

PUBLIC PROTECTION COMMITTEE

7 NOVEMBER 2017

Present: County Councillor Jackie Parry(Chairperson)
County Councillors Goddard, Hudson, Jacobsen, Mackie,
Taylor, Wood and Williams

13 Apologies for Absence

Apologies for absence were received from Councillors Lancaster and Murphy.

14 Declarations of Interest

A declaration of interest was received from Councillor Rhys Taylor who declared a Personal interest in Item 4 as he works for an organisation that campaigns on Air Quality.

15 Minutes

The minutes of the Public Protection Committee held on 5 September 2017 were agreed as a correct record and signed by the Chairperson.

The minutes of the Public Protection Sub Committee held on 5 September 2017 and 3 October 2017 were agreed as a correct record and signed by the Chairperson.

16 Air Quality in Cardiff - Progress Report

The Chairperson welcomed Jason Bale Team Manager – Environment and Dave Holland Head of Shared Regulatory Services to the meeting.

Members were provided with a presentation on Air Quality in Cardiff after which the Chairperson invited comments and questions from Members:

- Members found the presentation very informative, noting the 4 Air Quality Monitoring areas in the City. Members asked whether the Council had any liability towards any health related illnesses given that the quality of the City's air had been monitored for a while. Officers explained that there was a duty placed on the Council to monitor and report; Cardiff's Clean Air Strategy brings together a number of policies to deal with this duty. It was noted however that the economy had taken priority up until now.
- Members noted the reference to Electric cars and considered that more of the Council's fleet vehicles should be electric and there should be more charging points around the City. Officers explained that the Clean Air Strategy was picking up on these points and there were discussions with the Welsh Government ongoing with regards to the infrastructure needed to support these. It was added that the Government also have duties, to work with Cardiff to achieve compliance. Officers explained that there was reference to Charging/Clean Air Zones in the Action Plan; Defra had undertaken compliances and indicated that Cardiff would not be compliant beyond 2020 and it was clearly stated that the only way to improve would be the implementation of a Clean Air Zone; discussions were

underway with the Welsh Government on how this could be implemented.

- Members made reference to Westgate Street and asked if there had been an increase in emissions since the closure of the Bus Station; it was added that residents had seen visible differences. Officers noted the effect on Westgate Street and explained that Transport Colleagues were looking at different options for Westgate Street prior to the new Bus Station opening.
- Members noted that other cities had received grants for companies to update their fleet vehicles; officers stated that most of the grants were awarded in England. Cardiff officers have a meeting planned with Defra with the aim of applying for Welsh Government funding for this.
- Members noted that the use of Westgate Street, with its tall buildings was not ideal and asked if levels were likely to fall back to previous levels when the new bus station opens; asking further if the failure to have an operating bus station was putting people's health at risk. Officers explained that National Express and Mega Bus were not using Westgate Street and it was difficult to prove that the closure of the bus station was solely to blame for the rise in levels.
- Members noted the current funding bid to retrofit 96 buses in the Cardiff Bus fleet in order to make them euro 6 compliant and asked if there were any plans for electric or hybrid buses. Officers explained that was a decision for Cardiff Bus, however there was currently a lack of infrastructure to support this and discussions were starting around this.
- Members discussed the monitoring sites around schools; officers stated that Client Earth noted that some of the schools quoted in the study were actually placed further away and closer to roads. More work was being done with schools to do their own monitoring and to have Walk to School Campaigns. It was noted that the new policy guidance from Welsh Government placed a clear responsibility on the Council to engage with communities more actively on Air Quality, this work had now started.
- Members asked if the development around the new bus station could be making emissions levels worse, with the increase in heavy plant vehicles. Officers stated that there were separate assessments undertaken on the construction element of the traffic. The BBC building would have very limited parking, as would the Tax Office and it was anticipated that most people would use public transport. The development of Windsor House and Knox Road Student accommodation would have no dedicated parking.

Officers further added that the impact on emissions levels is from existing traffic.

- Members asked if there were any comparator figures for England with regards to deaths. Officers explained that the Death figures were UK wide and that the figures were attributable deaths, the emissions levels were not solely responsible. The figures were 50,000 per annum UK wide. There were no comparator figures but officers noted that there were 27 other local authorities identified in the UK Action Plan apart from Cardiff.
- Members asked if the Canton train depot site was monitored and were advised that it was not; the Council do not monitor work places.
- Members asked if the AQM tubes were visible and were advised that they were, they are generally placed on drain pipes, lampposts or the sides of houses.
- Members asked if there could be Public Health Monitoring alerts around the City. Officers explained that there would be warnings if air quality was poor, variable signs to say for example, do you need to drive today?
- Members asked if traffic calming in the City was contributing to increased emission levels as vehicles need to slow down and speed up again. Officers accepted this point and stated that the new 20 mph zones would not have speed bumps for this reason.

A proposal was made and seconded to include a note in the minutes to state that 'the council must do more to improve Air Quality Management in the City as the Council has failed in some areas to date.'

A vote was taken on this and unanimously supported (*Councillor Rhys Taylor excluded himself from the vote as he had declared a personal interest in this item*)

Members were advised that the responsibility for consideration the discharge of any function relating to the management of Air Quality is a 'local choice' function, which means that the Council can choose whether it is undertaken by a Committee or the Cabinet. To date the choice has been to allocate the responsibility to the Public Protection Committee.

In June 2017 the Welsh Government issued new policy guidance to local authorities in Wales in relation to local air quality management. At the heart of the new guidance is a requirement for local authorities to follow the five ways of working, set out in the Well-being of Future Generations (Wales) Act, when carrying out local air quality management. This means planning for the long term, integrating policies which can impact on air quality, involving people, collaborating with others and preventing problems from getting worse or from arising in the first place. This means that local air quality management (LAQM) must encompass more than just the Local Authorities' statutory functions under

Part IV of the 1995 Act. The exercise of those functions must be properly joined up with the management of land use and transport planning, as well as with the carrying out of any other activities which have a bearing on local air quality.

Members were advised that Councillors Elsmore, Wild and Michael meet regularly to understand the impact across portfolios and how the Council deals with it.

It was proposed to transfer the responsibility for the Air Quality function to the Cabinet so it is fully integrated with the LDP and Planning Development issues. Public Protection Committee would then be a consultee. Constitution Committee would consider the report and a decision made by Full Council as to whether the responsibility stays with Public protection or goes to Cabinet.

Members discussed this proposal at length.

RESOLVED: Members were concerned that the transfer of the Monitoring function from the Public Protection Committee to Cabinet could be a conflict of interest and considered that it should remain an independent function. Members considered that the Public Protection Committee should receive the progress reports initially before it goes to Cabinet and that it should also receive feedback after Cabinet.