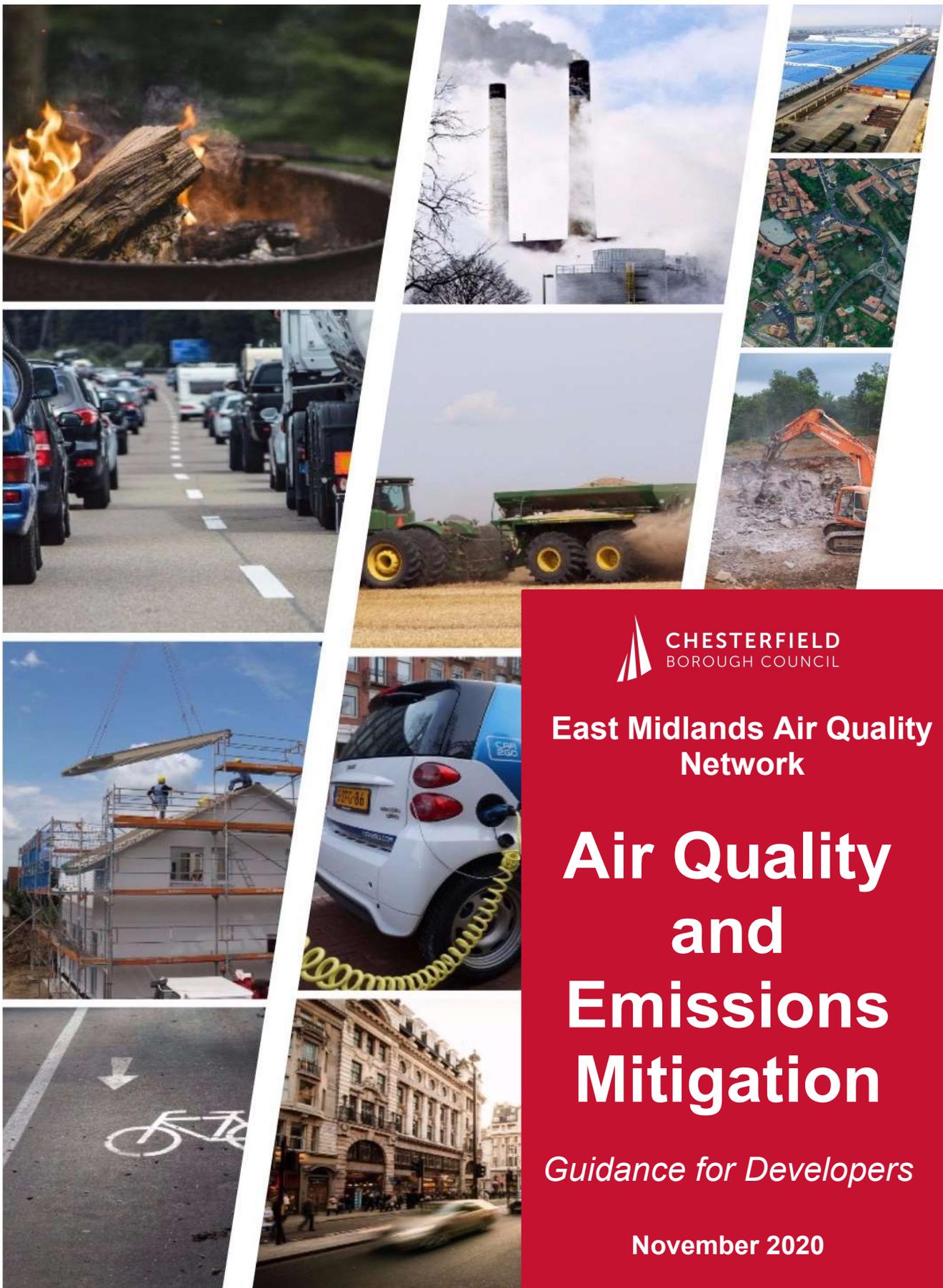
14.1 A preliminary Equalities Impact Assessment has been completed and no group is anticipated to face a disproportionate negative impact.

Decision information

Key decision number	995
Wards affected	All

Document information

Report author	
<i>Esther Thelwell Senior Environmental Health Officer Health & Well-being</i>	
Background documents	
These are unpublished works which have been relied on to a material extent when the report was prepared.	
<i>This must be made available to the public for up to 4 years.</i>	
Appendices to the report	
Appendix 1	East Midland Network (Chesterfield) Air Quality Technical Guidance document.



CHESTERFIELD
BOROUGH COUNCIL

East Midlands Air Quality
Network

Air Quality and Emissions Mitigation

Guidance for Developers

November 2020

Summary

The environment can impact negatively on the health and wellbeing of the population and of all the environmental factors, air pollution has the greatest impact. Current evidence indicates that air pollution is associated with cardiovascular disease, lung cancer, respiratory disease, asthma and stroke. Air pollution disproportionately affects the young, older people, those with underlying cardiopulmonary conditions and the most deprived within our communities.

In England, the mortality burden of exposure to particulate air pollution arising from human activities is estimated as an annual effect equivalent to 25,000 deaths, with an associated loss of life of 265,000 years¹. For the East Midlands it has been estimated as an annual effect equivalent to 2,314 deaths, with an associated loss of life of 24,016 life-years attributable to particulate air pollution.

This technical planning guidance for Chesterfield Borough Council has been prepared in conjunction with the East Midlands Air Quality Network (EMAQN) and has been developed to supplement the National Planning Policy Framework (NPPF)². This guidance will be reviewed and updated in light of any specific future national and local policy changes.

The East Midlands Air Quality Network (EMAQN) is a group of environmental health, public health, planning and transport professionals who aim to improve air quality across the East Midlands by sharing knowledge and best practice. The group is co-chaired by Public Health England and Kettering Borough Council.

This document aims to improve air quality across the East Midlands and thus improve the environment and health of the population. This will be achieved where possible through either preventing new emission sources or encouraging emission reductions, physical activity and health lifestyle choices. It aims to provide a consistent approach to air quality in the planning regime across the East Midlands. In producing this document the Council aims to provide developers with clear information as to what is required and how planning applications are evaluated in terms of air quality, which should help to speed up the planning process.

The document deals primarily with the air quality impacts from traffic emissions (the main contributor to ambient air pollution), however, point source emissions e.g. generators, incinerators, power plants and other potentially significant industrial/commercial sources of air pollution including the increasing use of biomass boilers are important local planning issues. The assessment and control of dust impacts during demolition and construction is also considered, as dusts contribute to airborne particulate matter. Greenhouse gas emissions are not addressed explicitly, as they are covered by other initiatives, but synergies exist between measures to minimise climate change and local air quality impacts.

It is recognised that new development will in the main inherently increase road transport emissions, both during the construction and operational phases. However, it is also

¹ Gowers, A. M., Miller, B. G. & Stedman, J. R. 2014. PHE-CRCE-010 Estimating Local Mortality Burdens associated with Particulate Air Pollution. Available: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/332854/PHE_CRCE_010.pdf [Accessed 26/07/16].

² Department for Communities and Local Government - National Planning Policy Framework - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

recognised that sustainable development can be a positive force for change. The approach in this document seeks to minimise or offset road transport emissions wherever practicable, by securing reasonable emission mitigation while also seeking to counter the cumulative impacts arising from all developments and maximise potential benefits to health and the environment.

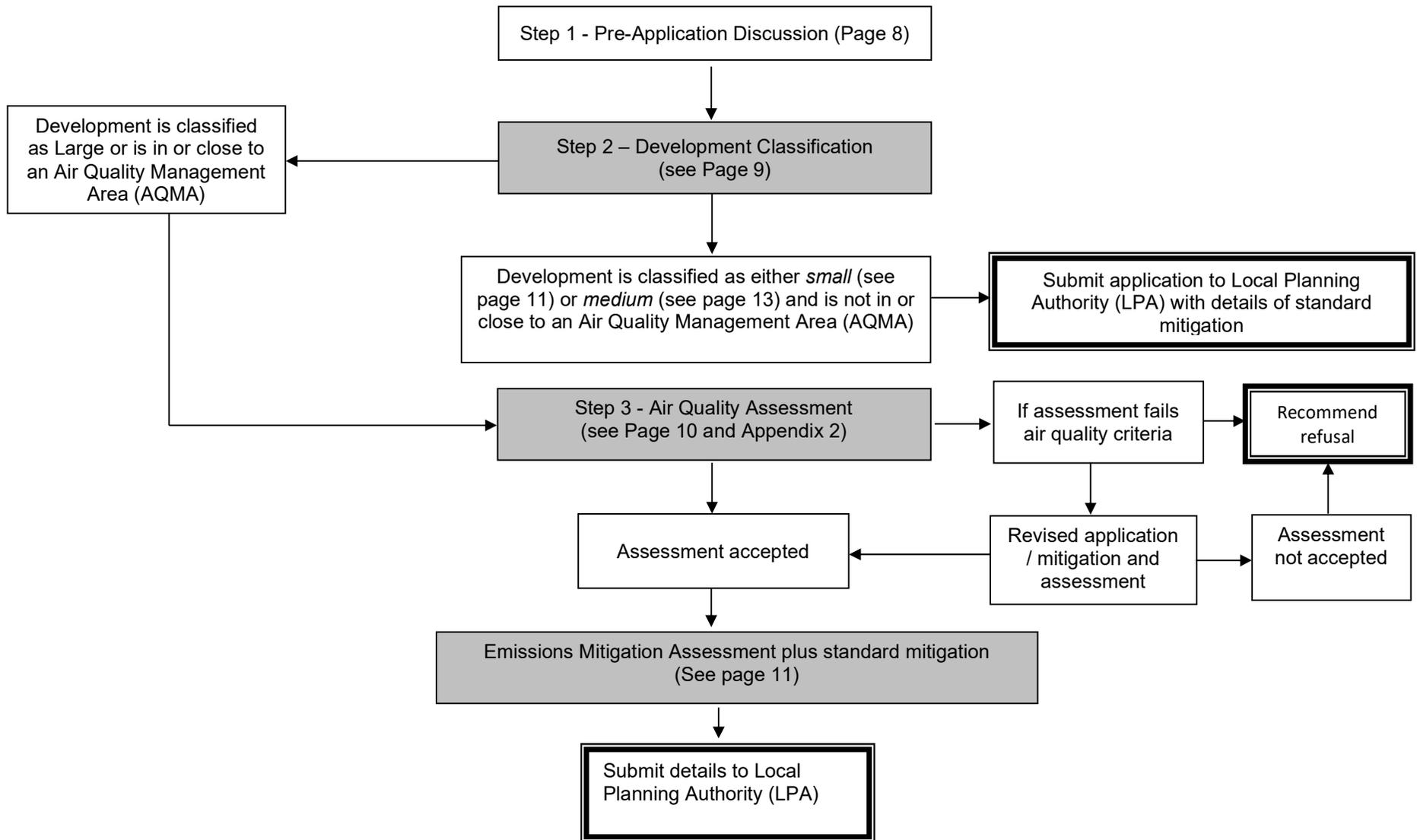
A key theme of the National Planning Policy Framework (NPPF) is that developments should enable future occupiers to make green vehicle choices and it explicitly states that low emission vehicle infrastructure, including electric vehicle re-charging, should be provided. This document seeks to develop consistent EV re-charging standards for new developments across the East Midlands.

An air quality assessment is undertaken to inform the decision making with regard to the development. It does not, of itself, provide a reason for granting or refusing planning permission.

The air quality assessment process follows a staged process:

1. Using the '*Screening checklist*' to determine what impact the proposal is likely to have;
2. Determining whether the development requires an air quality assessment or emissions assessment using the '*Air quality and emission mitigation assessment checklist*';
3. Determining whether additional assessment is required to assess the impact on public health and/or the local environment as well as the significance of a development on local air quality; and
4. Determining whether an application should be refused on air quality grounds or what mitigation measures are required to make the development acceptable on air quality grounds.

Quick Reference Guide: Air Quality Assessment Process



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Technical Appendices

Appendix 1 – Air pollution

Appendix 2 – Air Quality Assessments

Appendix 3 – Valuing Impacts on Air Quality for Type 3 Mitigation Measures

Acknowledgment

This document has been based on work carried out by Gedling Borough Council, the West Midlands Low Emissions Towns & Cities Programme, West Yorkshire Councils, and the Sussex Air Quality Partnership.

Our thanks are extended to them for their assistance in drafting this document.

Introduction

Purpose of this Guidance

It is recognised that new development will in the main inherently increase road transport emissions, both during the construction and operational phases. However, it is also recognised that sustainable development can be a positive force for change. The approach in this guidance seeks to maximise potential benefits to health and the environment, minimise road transport emissions wherever practicable to sustainable levels, and to counter the cumulative impacts arising from the emissions arising from new development schemes over time.

Although the focus of this guidance concerns air quality issues primarily arising from road transport emissions, it also considers the related benefits of tackling greenhouse gas and noise emissions from road transport as additional benefits. Separate guidance is available to assist developers when considering emissions from other sources, including point sources (eg, biomass installations).³

The NPPF introduces the presumption that planning approval will be granted for *sustainable development*. This guidance document seeks to define what is meant by ‘sustainable’ in air quality terms in order to provide consistency and clarity to local authority practitioners and developers alike.

A key consideration in the NPPF is the cumulative impact of development on pollution levels; therefore, this guidance seeks to simplify assessment and mitigation procedures through a standardised development scheme classification, according to potential scheme impact, while recommending the types of appropriate and reasonable mitigation measures that should be designed into each scheme classification.

The process outlined below provides an indicative step by step approach to dealing with planning applications that have the potential to create relevant exposure to road transport emissions (nitrogen dioxide (NO₂) and particulate matter (PM_{10/2.5})) for future occupants of a development, or where the proposed development scheme has the potential to increase concentrations of pollutants in the surrounding area arising from road transport emissions (see flow chart – Figure 2 below).

A basic hierarchy of principles is used as the basis for mitigating the operational air quality impacts associated with development schemes.

³ EPUK guidance available at http://www.iagm.co.uk/text/guidance/epuk/biomass_developers_leaflet.pdf

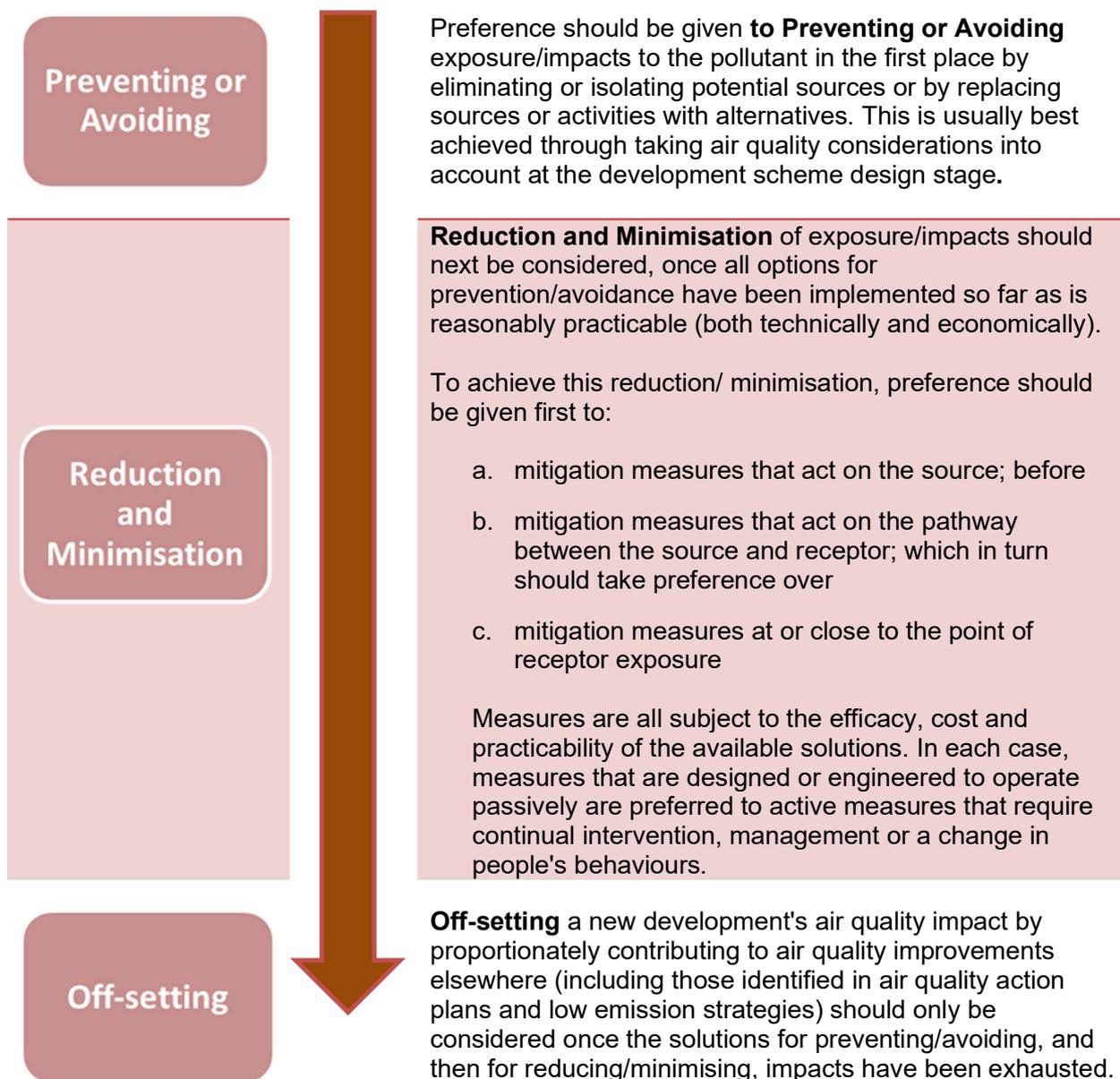


Figure 1: Hierarchy of air quality mitigation for development⁴

By incorporating mitigation measures into scheme designs as standard, this approach helps to counteract incremental increases in air pollution associated with cumulative development over time.

Air Pollution – What's the Problem?

Air pollution is the largest contributor to the burden of disease from the environment which impacts on the whole population. Current evidence indicates that air pollution is associated with cardiovascular disease, lung cancer, respiratory disease, asthma and stroke. Air pollution

⁴ Position Statement – Mitigation of Development Air Quality Impacts, January 2015
http://iaqm.co.uk/text/position_statements/mitigation_of_development.pdf

disproportionately affects the young, older people, those with underlying cardiopulmonary conditions and the most deprived within our communities.



Figure 2: Sources of air pollution including oxides of nitrogen (NO_x) and fine particulate matter (PM_{2.5})⁵

Different sources of pollution, including transport and non-transport sources, emit different types and ratios of pollutants. Whilst the extent to which the population and environment are exposed to harmful levels of air pollution is a complex issue, dependent on how pollutants travel in the atmosphere, their mixing and how they react under different meteorological conditions, Figure 3 shows how it can be conceptualised by a simple **Source** (emission source), **Pathway** (air, inhalation) **Receptor** (people, environment) model. Road transport emissions are relatively more impactful than those from other sources, as most emissions tend to occur in areas where people live and work, such as cities and towns.

⁵ Department for Environment, Food and Rural Affairs (Defra), Public Health England (PHE). Air Quality A Briefing for Directors of Public Health, March 2017 - http://www.local.gov.uk/sites/default/files/documents/6.3091_DEFRA_AirQualityGuide_9web_0.pdf

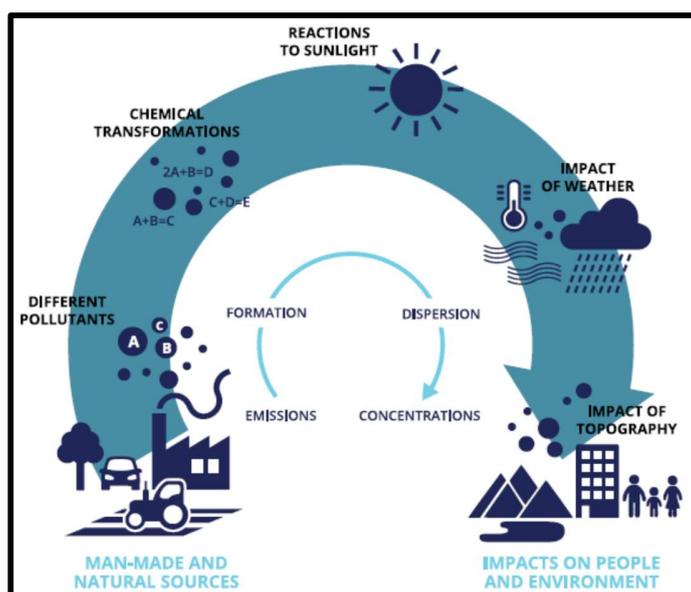


Figure 3: Air pollution: from emissions to exposure⁶

Health effects are mainly related to long-term exposure to particulate air pollution (PM_{2.5}) and nitrogen dioxide (NO₂) (Appendix 1). The primary sources of these pollutants are shown in Figure 2. In England, the mortality burden of exposure to particulate air pollution arising from human activities is estimated as an annual effect equivalent to 25,000 deaths, with an associated loss of life of 265,000 years (Appendix 1 - Air pollution and health). The Department for Environment, Food & Rural Affairs (Defra) has made an initial estimate that nitrogen dioxide (NO₂) contributes to shortening lives by an average of around 5 months – ranging from healthy individuals experiencing negligible effects to susceptible individuals whose poor health is seriously exacerbated by NO₂ pollution⁵. This overall population burden is estimated to be equivalent to nearly 23,500 deaths in the UK per year. There is likely to be an overlap levels in the health burden associated with ambient concentrations of particulate matter (PM) and NO₂, so it is not possible to reliably estimate the combined health burden of multiple pollutants from the same sources, although it is reasonable to assume that some individuals will be adversely affected by exposure to both pollutants at the same time and that the total burden across the population will be increased to a certain extent. Further work is being undertaken to understand and quantify this overlap.

The financial implications arising from the health burden associated with air pollution are considerable. Defra have estimated the annual health costs for UK citizens to be in the region of £15 billion (range: £8-17 billion). As a comparison the health costs arising from obesity have been estimated to be around £10 billion per year.

Interventions that improve air quality and health deliver one or more of these high-level outcomes:

- Source reduction – reducing the sources of air pollution;
- Exposure reduction – reducing people’s exposure to air pollution; and/or
- Improving physical and/or mental health.

⁶ European Environment Agency -Air pollution: from emissions to exposure - <https://www.eea.europa.eu/media/infographics/air-pollution-from-emissions-to-exposure/view>
Chesterfield Borough Council – version 1 – November 2020

Local Context

Chesterfield Borough Council reviews and assesses the air quality across the Chesterfield to identify if there are any breaches of the National Air Quality Objectives. To date this has resulted in the declaration of 1 Air Quality Management Area. This has been declared based on high nitrogen dioxide (NO₂) levels.

Details on the Air Quality Management Area can be found on Chesterfield BC's website: <https://www.chesterfield.gov.uk/health-and-environment/air-quality/air-quality-management-area-brimington.aspx>

Public Health England has included an indicator in the Public Health Outcome Framework relating to air quality⁷. The indicator is a summary measure of the impact on death rates of long term exposure to man-made particulate air pollution. The indicator underlines the scale of the health impact and the fact that it is modifiable. Table 1 shows the estimated mortality burden in Derbyshire associated with particulate air pollution¹.

Table 1: Mortality burdens associated with particulate air pollution in Derbyshire

Area	Attributable deaths	Associated life years lost	Attributable Fraction
England	25,002	264,749	5.6%
East Midlands	2,314	24,016	5.7%
Derby UA	131	1,425	6.1%
Derby CC	402	4,041	5.4
Amber Valley	67	656	5.5%
Bolsover	46	440	5.6%
Chesterfield	59	572	5.4%
Derbyshire Dales	33	306	4.7%
Erewash	61	647	6.1%
High Peak	39	451	4.8%
North East Derbyshire	55	529	5.4%
South Derbyshire	42	439	5.4%

Air Pollution and Planning Policy – National Context

The impact on air quality is a material consideration in making planning decisions. Paragraph 124 of the National Planning Policy Framework (NPPF)² highlights that planning decisions should ensure that new development in AQMAs is consistent with the Council's local air quality action plan, and local policies should contribute to meeting EU limit values and national objectives for air quality.

The NPPF also states that:

⁷ Department of Health. Public Health Outcomes Framework 2013 to 2016, last updated 2015. Available at <http://www.phoutcomes.info/public-health-outcomes-framework#page/3/qid/1000043/pat/6/par/E12000004/ati/102/are/E06000015/iid/30101/age/230/sex/4>

'Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to:

....

- *incorporate facilities for charging plug-in and other ultra-low emission vehicles; and...'*

(Paragraph 35)

'If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

....

- *an overall need to reduce the use of high-emission vehicles.'*

(Paragraph 39)

The National Planning Practice Guidance includes a section on air quality which identifies that concerns could arise if a development is likely to impact areas where air quality is already known to be poor, particularly where it could lead to a breach of EU legislation (ie, exceed limit values for air pollutants). The NPPF is less clear whether impacts on air quality at levels below the National Air Quality Objectives can be a material planning consideration. However, the health evidence is unequivocal: any reduction in air pollution – even below limit values – will directly benefit public health, as pollutants such as nitrogen dioxide and particulate matter show no threshold below which health effects do not occur.

Currently, there is no statutory guidance on how to deal with air quality considerations through the planning system. Most guidance concerns itself with technical modelling of impacts, with little information provided on how best to mitigate impacts. Chesterfield Borough Council has taken the approach developed and adopted by councils in West Midlands, West Yorkshire and Sussex areas that simplifies the assessment of air quality impacts for development schemes and places more emphasis on incorporating standard road transport emission mitigation measures.

Each development dealt with through the planning system will have an impact on local air quality through road traffic it generates, for example, private traffic associated with residential schemes or deliveries to commercial schemes. By securing standard emission mitigation measures on each scheme, cumulative impacts arising from development over time can be minimised and health benefits can be maximised. This approach provides clarity and consistency for developers up front regarding what is required of new developments, which should help to speed up the planning process.

Air Pollution and Planning Policy – Local Context

This guidance is published as 'good practice guidance'. Key elements of the guidance will have been incorporated into the Council's emerging Local Plan (prepared within the framework set by the National Planning Policy Framework) and may be incorporated.

The Local Plan addresses both strategic and non-strategic site allocations and generic development management issues. The Local Plan will form part of the development plan for Chesterfield Borough Council and the policies within the document will be used to determine planning applications.

This document set outs simplified guidance for dealing with air quality and is aimed at all those involved in the submission and determination of planning applications where air quality needs to be addressed.

Aiming to provide transparency and consistency to developers, landowners, and the community regarding the basis for identifying and calculating the air quality impact and mitigation requirements for new developments, the guidance should be read in conjunction with other relevant policies and strategies.

In summary this guidance is designed to:

- Explain why air quality is important in the East Midlands and describe the existing policy framework;
- Incorporate air quality mitigation measures within new developments to offset incremental increases in pollutant emissions and ambient air pollution;
- Present the method for identifying development proposals where an air quality assessment will be required, and the processes involved; and
- Propose various options for site specific mitigation to protect future occupiers from poor air and how such measures will be secured and delivered.
- Confirm where a damage calculation may be appropriate and payment made to the Local Authority where mitigation is not appropriate.

Key policies related to the assessment of Air Quality in relation to applications for planning permission include:

CS8 Environmental Quality – which requires, where appropriate the submission of an assessment of impact on air quality. The following guidance seeks to clarify when such an assessment will be required and the form it should take.

CS20 Influencing the Demand for Travel – seeks to reduce congestion, improve environmental quality and encourage more active and healthy lifestyles, and seeks the provision of opportunities for electric vehicle charging.

Assessment and Mitigation – What is required?

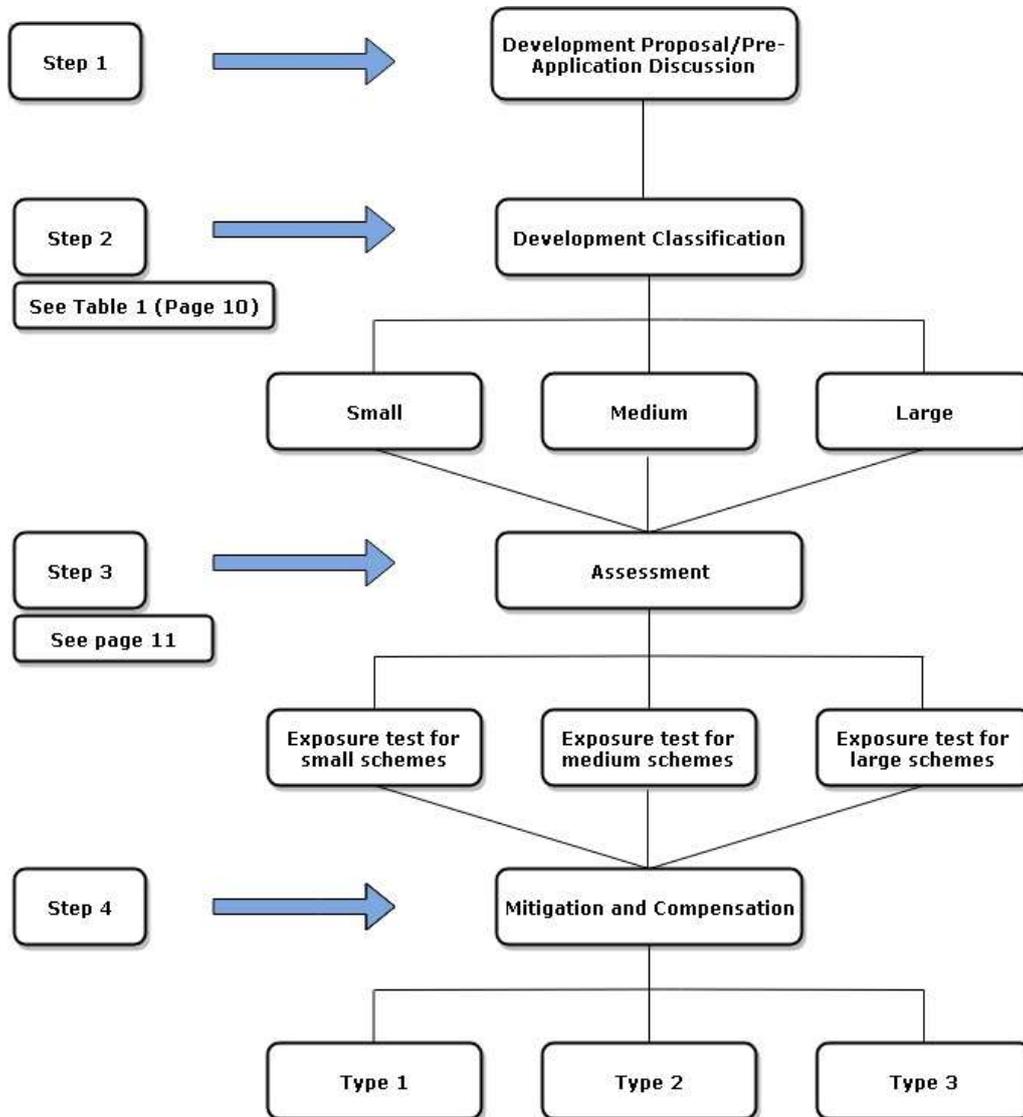


Figure 4: Assessment and Mitigation Flow Chart⁸

Step 1 – Pre-Application Discussion

It is important that planning authority requirements regarding scheme sustainability and the planning application validation process are identified at the earliest stage possible.

For this reason pre-application discussion involving planning management, air quality and public health professionals should take place at the outset to ensure optimum scheme design and avoid unnecessary delays in the planning process. This is particularly pertinent in relation to major schemes.

⁸ Good Practice Air Quality Planning Guidance, West Midlands Low Emissions Towns & Cities Programme, May 2014)

Step 2 – Classification of the Development

Following discussions with Local Authority Planning and County Council Transport Officers, the likely air quality impact of developments have been categorised using the DfT Threshold Criteria for Transport Assessments⁹ in addition to Defra Technical Guidance [TG (16)]¹⁰; into Small, Medium and Large potential impacts (See Table 2: Potential Development below).

This is not limited to developments leading to a significant change in road traffic flows or other transport sources, but also includes any development that may affect air quality, with relevant exposure nearby, should be such as:

- Industrial installations;
- Biomass boilers;
- Combined Heat and Power (CHP) plant; and
- Landfill sites, quarries, etc.

Table 2: Potential Development Impacts

Scheme Type	Small	Medium	Large
Threshold	Below DfT threshold criteria for Transport Assessment ⁹	Meets DfT threshold criteria for Transport Assessment. Where development meets DfT threshold criteria for a Transport Assessment based on considerations other than size or scale of land use. Or where the development is for any B2 or B8 use falling below the Large classification ¹¹ .	Medium type developments, which also trigger any of the following criteria: i.) Where development requires an EIA ¹² ii.) Where development is likely to increase traffic flows by more than 5% on roads with >10,000 AADT ¹³ or change average vehicle speeds by > 10 kph/likely to cause increased congestion iii.) Where a proposal is likely to increase traffic by more than 5% on road canyons with >5,000 AADT. iv.) Where a development requires a Transport Assessment and HGV movements are =/> 10% of total trips. v.) Where significant demolition and construction works are proposed.
Assessment	None (other than for exposure)	None (other than for exposure)	Air Quality Assessment ¹⁴ required including an evaluation of changes in vehicle related emissions ¹⁵

⁹ The Department for Transport (DfT) Threshold criteria for Transport Assessments and Travel Plans (TA/TP) <http://webarchive.nationalarchives.gov.uk/20100409053417/http://www.dft.gov.uk/adobepdf/165237/202657/guidanceontaappendixb>

¹⁰ Department for Environment, Food and Rural Affairs (Defra) - Local Air Quality Management Technical Guidance (TG16) (April 2016). Available at <https://laqm.defra.gov.uk/documents/LAQM-TG16-April-16-v1.pdf>

¹¹ B2 and B8 uses can generate significant HGV movements and would normally require mitigation to a Type 2 standard.

¹² Required where development is within or likely to create an area of exceedance of EU Limit Values and is within the scope.

¹³ Annual Average Daily Traffic flow.

¹⁴ See Appendix 2

¹⁵ Assessment includes monetisation of the impacts arising from emission changes in line with Defra IGCB Damage Costs

Step 3 – Assessment

Where Exposure May Arise

Whilst a detailed Air Quality Assessment is not required for Small and Medium impact schemes, developers still need to consider whether the development will expose future occupiers to unacceptable levels of air pollution, defined as the exceedance of an air quality standard at the receptor location, and ensure that their development's potential benefits to air quality and health are maximised.

The determination of relevant exposure, where a short-term objective allows a number of exceedances of the standard because of considerations of feasibility and practicability, should be ascertained through reference to the Council's latest review and assessments of air quality; this can be checked on a case-by-case basis with the Public Protection Service at the Council during the pre-application stage.

For Large developments, the Air Quality Assessments will include the consideration of potential increased exposure for relevant receptors affected by the development. (See Appendix 2)

The Council, in considering policies on exposure, may give weight to the following mitigation measures:

- Can the curtilage of a residential building be set back beyond the pollutant exceedance zone?
- Can the scheme be designed to place residential units at the rear of the development or on higher floors?
- Can vegetative barriers, including appropriate tree species, offer some degree of separation from the road? (While several reports^{16 17} have highlighted some potential for certain vegetation species to reduce particulate concentrations, they also indicate a limited effectiveness in reducing exposure to nitrogen dioxide (NO₂) in the urban area)
- Can design of built forms avoid the creation of canyons, allowing a greater degree of pollutant dispersal?
- Mechanical ventilation should not automatically be seen as providing effective mitigation against exposure to air pollution and should be scrutinised carefully (eg, inlet location and level of pollutant attenuation, together with energy, maintenance and noise considerations)

Evaluation for all other circumstances

For all developments classified as Small and Medium, where "relevant exposure" is not a concern, an air quality assessment is not required and mitigation to make the development sustainable is specified for each classification of development and is termed Type 1 or Type 2

¹⁶ Trees & Sustainable Urban Air Quality: Using Trees to Improve Air Quality in Cities

<http://www.es.lancs.ac.uk/people/cnh/docs/UrbanTrees.htm>

¹⁷ <http://www.woodlandtrust.org.uk/en/planting-woodland/why-plant-trees/environmental-benefits/Pages/default.aspx>

(see Table 2)

An air quality assessment is required for all Large developments, a protocol for which is provided in Appendix 2. The protocol includes details of how to undertake an emissions assessment for a development and a calculation of damage costs. Damage costs are used to determine the level of Type 3 mitigation and/or compensation required to make the scheme acceptable – an explanation and an example of the calculation are provided in Appendix 3.

Table 2 below summarises the type of assessment, mitigation and/or compensation required for each of the development classifications.

Table 3: Summary of the Air Pollution Mitigation Requirements

Development Classification	Assessment Required	Mitigation	Compensation
Small	None (other than for exposure)	Type 1	-
Medium	None (other than for exposure)	Type 1 and 2	-
Large	Full AQ Assessment in line with Council Guidance, including evaluation of emission and concentration changes.	Type 1 and 2	Type 3

Step 4 – Mitigation and Compensation

This guidance assumes that Small and Medium schemes should not have a significant impact on air quality if the appropriate Type 1 and 2 mitigation, as outlined, is incorporated into development proposals. Where appropriate mitigation has been incorporated, such schemes can be considered as being sustainable in air quality terms.

In addition to Type 1 and Type 2 mitigation, Large schemes may require additional Type 3 mitigation which is determined in scale by the calculation of emission damage costs associated with the scheme.

The required mitigation is summarised below, and further detail is provided in the following section:

Table 4: Summary of the Potential Air Pollution Mitigation

Type 1	The adoption of an agreed protocol to control emissions from construction sites Provision of Electric Vehicle Recharging All gas-fired boilers to meet a minimum standard of 40mgNO _x /kWh or consideration of alternative heat sources
Type 2	Practicable mitigation measures supported by the NPPF; Active travel (cycling/walking) infrastructure including, but not limited to: <ul style="list-style-type: none"> Developing cycle routes or pedestrianised areas and infrastructure to support low emission modes of transport; improved facilities to encourage cycling or other non-motorised travel (shower facilities, secure cycle storage etc); and signage;
Type 3	Additional measures that may be required by either planning condition or Planning Obligation by a Section 106 Agreement to make the site acceptable, using reasonable endeavours. The Type 2 & 3 mitigation measures presented in this guidance are not exhaustive lists and should be seen as defaults. Innovative solutions to air quality mitigation are encouraged.

The type of mitigation agreed will be informed by:

- Outcomes from the Transport Statement/ Assessment;
- Specific needs identified in site specific spatial policy allocations;
- Travel Awareness/Planning and Highway Development requirements;
- Defra air quality guidance

Type 1 Mitigation

Construction Dust Emissions

See *Construction Phase - Emissions Mitigation and Assessment* section below.

Table 5: Type 1 Mitigation Measures – Adherence to Construction Good Practice

	Small	Medium	Large
Appropriate Code of Construction Practice	IAQM Guidance ¹⁸	IAQM Guidance	IAQM Guidance
	Ensure all on-road vehicles comply with the requirements of the London Low Emission Zone and the London Non-Road Mobile Machinery NRMM standards, where applicable		

Electric Vehicle Charging Infrastructure

Electric or hybrid-electric powered vehicles currently form a small percentage of the total number of vehicles on the road. However, electric/hybrid vehicles will become more popular, further advances in technology are anticipated, and the likelihood is that these vehicles will become less expensive. Together with future development of Government policy in this

¹⁸ Guidance on the assessment of dust from demolition and construction - Version 1.1. Institute of Air Quality Management (IAQM) available at <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

area¹⁹, it is possible that a significant percentage of vehicles will be electric or part electric powered in the near future.

A key theme of the NPPF is that developments should enable future occupiers to make green vehicle choices and it explicitly states that low emission vehicle infrastructure, including electric vehicle (EV) re-charging, should be provided. This guidance seeks to develop consistent EV re-charging standards for new developments in the Borough.

Please refer to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications; for both exterior and garage situations.²⁰ An example of potential provision rates is given in Table 6 and Table 7

Table 6 Example EV Charging Provision Rates

	Residential	Retail	Commercial	Industrial
Provision Rate	1 charging point per unit (house with dedicated parking)	To be agreed with the developer based on strategic need; the level of EV provision will be based upon the following:		
	1 charging point per 10 spaces (unallocated parking)**	5% of parking spaces; 10 EV points maximum (this may be phased with 2.5% provision initially and a further 2.5% by agreement) See Table 3.1a		
	To prepare for increased demand in future years, appropriate cable provision should be included in scheme design and development in agreement with the local authority.			

**this requirement will be dependent on the necessary 'payment for charging' technological solutions being available.

Table 7 Indicative EV Charging Point Provision (Retail/Commercial/Industrial)

Provision of EV Points		
Proposed Parking Spaces	2.5%	5%
10	1	2
20	1	2
50	1	3
100	3	5
200+	5	10

Note: Percentage numbers rounded up.

The local authority will take a more strategic approach to EV provision installed at non-residential development. This will ensure that provision throughout the Borough is considered and proportionate to the needs and site specific characteristics, such as:

- The period of time users are likely to be present at the site
- Vehicle access to charging points
- The number of vehicles accessing the site
- The number of charging points already in the vicinity
- Existing gaps in the strategic network provision
- Other emission mitigation measures already being provided by the developer.

¹⁹ Office for Low Emission Vehicles <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

²⁰ Code of Practice for Electric Vehicle Charging Equipment Installation 2nd Edition - <http://www.theiet.org/resources/standards/ev-cop.cfm>

Where the local authority requests EV charging to be installed it may be appropriate to prepare for increased demand in future years, appropriate cable provision could be included in scheme design and development in agreement with the local authority.

Heating and Hot Water Generating Appliances

While the main sources of air pollutants are dominated by road transport and large combustion plants; homes and the choice of heating and hot water systems do have an impact. Levels of oxides of nitrogen (NO_x) vary considerably across the UK, with levels in urban areas and close to major roads many times greater than in rural areas. Emissions from heating systems have a greater impact in areas where there is a high population density, but improved air quality benefits health in both urban and rural settings.

Home Quality Mark (HQM)²¹ is a voluntary and customer-focused assessment and certification scheme. It recognises new homes where performance meets best practice standards that are often significantly above that required by regulation. It defines a rigorous evidence-based, relevant and independent voluntary standard for new homes built on tried and tested processes commonly used in the UK and internationally. Chapter 17 of the HQM guidance discusses how to use heating and hot water generating appliances that have minimal impact on local air quality.

Type 2 Mitigation Measures

The NPPF recommends that where a development scheme requires a Travel Plan then all road transport mitigation measures are included within the Plan. For Medium and Large development categories, Type 2 mitigation should be incorporated into scheme design where appropriate (*Preventing or Avoiding*), in addition to Type 1.

Cycling Infrastructure

The promotion of cycling and other methods of active travel are one of the core principles of the NPPF² and it is increasingly being seen as a vital part of any local authority plans to tackle congestion, improve air quality, promote physical activity and improve accessibility.

Provision for cycling is better when integrated with spatial planning of development, and with integrated planning for movement in all its forms. The guidance below covers general advice for street planning as well as some focused on cycling specifically.

'Manual for streets²²' provides guidance that aims to reduce the impact of motor vehicles on residential streets through intelligent design which gives a high priority to the needs of pedestrians, cyclists and users of public transport. These philosophies are built on further in 'Manual for streets 2²³' which demonstrates through guidance and case studies how they can be extended beyond residential streets to encompass both urban and rural situations.

²¹ Home Quality Mark – Technical Manual. SD232: 1.0. 2015 http://www.homequalitymark.com/filelibrary/HQM-Beta--England--2015_SD232_r1.0.pdf

²² Department for Communities and Local Government - [Manual for streets](https://www.gov.uk/government/publications/manual-for-streets)
<https://www.gov.uk/government/publications/manual-for-streets>

²³ Department for Communities and Local Government - [Manual for streets 2](https://www.gov.uk/government/publications/manual-for-streets-2)
<https://www.gov.uk/government/publications/manual-for-streets-2>

'Handbook for cycle-friendly design'²⁴ from Sustrans provides technical design guidance starting from network planning, through infrastructure features and construction design, and including management and maintenance. Whilst 'Making Space for Cycling'²⁵ is a guide for new development and street renewal in existing urbanised areas, prepared by Cyclenation. It covers the design principles required, from main roads down to local streets, as well as complementary measures such as cycle parking.

Department for Transport have also composed guidance in the form of Local Transport Notes.^{26,27}

A list of some typical Type 2 mitigation measures are provided in the table below:

²⁴ Sustrans Design Manual Handbook for cycle-friendly design April 2014

http://www.sustrans.org.uk/sites/default/files/images/files/Route-Design-Resources/Sustrans_handbook_for_cycle-friendly_design_11_04_14.pdf

²⁵ Cambridge Cycling Campaign - Making Space for Cycling: A guide for new developments and street renewals

<http://www.makingspaceforcycling.org/MakingSpaceForCycling.pdf>

²⁶ Department for Transport - Local transport notes

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/3808/ltm-2-08.pdf

²⁷ Department for Transport - Shared use routes for pedestrians and cyclists (LTN 1/12)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/9179/shared-use-routes-for-pedestrians-and-cyclists.pdf

Table 8: Examples of Type 2 Mitigation for Scheme Sustainability

Mitigation Options	<p>Standard mitigation plus:</p> <p><u>Residential</u></p> <ul style="list-style-type: none"> ▪ Travel plan (where required) including mechanisms for discouraging high emission vehicle use and encouraging the uptake of low emission fuels and technologies ▪ A Welcome Pack available to all new residents online and as a booklet, containing information and incentives to encourage the use of sustainable transport modes from new occupiers ▪ Eco-driver training and provision of eco-driver aid to all residents ▪ EV recharging infrastructure within the development (wall mounted or free standing in-garage or off-street points) ▪ Car club provision within development or support given to local car club/eV car clubs ▪ Designation of parking spaces for low emission vehicles ▪ Improved cycle paths to link cycle network ▪ Adequate provision of secure cycle storage ▪ Using green infrastructure, in particular trees to absorb dust and other pollutants <p><u>Commercial/Industrial</u> - As above plus:</p> <ul style="list-style-type: none"> ▪ Differential parking charges depending on vehicle emissions ▪ Public transport subsidy for employees ▪ All commercial vehicles should comply with either current or previous European Emission Standard ▪ Fleet operations should provide a strategy for considering reduced emissions, low emission fuels and technologies ▪ Use of ultra-low emission service vehicles ▪ Support local walking and cycling initiatives ▪ On-street EV recharging ▪ Contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development <p><u>Additional mitigation</u></p> <ul style="list-style-type: none"> ▪ Contribution to low emission vehicle refuelling infrastructure ▪ Low emission bus service provision or waste collection services ▪ Bike/e-bike hire schemes ▪ Contribution to renewable fuel and energy generation projects ▪ Incentives for the take-up of low emission technologies and fuels <p>*For guidance on selecting the best air quality species please refer to the Urban Air Quality 2012 Woodland Trust document²⁸</p>
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Note: The above list is not exhaustive and further options may be suggested where appropriate and justified, depending on the scale of development and air quality issues within the local area.

Type 3 Mitigation Measures

This type of mitigation is only required in the case of Large development; in addition to Type 1 and 2 measures having been applied. In some cases the calculated value of the air quality impact may be used on projects to 'offset' the emissions from the proposal.

The process by which these measures are calculated and chosen can be found in Appendix 3.

²⁸ Urban Air Quality, The Woodland Trust, April 2012

Travel Plan Requirements

Travel Plans should be designed to:



With respect to travel planning it is essential that;

The content of the travel plan is fully assessed prior to its approval in co-ordination with Derbyshire County Council transport officers.

The measures and targets included in the travel plan are secured for implementation by mutual agreement of the Borough Council and the developer/applicant (normally by means of an s106 Legal Agreement). Procedure for failure to meet objectives must form part of the agreement.

The outputs of the travel plan (normally trip levels and mode split) are annually monitored against the agreed targets and objectives

The travel plan is reviewed annually to assess whether it is delivering its anticipated outputs or whether it has failed to meet its targets and if the latter what mitigation/ alternative measures need to be put in place to address the travel impact/ requirements of the scheme.

A named co-ordinator will be an essential element of any travel plan. For larger schemes a commitment in terms of staff resource allocation will be expected, this will be determined on a case by case basis in co-ordination with the Local Authorities.

Construction Phase - Emissions Mitigation and Assessment

Mitigation

All development should consider the effect construction operations will have on emissions and as such mitigation should be considered (See Table 4) in all cases. The IAQM Guidance on the assessment of dust from demolition and construction¹⁸ or alternatively the London Best Practice Guidance²⁹ should be used to inform the choice of mitigation measures required during construction.

Assessment

In the case of a Large development, where an air quality assessment is required, that assessment should also include an assessment of the air quality effects of the construction phase.

Guidance published by the Institute of Air Quality Management¹⁸ (IAQM) sets out the methodology for assessing the impacts on air quality from the construction phase of any development. (See Appendix 2)

Scheme Mitigation Statement

Each development requires a brief mitigation statement; outlining the measures proposed (Type 1-3) depending on development scale.

This would also include the mitigation measures suggested from the IAQM Guidance on the assessment of dust from demolition and construction¹⁸ or London Best Practice Guidance²⁹, to minimise dust and other emissions to atmosphere during the construction phase.

In addition, in the case of Large developments, the statement should include an assessment of impacts and mitigation measures associated with the construction phase, as assessed as part of the wider development's detailed air quality assessment (see Appendix 2).

²⁹ The Control of Dust and Emissions from Construction and Demolition, Best Practice Guidance. Available at <http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf>
Chesterfield Borough Council – version 1 – November 2020

Appendix 1

Air Pollution and Health

Air pollution

Air pollution is the largest contributor to the burden of disease from the environment that can impact on the whole population. Current evidence indicates that air pollution is associated with cardiovascular disease, lung cancer, respiratory disease, asthma and stroke. Air pollution disproportionately affects the young, older people, those with underlying cardiopulmonary conditions and the most deprived within our communities.

Risks are mainly related to long-term exposure to particulate air pollution (PM_{2.5}) and nitrogen dioxide (NO₂). Nitrogen dioxide (NO₂) is produced with nitric oxide (NO) during the combustion of fossil fuels. Together they are often referred to as oxides of nitrogen (NO_x). The evidence associating NO₂ with health effects has strengthened substantially in recent years. There is increasing evidence that links long-term exposure to NO₂ to mortality, although it is possible that, to some extent, NO₂ acts as a marker of the effects of other traffic-related pollutants³⁰.

Particulate matter (PM) is an air pollutant which contains a mixture of microscopic solid and liquid particles suspended in air. It is made of various physical and chemical components such as nitrates, sulphates, ammonium and other inorganic ions; organic and elemental carbon; polycyclic aromatic hydrocarbons (PAHs); metals such as copper, zinc and nickel; dust, soil and smoke. Biological components such as allergens and microbial compounds are also found in PM³¹. The commonly used definition of PM refers to the mass concentration of particles with a specified diameter. PM with a diameter of 10µm or less referred to as PM₁₀ and particles with a diameter 2.5µm or less are referred to as PM_{2.5}. PM also includes ultrafine particles which have a diameter of less than 0.1µm.

Similarly, there will be a health burden from short-term exposure to some air pollutants (e.g. ozone) although this impact is likely to be less³². Other pollutants of less concern, in terms of their typical concentration in the air that we breathe, include benzene (C₆H₆), sulphur dioxide (SO₂), carbon monoxide (CO), lead (Pb) and 1,3-butadiene.

The financial implications arising from the health burden associated with air pollution are considerable. Defra have estimated the annual health costs for UK citizens to be in the region of £15 billion (range: £8-17 billion). As a comparison the health costs arising from obesity have been estimated to be around £10 billion per year³³. There is, however, relatively low public awareness of air quality as an issue, making air pollution an invisible public health problem that affects much of the UK.

Actions that improve local air quality can deliver public health benefits across entire local authority areas. There are no thresholds of effect identified for nitrogen dioxide and particulate matter and therefore health benefits can be expected from improving air quality even below

³⁰ Committee on the Medical Effects of Air Pollutants (COMEAP) - Statement on the evidence for the effects of nitrogen dioxide on health. Available at <https://www.gov.uk/government/publications/nitrogen-dioxide-health-effects-of-exposure>

³¹ World Health Organisation (WHO) - Health Effects of Particulate Matter. Available at http://www.euro.who.int/_data/assets/pdf_file/0006/189051/Health-effects-of-particulate-matter-final-Eng.pdf

³² Committee on the Medical Effects of Air Pollutants (COMEAP) - Long-term exposure to air pollution: effect on mortality (final report - June 2009). Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/304667/COMEAP_long_term_exposure_to_air_pollution.pdf

³³ Department for Environment, Food and Rural Affairs - Air Pollution: Action in a Changing Climate (2010). Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69340/pb13378-air-pollution.pdf [Accessed 26/07/16].

concentrations stipulated by air quality standards³⁴. This means that action to improve air quality is not just about dealing with areas where there are exceedances of air quality standards.

There is growing evidence that tackling air pollution can be a key element of growth and regeneration policies. Town centres can benefit in many different ways from measures that reduce air pollution potentially including reduction of noise pollution and surface temperature, increased amenity value, and improved aesthetic appearance. Further to this these measures improve health outcomes and reduce health inequalities in a cost-effective way that promotes healthy and active lifestyles, therefore leading to social and economic benefits. Spatial planning has an important role to play in improving air quality and reducing people's exposure to air pollution. New urban developments can be designed to improve local air quality and the health of the local population by considering the placement of transport and industrial infrastructure, better street design to encourage community cohesion and better use of innovative building design.

Air Pollution and Public Health

In England, the mortality burden of exposure to particulate air pollution arising from human activities is estimated as an annual effect equivalent to 25,000 deaths, with an associated loss of life of 265,000 years¹. For the East Midlands it has been estimated as an annual effect equivalent to 2,314 deaths, with an associated loss of life of 24,016 life-years attributable to particulate air pollution.

Public Health England publishes an annual indicator in the Public Health Outcome Framework relating to air quality⁷. The indicator is a summary measure of the impact on death rates of long term exposure to man-made particulate air pollution. The indicator underlines the scale of the health impact and the fact that it is modifiable.

PHE have estimated the mortality burden are based on modelled annual average concentrations of fine particulate matter (PM_{2.5}) in each local authority area originating from human activities, based on the attributable mortality in 2010¹. These estimates are useful when assessing local public health priorities, as well as to those working in the field of air quality and public health. The data for the East Midlands can be found on page 12 of the report.

There are a range of evidence-based and achievable actions which improve air quality and health outcomes³⁵. Action can be taken at a number of levels and, in some cases, air quality initiatives significantly complement programmes to increase physical activity, decrease obesity and improve cardiovascular and respiratory health.

For example:

- Nearly 80 per cent of car trips under five miles could be replaced by walking, cycling or using public transport³⁶;
- Active travel can be promoted by local authorities and major local employers³⁵;

³⁴ World Health Organization (WHO) Regional Office for Europe. Review of evidence on health aspects of air pollution - REVIHAAP Project: Final technical report 2013 15/10/14. Available from: <http://www.euro.who.int/en/health-topics/environment-and-health/air-quality/publications/2013/review-of-evidence-on-health-aspects-of-air-pollution-revihaap-project-final-technical-report>

³⁵ The Kings Fund - Improving the public's health: A resource for local authorities. Available at https://www.kingsfund.org.uk/sites/files/kf/field/field_publication_file/improving-the-publics-health-kingsfund-dec13.pdf

³⁶ Cabinet Office Strategy Unit, An Analysis of Urban Transport. 2009. Available at <http://webarchive.nationalarchives.gov.uk/+http://www.cabinetoffice.gov.uk/media/308292/urbantransportanalysis.pdf> [accessed 28/07/16]

- Street environments can prioritise place over cars and increase perceptions of safety, quality of life and ‘walkability’³⁵;
- Susceptible individuals (the elderly, those with existing heart disease and respiratory disease) can be informed of the risks of air pollution, and helped to take avoiding action using air pollution forecasts³⁷;
- ‘Eco-driving’ training can be organised for taxi-drivers to encourage more fuel-efficient driving, and reduce idling at taxi ranks³⁸;
- Boilers can be replaced with the least polluting models³⁸;
- New buildings can be made “air quality neutral”³⁸; and
- Local authority powers can be used to regulate types of traffic and traffic flows to ensure that they are fully contributing to public health strategies and goals³⁵.

Prioritising action in this way delivers benefits across the agendas of local authorities and clinical commissioners, and benefits the following public health outcomes (expressed as Public Health and NHS Outcome indicators).

Table 9: Public Health Outcome Framework indicators which can be positively affected by air quality interventions⁷

1.10 (PHOF)	Rate of people killed and seriously injured on the roads, all ages, per 100,000 resident population
1.16 (PHOF)	Percentage of people using outdoor space for exercise/health reasons
2.06i (PHOF)	Percentage of children aged 4-5 classified as overweight or obese
2.06ii(PHOF)	Percentage of children aged 10-11 classified as overweight or obese
2.12 (PHOF)	Percentage of adults classified as overweight or obese
2.13i (PHOF)	Percentage of adults achieving at least 150 minutes of physical activity per week in accordance with UK CMO recommended guidelines on physical activity
3.01 (PHOF)	Fraction of all-cause adult mortality attributable to longterm exposure to current levels of anthropogenic particulate air pollution
3.06 (PHOF)	Percentage of NHS organisations with a board approved sustainable development management plan
4.04i (PHOF)	Age-standardised rate of mortality from all cardiovascular diseases (including heart disease and stroke) in persons less than 75 years of age per 100,000 population
4.07i (PHOF)	Age-standardised rate of mortality from respiratory disease in persons less than 75 years per 100,000 population
2.3i and 2.3ii (NHS OF)	Reducing time spent in hospital by people with long-term conditions i Unplanned hospitalisation for chronic ambulatory care sensitive conditions (adults) ii Unplanned hospitalisation for asthma, diabetes and epilepsy in under 19s

³⁷ Brook, R.D. et al. Particulate Matter Air Pollution and Cardiovascular Disease : An Update to the Scientific Statement From the American Heart Association, Journal of the American Heart Association, Circulation 2010, 121:2331-2378.

³⁸ Kilbane-Dawe, I. 14 Cost Effective Actions to Cut Central London Air Pollution, Par Hill Research Ltd. Science, Environment and Policy Research. Available at http://www.rbkc.gov.uk/pdf/air_quality_cost_effective_actions_full_report.pdf, accessed 02.05.2014

Air Pollution and Climate Change

The burning of fossil fuels (such as petrol and diesel) is a primary source of both oxides of nitrogen (NO_x) and carbon dioxide (CO₂). Action on air pollution can co-benefit climate change mitigation and vice versa.

Appendix 2

Air Quality Assessments

Introduction

The purpose of an air quality assessment is to determine the predicted impact of a development on local air quality, public health and/or the local environment, to help determine the appropriate level of mitigation from a development. The assessment should be carried out by a developer's air quality consultant.

Air Quality Assessment Process

The Borough Council has used similar assessment methods to fulfil the requirements of its detailed Review and Assessment that led to the Air Quality Management Area (AQMA) designation. For consistency, air quality assessments for developments should, where possible, follow similar methodologies.

Local authorities will work with developers by providing guidance on the suitability of such measures, which should be incorporated at the early design stage of any proposal.

Guidance on the methodologies to be used for air quality assessments is also available in the Defra's Technical Guidance Note¹⁰, and other guidance available from the Defra and IAQM webpages³⁹.

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 TG16¹⁰. The study will comprise:

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 road transport emissions and air quality with the development in place (with development or do-something).
4. The prediction of future road transport emissions and air quality with the development (with development or do-something) and with identified mitigation measures in place.
5. Sensitivity test allowing for no improvement in traffic and background emissions.

The assessment report should include the following details:

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;

³⁹ Environmental Protection UK and the Institute of Air Quality Management - Land-Use Planning & Development Control: Planning For Air Quality (January 2017). Available at <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

- Local receptors likely to be exposed; and
 - 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 basis for determining significance of effects arising from the impacts.
- E. 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.
- F. Model verification for all traffic modelling following Defra guidance¹⁰:
- G. Identification of sensitive locations:
- H. Description of baseline conditions:
- I. Assessment of impacts:
- Comparisons between results of modelling the ‘with development’ scenario and ‘no development’ conditions;
 - Descriptions of the impacts at the individual receptors should be provided;
 - Comment on the sensitivity of the results to input choices
- J. Description of demolition/construction phase impacts:
- K. Cumulative impacts and effects:
- L. Mitigation measures:
- M. Summary of the assessment results:
- Impacts during the construction phase of the development (usually on dust soiling and PM₁₀ concentrations);
 - Impacts on existing receptors during operation (usually on concentrations of nitrogen dioxide, PM₁₀ and PM_{2.5});

- Impacts of existing sources on new receptors, particularly where new receptors are being introduced into an area of high pollution;
- Any exceedances of the air quality objectives arising as a result of the development, or any worsening of a current breach (including the geographical extent);
- Whether the development will compromise or render inoperative the measures within an Air Quality Action Plan, where the development affects an AQMA;
- The significance of the effect of any impacts identified; and
- Any apparent conflicts with planning policy.

Air Quality Monitoring

In some cases 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 guidance¹⁰.

Assessment of the Air Quality Impacts of Construction

Guidance published by the IAQM¹⁸ sets out the methodology for assessing the impacts of air quality from the construction phase of any development.

The guidance, produced in consultation with the construction industry, considers the potential for dust emissions from the following activities:

- Demolition
- Earthworks (soil stripping, ground levelling, excavation)
- Construction, and
- Track out (the transportation of soil from the site onto public roads)

For each of these activities, the guidance considers three separate dust effects:

- Annoyance due to dust soiling;
- Harm to ecological receptors; and
- The risk of human effects due to a significant increase in exposure to PM₁₀

The methodology takes into account the scale (classified as small, medium, large) to which the above effects are likely to be generated and the distance of the closest receptors in determining the significance of effects arising from construction.

Appendix 3

Valuing Impacts on Air Quality for Type 3 Mitigation Measures

Emissions Assessment and Mitigation Calculation

For development schemes that have the potential for a Large detrimental impact on air quality, this guidance specifies an assessment procedure to evaluate the likely change in relevant concentrations and emissions arising from the scheme using the guidance produced by HM Treasury and Defra.

Two approaches are used to value changes in air quality, dependent on the nature of the change. They are:

- the ***impact pathway approach***, which is used in the majority of instances to value the consequences of changes in air quality such as on health, crops and buildings; and
- the ***abatement cost approach***, which is used in the limited instances where the change in air quality is likely to affect compliance with a legally binding obligation (whether causing, removing or changing the extent of non-compliance).

Chart 1.A (over) illustrates how to identify the appropriate approach.

The *abatement cost approach*⁴⁰ is relevant for the minority of situations where the breach of legally binding obligations is an issue. In such instances, it is still only those changes in air quality in excess of the relevant obligation that should be valued using this approach. Changes below the obligation should be valued using the *impact pathway approach*.

The *impact pathway approach* (I-PA) is the central methodology for appraisal. It values the air quality impacts of proposed decisions by estimating how changes in the ambient concentrations of air pollutants affect a range of health and environmental outcomes.

Full I-PA modelling is therefore quite resource and time intensive, requiring the estimation of emissions, dispersion, population exposure and outcomes. **Damage costs** have been developed to enable proportionate analysis when assessing the scale of air quality impacts where they are less significant. They are derived from the I-PA methodology to offer approximations of the value using representative modelling. The full I-PA uses bespoke analysis to provide a fuller assessment, suitable for cases where air quality impacts are significant. (See Appendix 2 Air Quality Assessment).

When total air quality impacts are estimated to be less than £50 million (in present value terms) it is recommended that *Damage Costs* are used. Where total air quality impacts are estimated to be in excess of £50 million a full *impact pathway assessment* should be considered in consultation with Defra.

It is considered that the damage cost approach will be sufficient in the majority of cases; thus the remaining of this Appendix will concentrate on this method of impact assessment.

⁴⁰ <http://www.gov.uk/air-quality-economic-analysis>

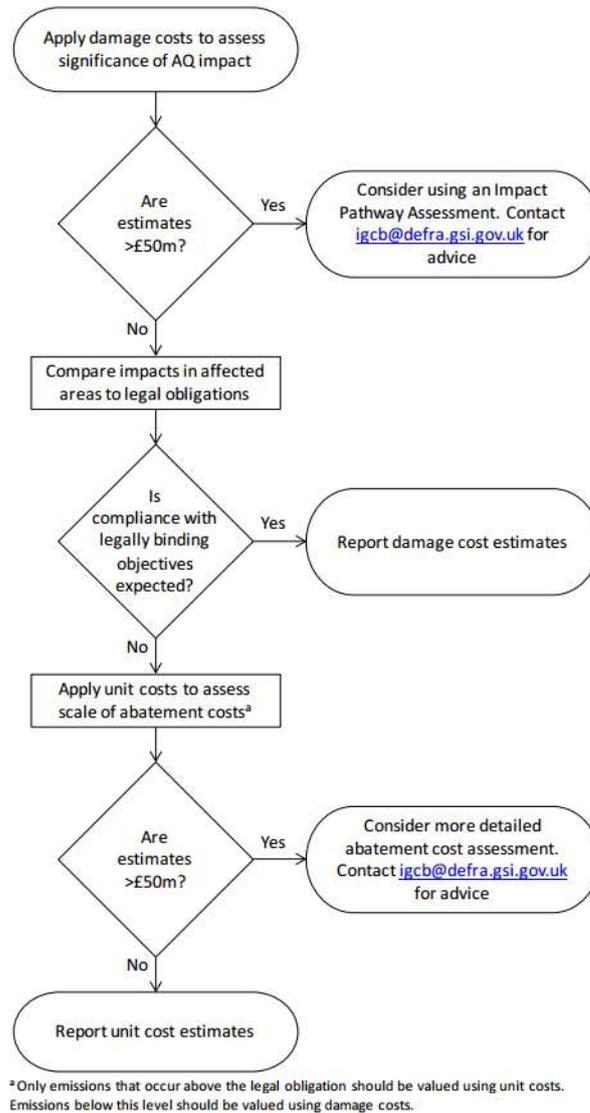


Figure 5: Overview of air quality valuation methodologies⁴¹

Damage Costs Calculation

As part of the assessment procedure a simple calculation is proposed to allow the quantification of any emission changes – the pollution impact of a scheme can then be monetised using the pollutant damage costs (per tonne) specified by the Defra Inter-Governmental Department on Costs and Benefits (IGCB)⁴².

Taking into account Type 1 and 2 Mitigation Measures built into the scheme

The emissions calculator or toolkit (below) provides a basic emission calculation; however the proposal should already include some mitigation measures e.g. alternative fuels or technology

⁴¹ HM Treasury and Department for Environment, Food and Rural Affairs (Defra)-. *Valuing impacts on air quality: Supplementary Green Book guidance* (May 2013) Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/197893/pu1500-air-quality-greenbook-supp2013.pdf

⁴² Department for Environment, Food and Rural Affairs (Defra)- Air quality: economic analysis. Available at <https://www.gov.uk/air-quality-economic-analysis>

(LPG, EV etc.), and these need to be taken into account during the damage costs calculation. The “advanced options” within the toolkit can accommodate inputs for alternative fuels.

Calculating Emissions

The emissions calculator provides a calculation to determine the amount of pollutant emissions a development is likely to produce. This in turn, by multiplying the damage cost for the key pollutants (PM₁₀ and NO_x see below), determines the amount (value) of mitigation that is expected to be spent on measures to mitigate those impacts.

The calculation uses the most current Defra Emissions Factor Toolkit⁴³ (EFT) to estimate the additional pollutant emissions from a proposed development. This will provide the relevant pollutant emissions outputs for the mitigation calculation, which is then multiplied to provide an exposure cost value. This value is used for costing the required emissions mitigation for the development (Example shown in Figure 6 below).

The emissions assessment and corresponding mitigation calculation follows this process:

1. An emissions assessment calculates additional trips^{44, 45} generated by the development.
2. The emissions are calculated for pollutants of concern (NO_x & PM₁₀)
3. Using Defra IGCB Air Quality Damage Costs¹⁹ for the specific pollutant emissions, the calculation then provides a resultant damage cost calculation.
4. The emissions total is then multiplied x 5, to provide a 5 year exposure cost value i.e.
5. The resulting 5-year exposure cost value, is the value that is to be used to implement mitigation measures within the development.

Example EFT Output = 32.55 kg/annum (NO_x) & 3.795 kg/annum (PM)

$$\begin{aligned}
 &= 0.0325 \text{ tonnes/annum (NO}_x\text{) \& \& 0.003795 \text{ tonnes/annum (PM}_{10}\text{)} \\
 &\times \text{£}25,252/\text{tonne (NO}_x\text{) + £}58,125/\text{tonne (PM}_{10}\text{)} \\
 &= \text{£}820.69 + \text{£}220.58 \\
 &\times 5 \text{ (years)} \\
 &= \text{£}4,103.45 + \text{£}1,102.90
 \end{aligned}$$

Total = £5,206.35

Figure 6: Example calculation based on a development with 10 domestic properties

⁴³ Defra Emissions Factor Toolkit: <http://laqm.defra.gov.uk/review-and-assessment/tools/emissions.html>

⁴⁴ Trip rates can be sourced from transport assessment or local authority/transport authority.

⁴⁵ Trip length uses the National Travel Survey:2011 - UK average = 7.1miles/10km
<https://www.gov.uk/government/collections/national-travel-survey-statistics>

Type 3 Mitigation/Compensation Measures

By establishing the damage costs arising from development scheme emission changes it is possible to assess any additional mitigation or compensation that is required to make the scheme acceptable. A suite of mitigation/compensation measures termed Type 3 mitigation is shown in the table below:

Table 10: Examples of Type 3 Additional Mitigation and/or Compensation Required for Scheme Acceptability

Mitigation/ Compensation Options	
	<ul style="list-style-type: none"> • On-street EV recharging. • Contribution to low emission vehicle refuelling infrastructure. • Car clubs. • Low emission bus service provision. • Low emission waste collection services. • Bike/e-bike hire schemes. • Bike infrastructure. • Contribution to renewable fuel and energy generation projects. • Incentives for the take-up of low emission vehicle technologies and fuels. • Air Quality Monitoring programmes. • Other sustainable transport provision as appropriate to the development. • Contribution towards other public transport improvements.

Note: Where Type 3 mitigation is required, the planning authority and developer will agree measures that are appropriate and in scale and kind to the development. Such measures may be taken forward by condition, where possible, or through the use of a Section 106 Agreement.

The planning authority will need to take into account of any Type 3 mitigation measures that are included on a Community Infrastructure Levy (CIL) list.

The list in Table 8 is not exhaustive and further options may be suggested where authorities feel it is appropriate, depending on the scale of development and air quality issues within an area.

The mitigation options selected for a development should be relevant and appropriate to:

- Any local policies including Air Quality Action Plans, which may determine the mitigation priorities for a scheme that the local authority may wish to see be incorporated within a particular scheme.
- Any local air quality concerns; to assist in the remediation of potential cumulative air pollution impacts of the development on the local community.
- The type, size and activity of the development.

For Publication

Annual Housing Revenue Account rent and service charge setting review

Meeting:	Cabinet
Date:	12 th January 2021
Cabinet portfolio:	Cabinet Member for Housing
Report by:	Service Director – Housing

1.0 **Purpose of report**

- 1.1 To seek Cabinet approval to set housing rent and service charge levels for 2021/22.

2.0 **Recommendations**

It is recommended that:

- 2.1 For 2021/22 individual social rents be set based on the current national social rent policy, giving a rent increase of 1.5% with effect from 5th April 2021.
- 2.2 For 2021/22 and onwards, where a social rent property is re-let to a new or transferring tenant the rent level be increased to the target rent for that property.
- 2.3 For 2021/22 individual affordable rents be set based on the current national social rent policy giving a cash rent increase of 1.5% with effect from 5th April 2021.
- 2.4 For 2021/22 and onwards, where an affordable rent property is re-let to a new or transferring tenant the rent level be set by reference to 80% of the market rent (including service charges where applicable) for a similar property at the time of letting or the formula rent for the property, whichever is the greater.
- 2.5 The true costs of delivering services should be passed onto tenants. Therefore, service charges should be increased to ensure services break even. It is recommended that the service charges are increased as set out in **Appendix A** Housing Revenue Account Service Charges 2021/22.

3.0 **Reasons for recommendations**

- 3.1 To enable the council to set the level of council house rents in accordance with Government guidelines and the Rent Standard.
- 3.2 To enable the council to set service charges for 2021/22 and ensuring the cost of delivering services continues to break even.
- 3.3 To contribute to the council's corporate priority 'to improve the quality of life for local people.

4.0 **Report details**

National Social Rent Policy

- 4.1 The council is required to keep a separate account for its activities as a landlord. This is called the Housing Revenue Account (HRA). The HRA is governed by the Local Government and Housing Act 1989 and by determinations made under this Act by Ministry of Housing Communities and Local Government.
- 4.2 Under the HRA self-financing regime we are required to ensure that our HRA Business Plan is financially viable, delivers reasonable standards for tenants and maintains at least the minimum Decent Homes Standard.
- 4.3 Future investment in the Housing Service and the housing stock is largely funded through income from the properties and is therefore directly influenced by decisions on rent levels, additional borrowing or the use of cash reserves.
- 4.4 Social rents are set according to the Government's national social rent policy and the Welfare Reform and Work Act 2016. In accordance with the Government's National Social Rent Policy, which came into effect from 1st April 2020, rents may increase by up to CPI plus 1%, until 1 April 2024.
- 4.5 In addition, where a property is re-let during the financial year (and where it is not already at target rent), the new tenant's rent level can continue to be increased to the target rent for that property.

Rent setting for 2021/22

- 4.6 In line with the Government's National Social Rent Policy and the RSH Rent Standard, it is recommended that for 2021/22 (and in the following three years) all Chesterfield Borough Council rents (social and affordable) will

increase by CPI plus 1%. This is a real increase of 1.5% in 2021/22 based on CPI in September 2020 of 0.5%.

- 4.7 This gives an average social rent in 2021/22 of £79.36 per week and an average affordable rent of £98.25 including services per week. A table giving the average weekly rent by bedroom number for 2021/22 is below.

Weekly social rent				
Number of bedrooms	Number of properties	2020/21 rent (£)	2021/22 proposed (£)	Change (£)
Bedsit	32	61.78	62.70	0.92
1 bedroom	3155	72.75	73.84	1.09
2 bedroom	2803	78.93	80.12	1.19
3 bedroom	2699	82.80	84.04	1.24
4 bedroom	246	90.89	92.26	1.37
Total	8935	78.18	79.36	1.18
Weekly affordable rent				
1 bedroom	3	88.53	89.85	1.32
2 bedroom	2	94.78	96.20	1.48
6 bedroom	1	125.63	127.51	1.88
Total	6	96.79	98.25	1.46

Social Rent

- 4.8 A social rent is calculated by a formula based on local earnings (70%), 1999 property values (30%) and then adjusted to account for the number of bedrooms in a property. Chesterfield Borough let 8,935 properties at a social rent as at October 2020.

Affordable Rent

- 4.9 Affordable rented homes are properties delivered through the Affordable Homes Programme 2011-15 and let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable rent is subject to rent controls that require a rent of up to 80% of the local market rent (including service charges). Chesterfield Borough Council lets six properties at an affordable rent as at October 2020.
- 4.10 The rent at the date of first letting is set at a maximum of 80% of the market rent for a similar property in area at that time including service charges. On a change of tenancy, the rent must be re-calculated by reference to 80% of the market rent (again inclusive of service charges) at that date. This may mean that the rent decreases rather than rising, depending on market conditions prevailing at the time. In addition, affordable rents, must not be lower than

what would be the social formula rent for the property.

Service charge setting 2021/22

- 4.11 A detailed consideration of increases to heating charges, garage rents, garage site rents, garden assistance scheme, water charges, community room charges and warden services are set out in **Appendix A**.

Rent, fees and charges summary

- 4.12 The table below shows the annual impact of the recommended rent increase and fee and charge increases set out in **Appendix A** on the 2021/22-year end balance:

Description	Additional income in 2021/22
Heating Service charge	£2,400
Garage rents	£5,880
Garage sites	£280
Water charges	£130
Garden assistance scheme	£80
Community room hire	£0
Communal staircase cleaning	£4,420
Sheltered scheme support charge	£6,400
Careline and Independent Living charges	£55,600
Rent increase	£546,000
Total of proposed increases	£621,290

5.0 Implications for consideration – Council Plan

- 5.1 To improve quality of life for local people and too provide value for money services.

6.0 Financial Implications

- 6.1 The financial implications are an intrinsic element of this report. The recommendation that all Chesterfield Borough Council rents (social and affordable) will increase by CPI plus 1% - comparing the 8,941 properties in stock at October 2020 will result in an additional £546,000 of income in 2021/22 compared to 2020/21.

7.0 Legal and data protection implications

7.1 The rent calculations adhere to the Government social rent policy set out for the period 2020 to 2025. The Council, as a registered social landlord is required from 1st April 2020 to set rents in accordance with Homes England, the Regulator of Social Housing's Rent Standard.

7.2 The Council, as a registered social landlord is required from 1st April 2020 to set rents in accordance with Homes England, the Regulator of Social Housing's Rent Standard.

8.0 Implications for consideration – Human Resources

8.1 None.

9.0 Implications for consideration - risk assessment

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Increased rent means rents more unaffordable	M	M	All rents are below the local housing allowance levels. Revenues operate a wide range of activities to maximise the Councils rent collection including offering direct debits that automatically adjust to collect the increased rents	M	L

10.0 Implications for consideration – community wellbeing

10.1 Ensuring rents are increased in line with the national rent policy means that the Council can continue to provide good quality, affordable homes for households across Chesterfield.

10.2 Increasing rents in line with the national rent policy will ensure that the proposed revenue funding of the Housing Capital Programme can be delivered. The Housing capital programme will include environmental programmes of improvements to communal areas and environments to increase community wellbeing.

11.0 Implications for consideration – economy and skills

- 11.1 Increasing rents in line with the national rent policy will ensure that the proposed revenue funding of the Housing Capital Programme can be delivered. The capital programme offers opportunities to local and regional companies to provide goods and services to the Housing Service.

12.0 Implications for consideration – climate change

- 12.1 Increasing rents in line with the national rent policy will ensure that the proposed revenue funding of the Housing Capital Programme can be delivered. The programme of capital works to properties including new windows, doors, boilers and roofs all increase the energy efficiency of the Council's housing stock.

13.0 Implication for consideration – equality and diversity

- 13.1 In setting the National Social Rent Policy, an Equalities Impact Assessment has been carried out nationally. The impact on tenants with protected characteristics has been considered when setting fees and charges and where possible these have been minimised to mitigate any negative impact.

Decision information

Key decision number	993
Wards affected	All
Links to Council Plan priorities	To improve quality of life for local people and too provide value for money services

Document information

Report author	Contact number/email
James Crouch	345150 james.crouch@chesterfield.gov.uk
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.	
None	
Appendices to the report	
Appendix A	Housing Revenue Account Service Charges 2021/22

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Appendix A: Housing Revenue Account Service Charges 2021/22

1.0 District and group heating

- 1.1 Tenants linked to a group heating scheme (sheltered housing schemes) pay for heat through a service charge. Service charges paid with the rent apply to all tenants linked to a group heating scheme. Value added tax is not payable on service charges
- 1.2 Heating charges are not eligible for Housing Benefit or the housing element of Universal Credit
- 1.3 It is proposed that in order for the group heating schemes to continue to breakeven in 2021/22 the charges are increased by 2.0% as detailed in the table below:

	Current charge (per week)	Revised charge (per week)	Increase in 2021/22
1 bedroom	£18.13	£18.49	£0.36 increase
2 bedroom	£18.64	£19.01	£0.37 increase
3 bedroom	£19.16	£19.54	£0.38 increase

2.0 Garage rents and garage sites

- 2.1 Income streams from both garage rents and garage site leases currently cover expenditure. The sites around the garages have had capital expenditure in recent years and further work will be planned. Increases in charges of 1.3% to reflect the cost of ongoing improvements are recommended as follows:

	Current charge	Revised charge	Increase in 2021/22
Garage rents	£7.70 per week	£7.80	£0.10 per week
Garage site – shale surface	£57.00 per annum	£57.70	£0.70 per annum

Garage site – asphalt	£71.70 per annum	£72.60	£0.90 per annum
Garage site – other	£78.50 per annum	£79.50	£1.00 per annum

2.2 Garage rents are not eligible for Housing Benefit or the housing element of Universal Credit.

3.0 Water charges

3.1 Water charges are now only payable on sheltered schemes. In order to maintain a breakeven position, it is proposed to increase charges by 2% (the estimated inflationary increase on water rates for 2021/22). This give an average increase from £3.56 per week to **£3.63** per week.

3.2 Water charges are not eligible for Housing Benefit or the housing element of Universal Credit.

4.0 Garden assistance scheme

4.1 The current Garden Assistance Scheme contract was awarded to Spirepride in April 2018. In order to comply with the Equality Act 2010 the service is provided free to disabled people.

4.2 The cost of providing the service to any eligible disabled service users will be met from the HRA working balance. Any other service users will be charged as per the table below. The contract price is set to increase by 2.75% in April 2021 and it is proposed to pass this increase onto all paying clients.

	Current charge (per week)	Revised charge (per week)	Increase in 2021/22
Grass Cut	£3.64	£3.74	£0.10
Hedge Cut	£0.71	£0.73	£0.02

Grass and hedge cut	£4.35	£4.47	£0.12
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4.3 Garden Assistance Scheme charges are not eligible for Housing Benefit or the housing element of Universal Credit

5.0 Community rooms

5.1 Housing Services currently manage five community rooms at various locations across the borough. Usage currently varies between the venues, with income not meeting the costs associated with the maintenance and management of these facilities.

5.2 Charges for the hire of community rooms are in accordance with the table below. Bookings are offered at a fixed price for the usage of the room per slot:

- 9.00a.m to 1.00p.m
- 1.00p.m to 5.00p.m
- 5.00p.m to 9.00p.m

5.3 As usage remains low and works are ongoing to upgrade the rooms it is not proposed to increase prices in 2021/22. The charges will therefore remain as set out in the table below:

Type of group	Comments	Charge per slot
Tenant and resident group	Groups which work on behalf of members of the community	Nil charge
Councillor surgery	Surgeries run by Chesterfield BC for Derbyshire County Council Members	Nil charge
Activities for the benefit of vulnerable people and for which funding is not available	For example, preparation and distribution of food hampers to vulnerable people	Nil charge

Activities for the benefit of local people	Activities where a charge can be made for the activity	£8.00
Charitable organisations	Those with a charitable status and registration number	£8.00
Support groups	Groups which support vulnerable or disadvantaged people, and which are non-profit making	£8.00
Other non-commercial groups	Including statutory organisations who use the premises e.g. use as Polling Stations or parties	£12.00
Commercial organisations	Other organisations	£20.00

6.0 Communal staircase cleaning

- 6.1 The contract for cleaning communal staircases is carried out by in house Building Cleaning.
- 6.2 In order that the service continue to recover its costs it is proposed to increase the weekly charge to tenants by 2.15% from 1st April 2021. The weekly charge will increase from **£2.12 to £2.17** per week.
- 6.3 Communal staircase cleaning charges are eligible for Housing Benefit and the housing element of Universal Credit.

7.0 Tenant home content insurance premium tax

- 7.1 There has been no further increase in Insurance Premium Tax since June 2017 when it was set at 12%. It is proposed to leave this charge unchanged for 2021/22 in order that the service continues to recover its costs.

- 7.2 The tax is recovered weekly from tenants as part of their home contents insurance premium, the amount charged will depend on their individual level of home contents cover.
- 7.2 Home content insurance premium tax is not eligible for Housing benefit or the housing element of Universal Credit.

8.0 Sheltered scheme service charge

- 8.1 In order to maintain a breakeven position it is proposed to increase charges by 7.7% from £13.00 to **£14.00** per week. The charge applies to all sheltered housing schemes and will continue to be reviewed annually.

9.0 Careline and Independent Living Service Charges

- 9.1 Careline response and support services for older and vulnerable people are currently provided to Derbyshire County Council (DCC) funded and self-funded customers. For those eligible for funding, there are two separate contracts with DCC – floating visiting support- Independent Living Service (ILS) and Careline. Tenants and residents who cannot access funding from DCC can pay for the service.
- 9.2 Derbyshire County Council is currently reviewing the Careline and Independent Living contracts. The contracts with CBC to provide the services will be extended until March 2022 before any further contract changes are implemented.
- 9.3 The proposed charges are designed to ensure greater consistency, so the price paid reflects the service received. Currently different organisations are charged different charges for the same service. The aim is to standardise charging in 2021/22 where possible and stagger the increases for council tenants and residents of Chesterfield. The proposal is set out on the table on the following page.
- 9.4 Under the current Careline contract Chesterfield Borough Council (CBC) receives **£2.58** per week for each client eligible for this funding. This charge cannot be amended under the current

contract. The fees received under the DCC 'Fast Package' are also fixed at **£2.50** per week.

9.5 The contract with DCC for providing an ILS in the CBC, Amber Valley Borough and North East Derbyshire District is running until 31st October 2021 and CBC will receive £300,000 to provide this service. Charges for this element cannot be increased.

9.6 Chesterfield Borough Council will continue to receive **£34.00** for every fall attended.

Service (No. of Clients)	Current weekly charge (£)	Proposed charges 2021/22	% increase
Careline			
DCC funded (813)	2.58	Contracted	N/A
Self-funded (1,599)	6.50	6.50	No increase
Housing Associations (236)	Average charge 4.00	6.50	62.5%
Derbyshire Dales (160)	4.00	6.50	62.5%
DCC 'Fast package' (23)	2.50	Contracted	N/A
Sheltered 'self-funders' (30)	6.20	6.50	5%
Independent Living			
Falls recovery	34.00	Contracted	N/A
DCC funded (AV/NEDDC/CBC) (1331)	4.20	Contracted	N/A
Sheltered self-funders (30)	2.20	2.27	3%
Self-funded Chesterfield (95)	2.89	2.98	3%
Self-funded Amber Valley / NEDDC (29)	5.92	10.50	77%
Self-funded package (1)	3.95	10.50	166%

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