

# Equality Analysis

## Birmingham City Council Analysis Report

<b>EA Name</b>	TACKLING AIR QUALITY IN BIRMINGHAM - CLEAN AIR ZONE CONSULTATION
<b>Directorate</b>	Economy
<b>Service Area</b>	Economy - Transportation Services Growth & Transportation
<b>Type</b>	New/Proposed Policy
<b>EA Summary</b>	This Equalities Assessment reviews the request to seek approval to enter into a period of public consultation on the Council's proposals and timeline for implementation of a Birmingham Clean Air Zone. The proposals for a Class D Clean Air Zone in the city centre aim to achieve air quality compliance with UK and EU statutory NO2 limits in the shortest possible time and as part of a longer term air quality programme.
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### Introduction

The report records the information that has been submitted for this equality analysis in the following format.

#### **Initial Assessment**

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

#### **Relevant Protected Characteristics**

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

## **1 Activity Type**

The activity has been identified as a New/Proposed Policy.

## **2 Initial Assessment**

### **2.1 Purpose and Link to Strategic Themes**

#### **What is the purpose of this Policy and expected outcomes?**

Specifically, the purpose of this Equalities Analysis is to assess the recommendations that Cabinet:

- . Approves the preferred measures for a Birmingham Clean Air Zone that will rationally seek to achieve air quality compliance with UK and EU statutory NO2 limits in the shortest time possible, as part of a longer term air quality programme.
- . Approves entering into a period of public consultation on a class D Clean Air Zone in the city centre.
- . Approves the Consultation Strategy .
- . Notes that a final report with a detailed business plan for the preferred scenario option for a Birmingham Clean Air Zone with additional measures, as part of a wider air quality programme, will be presented to Cabinet for approval, ahead of submission to Government.

The consultation on proposals and the timeline for implementation of a scheme should ultimately lead to the outcome of improved air quality in Birmingham.

The decision is considered to be consistent with the City Council's Plan and Budget 2018+ and supports the following priorities:

Jobs & Skills - Build upon our assets, talents and capacity for enterprise and innovation to shape the market and harness opportunity.

Health - Help people become healthier and more independent with measurable improvement in physical activity and mental wellbeing.

Children - Make the best of our diversity and create a safe and secure city for our children and young people to learn and grow.

Housing - Provide housing in a range of types and tenures, to meet the housing needs of all of the current and future citizens of Birmingham.

This decision also supports the delivery of policies included in the Birmingham Development Plan, Birmingham Connected , West Midlands Combined Authority Strategic Economic Plan and Movement for Growth by supporting improvements to air quality and reducing carbon dioxide (CO2) emissions and improving the local environment.

The Health and Social Care Act 2012 requires Local Authorities in England to have a Health and Wellbeing Board (HWBB). A key responsibility of the HWBB is to develop a Health and Wellbeing Strategy (HWBS). Improving air quality is a key ambition of the Birmingham Health & Wellbeing Strategy.

Air Quality and the risk of fines as a result of non-compliance with legal limits was included on the Corporate Risk Register in May 2017. This decision seeks to mitigate this risk.

#### **Background - Impact of Poor Air Quality**

Poor air quality in Birmingham is a major public health burden and is recognised as the fourth largest risk to public health; behind cancer, obesity and cardiovascular disease. It is estimated that poor air quality is responsible for around 900 premature deaths in Birmingham (2015) and 2,000 - 2,400 attributable deaths across the West Midlands per year (based on 2010/11

estimates).

The two pollutants of most concern in Birmingham are nitrogen dioxide (NO<sub>2</sub>) and fine airborne particulate matter (PM<sub>2.5</sub>). Both pollutants contribute to the health burden but it is only NO<sub>2</sub> which has a legislative limit which is deliverable by the City Council. It is important to appreciate that even with compliance, with the legal limit there will remain a health burden i.e. there is no recognised safe limit for NO<sub>2</sub> at this point in time.

The Council is responsible for ambient air quality and cleaner air under the Air Standard Regulations. With road traffic as a primary source of harmful emissions in the city, diesel vehicles are key contributors to nitrogen dioxide (NO<sub>2</sub>) emissions.

In January 2003 the whole of Birmingham was declared an Air Quality Management Area (AQMA) for nitrogen dioxide. Pursuant to the AQMA declaration, Environmental Health led on the development and publication of an Air Quality Area Plan (AQAP) in 2006 which was updated in 2011.

The Scrutiny Inquiry into the impact of air quality on health in January 2017 detailed the need for the City Council to demonstrate leadership and take ownership of tackling air quality by developing a strategy to address it effectively.

In July 2017 the Government issued the UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations which identified Birmingham as one of the areas experiencing the greatest problem with NO<sub>2</sub> exceedances. The Government's Plan required the Council to undertake assessments aimed to deliver the best Clean Air Zone option to achieve statutory NO<sub>2</sub> limit values within the shortest possible time. This included the requirement to consult on chosen options before submitting a Full Business Case to the government.

Whilst road traffic is identified as the single greatest cause of emissions, there have been tensions between the wish to stimulate inclusive growth and the impact that traffic generated by the economy has on pollution. However, increasingly there is a view that health considerations ought to be balanced alongside considerations to further economic prosperity.

Air pollution impacts the most disadvantaged communities, for example inner city neighbourhoods. There is increasing evidence that people already struggling with the stress of disadvantage, for example low family income and poor housing conditions, are less fit and able to fight off the effects of air pollution. This creates a vicious circle from which those who are adversely affected will struggle to break free.

**For each strategy, please decide whether it is going to be significantly aided by the Function.**

Children: A Safe And Secure City In Which To Learn And Grow	Yes
Health: Helping People Become More Physically Active And Well	Yes
Housing : To Meet The Needs Of All Current And Future Citizens	Yes
Jobs And Skills: For An Enterprising, Innovative And Green City	Yes

## **2.2 Individuals affected by the policy**

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	Yes
Will the policy have an impact on wider community?	Yes

## **2.3 Relevance Test**

Protected Characteristics	Relevant	Full Assessment Required
Age	Relevant	No
Disability	Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Relevant	No
Race	Relevant	No
Religion or Belief	Relevant	No
Sexual Orientation	Not Relevant	No

## **2.4 Analysis on Initial Assessment**

An initial Equalities Analysis has been carried out, and it has been considered that five of the protected characteristics may be affected by the city council's decision to undertake a public consultation on a Clean Air Zone.

Overall it is anticipated that the Air Quality Strategy and the Clean Air Zone should have a positive impact on the health outcomes of everyone in the city. It should have a particularly positive impact on:

- . Age (particularly the very young and the very old)
- . Those with disabilities and long-term health conditions (as pollution contributes to many of these conditions)
- . Pregnant women (due to the disproportionate impact of poor air quality on unborn children)
- . Race (as many of our ethnic communities live in inner city areas, close to busy roads and are more likely to benefit from improvements to air quality)

However, it is also acknowledged that the implementation of a Clean Air Zone and elements of the Air Quality Strategy could also have adverse impacts on these groups; for example if the terms of the Clean Air Zone were not set up correctly, then there could be financial disadvantages for some people with protected characteristics.

The initial results from the distributional impacts appraisal show that certain groups could potentially experience a disproportionate or differential adverse impact as a result of the implementation of the scheme. These include:

- . Disabled people - if there was an increase in cost or decrease in availability of community transport.
- . People with religious beliefs - particularly those attending the key places of worship within the CAZ area

With this in mind, an integrated Impact Assessment is being undertaken on the CAZ proposals to enable the impact on various groups, including those with protected characteristics, to be identified and understood. This will then be used to develop appropriate measures to mitigate impacts where possible.

As this EA is for the purposes of initiating public consultation on a Clean Air Zone, full equality analysis for each protected group is not deemed appropriate at this stage. Consultation results will feed into full analysis. Reports to bring forward the CAZ and related measures will also require supporting Equality Assessments which will further scrutinise the impacts of implementation on protected groups.

### **3 Full Assessment**

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

#### **3.1 Age - Assessment Questions**

##### **3.1.1 Age - Relevance**

Age	Relevant
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**Comment:**

Birmingham is a youthful city as approximately 46% of Birmingham residents are estimated to be under 30, compared to estimates of 39% for England. Evidence suggests that young people, the elderly and those with existing heart and lung conditions are the most sensitive to the negative effects of air quality.

#### **3.1 Disability - Assessment Questions**

##### **3.1.1 Disability - Relevance**

Disability	Relevant
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**Comment:**

Poor air quality has been linked to poor health impacts on those with disabilities and long-term health conditions (particularly those with existing heart and lung conditions). The implementation of a Clean Air Zone should have a positive impact for this group.

#### **3.1 Religion or Belief - Assessment Questions**

##### **3.1.1 Religion or Belief - Relevance**

Religion or Belief	Relevant
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**Comment:**

Potential impacts on people with religious beliefs have also been deemed relevant to the distributional impact appraisal for the Clean Air Zone (CAZ) due to the presence of some large centres of worship within the CAZ, such as the Birmingham Central Mosque.

#### **3.1 Pregnancy And Maternity - Assessment Questions**

##### **3.1.1 Pregnancy And Maternity - Relevance**

Pregnancy & Maternity	Relevant
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**Comment:**

Pregnant women are likely to be affected due to the disproportionate impact of poor air quality on unborn children. Implementation of a Clean Air Zone would help to mitigate this.

#### **3.1 Race - Assessment Questions**

##### **3.1.1 Race - Relevance**

Race	Relevant
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**Comment:**

Birmingham is a culturally diverse city with residents from a wide range of national, ethnic and religious groups. In general minority ethnic residents are concentrated closer to the city centre and in inner city areas. These are areas which also tend to experience poorer air quality.

### **3.1 Concluding Statement on Full Assessment**

Following the initial Equalities Analysis, it is considered that although five of the protected characteristics are affected by the decision to undertake public consultation on a Clean Air Zone in Birmingham, it is not considered that a Full Assessment is required at this stage.

The Consultation Plan sets out how the Council will engage with those affected. This will be through a range of channels, including the use of existing contacts and networks to raise awareness, engaging directly with larger and umbrella organisations, and asking them to engage with communities and key stakeholders.

A further Equality Analysis will be required at the Full Business Case stage for the Clean Air Zone and a full assessment will be required for certain protected characteristics with regard to the preferred option.

As noted the council is also undertaking detailed integrated Impact Assessments, looking at the economic, environmental and equalities impacts, as part of the wider feasibility study of the CAZ. This will be used, together with the responses from this consultation, to inform the Full Business Case for implementation of the scheme and supporting Equality Analysis.

The implementation of other actions within the Air Quality Strategy will also require the appropriate Equality Analysis screening to take at the appropriate time.

### **4 Review Date**

14/06/19

### **5 Action Plan**

There are no relevant issues, so no action plans are currently required.