

Equality Impact Assessment

Proposal to Declare the Whole of Sandwell as a
Smoke Control Area
(Revoking and replacing the existing 51 SCAs)

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|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Title of proposal <i>(include forward plan reference if available)</i> | Proposal to Declare the Whole of Sandwell as a Smoke Control Area (Revoking and replacing the existing 51 SCAs) |
| Directorate and Service Area | Pollution Control Team, Public Health |
| Name and title of Lead Officer completing this EIA | Sophie Morris, Environmental Improvement Officer |
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| Names and titles of other officers involved in completing this EIA | Elizabeth Stephens, Senior Environmental Health Officer (Lead Air Quality) |
| Partners involved with the EIA where jointly completed | |
| Date EIA completed | 01/08/2022 |
| Date EIA signed off or agreed by Director or Executive Director | |
| Name of Director or Executive Director signing off EIA | |
| Date EIA considered by Cabinet Member | |

1. The purpose of the proposal or decision required

See [Equality Impact Assessment Guidance](#) for key prompts that must be addressed for all questions

(Please provide as much information as possible)

Sandwell Council has a duty to assess air quality and where necessary take appropriate action to protect the health of those living and working in the borough.

Burning in a domestic setting creates a variety of toxic emissions including fine particulate matter (PM_{2.5}) which has a significant impact on human health and the environment. In particular, PM_{2.5}, has been associated with higher mortality rates for people with heart and respiratory diseases and lung cancer.

The contribution of wood and solid fuel burning in urban areas is significant. A government commissioned survey in 2020, demonstrated that 68% of indoor burners lived in urban areas in the UK, as opposed to 32% in rural areas. Due to higher population densities in urban areas, population exposure is greater. Reducing population exposure is key to reducing health impacts. The ambition for the UK as a whole is to reduce concentrations below the World Health Organisation (WHO) guideline.

Smoke Control Areas are designed to reduce the emission of smoke from chimneys by requiring the use of either authorised fuel or by using Defra 'exempt appliances' for example certain burners and stoves. Unauthorised fuel must not be used in a smoke control area unless it is used in an exempt appliance.

Sandwell currently has 51 separate Smoke Control Areas. This means only some parts of the borough are protected against smoke emissions, whilst many properties in the Borough can legally burn unauthorised fuels (i.e. wood and coal) and use non-exempted appliances. The proposed new single Smoke Control Area will address this inequality by ensuring that all premises in Sandwell Metropolitan Borough fall under the requirements of a Smoke Control Area.

2. Evidence used/considered

In recent decades the main air pollutant of concern in Sandwell was related to road transport and associated nitrogen dioxide (NO₂) concentrations. In 2005 Sandwell was declared an Air Quality Management Area due to exceedances of NO₂ across the Borough. Emissions from NO₂ have significantly decreased due to improvements in vehicle technology and decreased industrial emissions, but instead there is now growing concern about the levels of PM_{2.5} in Sandwell and the associated health impacts.

Estimates of Particulate Matter (PM_{2.5}) at three monitoring sites in Sandwell in 2019 demonstrated levels above the World Health Organisation guidelines of 10µg/m³. With no known safe level for PM_{2.5} the short and long-term impacts on health are significant. There is strong evidence that air pollution causes the development of coronary heart disease, stroke, respiratory disease and lung cancer, and exacerbates asthma.

Although some PM_{2.5} (approximately 12%) comes from transport a substantial proportion (approximately 38%) is from domestic burning, industry and commercial sources.

The contribution of PM_{2.5} from small combustion sources such as domestic stoves and fireplaces is growing. This is of concern because when there is a concentration of small combustion emissions from burning activities in an urban area, these emissions have a more significant population impact than burning in sparsely populated rural areas.

In London and Birmingham, it has been estimated that the contribution of wood burning to urban-derived PM_{2.5} was between 23 and 31%. Monitoring data also suggests that the PM_{2.5} concentration levels follow a pattern of use i.e. increasing during the evening and weekends and in the colder months, which is consistent with use of stoves and fireplaces.

The Clean Air Act 1993 enables local authorities to declare the whole or parts of the district as a Smoke Control Area (SCA) through a Smoke Control Order. Where an SCA exists, the authorised use of designated smokeless fuels or exempt appliances is required. A fine of £1,000 can be issued for breaking the rules. The use of an SCA is a key control for Sandwell in minimising potentially harmful emissions from residential and small-scale combustion plants.

3. Consultation

A soft consultation in the form of three surveys; one aimed at young people, another for adult residents and another for businesses, was completed in the Summer 2021.

A formal advertising period of 6 weeks was undertaken in accordance with the requirements of the Clean Air Act 1993. In addition to this a public consultation was also completed, which was not mandatory but was viewed as being important for ensuring that all stakeholders had an opportunity to have their say about the proposal.

4. Assess likely impact

A new single Smoke Control Area would ensure that all properties in the borough are subject to the same legal requirements in relation to smoke control under the Clean Air Act 1993.

The social and economic benefits of implementing a boroughwide Smoke Control Area are far reaching. By reducing exposure to harmful air pollutants and in particular PM2.5 this proposal will have a positive impact on public health that clearly outweighs any initial set up costs or its future enforcement.

There is a potential cost impact for those who currently use unauthorised fuels for heating their homes as authorised fuels do cost more. There is therefore concern that this could push some households into fuel poverty at a time of high inflation and rising energy costs. However, the use of unauthorised fuels comes with a huge social-health related cost. Residents who are struggling with the cost of heating and are likely to face fuel poverty this winter will need help and advice on accessing financial and practical advice on keeping their homes warm. This includes providing information and advice not only where they can get practical and financial help, but also providing energy efficiency measures that are likely to provide year on year savings.

Please complete the table below at 4a to identify the likely impact on specific protected characteristics

4a. Use the table to show:

- Where you think that the strategy, project or policy could have a negative impact on any of the equality strands (protected characteristics), that is it could disadvantage them or if there is no impact, please note the evidence and/or reasons for this.
- Where you think that the strategy, project or policy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relationships within equality characteristics.

| Protected Characteristic | Positive Impact | Negative Impact | No Impact | Reason and evidence (Provide details of specific groups affected even for no impact and where negative impact has been identified what mitigating actions can we take?) |
|--------------------------|-----------------|-----------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | ✓ | ✓ | ✓ | |
| Age | ✓ | | | Poor air quality disproportionately affects children and the elderly, so improving air quality via the Smoke Control Area will decrease this effect on the most vulnerable age groups, promoting equality. (https://www.atsjournals.org/doi/full/10.1164/rccm.201806-1147OC) |
| Disability | ✓ | | | Those with some disabilities are also disproportionately affected by poor air quality, that can be positively addressed by implementing a Smoke Control Area, improving health and quality of life for those with disabilities. (https://link.springer.com/chapter/10.1007/5584_2014_11) |

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| Gender reassignment | | | X | |
| Marriage and civil partnership | | | X | |
| Pregnancy and maternity | ✓ | | | <p>Pregnant women are more likely to suffer from pregnancy complications, including stillbirths, low birth weight and pre-term birth, in areas of high particulate matter air pollution PM2.5, so implementing a Smoke Control Area across the whole of Sandwell could reduce the risk to pregnant women and their unborn children. (https://link.springer.com/article/10.1007/s11356-014-3458-7)</p> |
| Race | ✓ | | | <p>Poor air quality disproportionately affects those of black or minority ethnic communities (BAME), this is because they are often exposed to higher levels of air pollution where they live. The reasons for this are complex but deprivation is generally sited as the most significant factor, although historical immigration patterns to an area may also mean that we should not consider deprivation to be the only factor. It has been suggested that BAME communities may be more likely to tolerate a legacy of poorer area quality for the benefits of living closer to friends and family in a community that</p> |

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| | | | | <p>they feel safe and comfortable in. In addition, these communities often have local facilities that serve their specific needs for example shops and religious facilities, so that even when they can afford to move to less polluted areas they choose to stay. Therefore, by implementing a Smoke Control Area across the whole of Sandwell we want to help to reduce this inequality within our BAME communities' by reducing their exposure to poor air quality.</p> <p>(https://www.imperial.ac.uk/news/163408/ethnic-minorities-deprived-communities-hardest-pollution/)</p> |
| Religion or belief | | | X | |
| Sex | | | X | |
| Sexual orientation | | | X | |

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|-------|--|--|--|--|
| Other | | | | |
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Does this EIA require a full impact assessment? Yes No

If there are no adverse impacts or any issues of concern or you can adequately explain or justify them, then you do not need to go any further. You have completed the screening stage. You must, however, complete sections 7 and 9 and publish the EIA as it stands.

If you have answered yes to the above, please complete the questions below referring to the guidance document.

5. What actions can be taken to mitigate any adverse impacts?

Provision of information and advice to persons who are concerned about fuel poverty including advice and support about access to grants and home improvements.

Supporting those on a low income and in receipt of government benefits is particularly important, for example many residents will be unaware that they are entitled to help towards home insulation and boiler replacement.

A vast amount of information and details of support available for those concerned about fuel poverty can now be found on Sandwell MBC's 'Cost of Living' web page.

6. As a result of the EIA what decision or actions are being proposed in relation to the original proposals?

Given the cost of living crisis further efforts are being made to ensure that residents can easily access help/guidance/information that will support them with heating their homes using clean fuels and not feel pressure to resort to the burning of unauthorised fuels.

7. Monitoring arrangements

The air pollution team will continue to monitor the borough of Sandwell via 5 continuous monitoring stations, and a network of low-cost air quality monitors. The team will also continue to respond to intelligence and complaints received with regards to domestic burning including smoke from chimneys as well other sources of outdoor burning which contribute to local concentrations of PM2.5, in order to continue to protect and improve air quality for residents in Sandwell.

8. Action planning

N/A

