

## ENVIRONMENTAL SCRUTINY COMMITTEE

27 MARCH 2018

Present: Councillor Patel(Chairperson)  
Councillors Philippa Hill-John, Owen Jones, Lancaster, Lay,  
Mackie, Owen and Wong

### 52 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Wood.

### 53 : DECLARATIONS OF INTEREST

The following declarations were received in accordance with the Members Code of Conduct and the Local Government Act 1972:

Councillor Patel	Item 3	Non-Executive Board Member of Cardiff Bus
Councillor Lay	Item 3	Non-Executive Board Member of Cardiff Bus
Councillor Mackie	Item 3	Resident of Westgate Street which is within City Centre Air Quality Management Area

### 54 : PRE DECISION SCRUTINY: AIR QUALITY CARDIFF

A report titled 'Air Quality Cardiff' is due to be considered by the Cabinet at its meeting on 28 March 2018. The report to Cabinet noted that the Council has received a legal direction from the Welsh Government requiring the authority to undertake a feasibility study for Nitrogen Dioxide compliance under the Environment Act 1995. Cabinet is requested to approve undertaking the required feasibility study as required by the directive and also approve the procurement of a specialist consultant to undertake the feasibility study; to identify options for improving air quality and deliver compliance with the legal limits for nitrogen dioxide in Cardiff.

Members were advised that the Cabinet was to address the proposals made by the Welsh Government using the following actions sections:

- Background
- Air Quality in Cardiff
- Legal Direction from UK Government to English Cities
- Legal Direction from Welsh Government
- Improvement Measures
- Clean Air Zones
- Transport and Clean Air Green Paper

A summary of the key points set out in the Cabinet report was provided to the Committee. Members were asked to consider the sections of the draft Cabinet report and pass their comments, observations or recommendations to the Cabinet.

The Chairperson welcomed Councillor Caro Wild, Cabinet Member for Strategic Planning and Transport; Councillor Susan Elsmore, Cabinet Member for Social Care, Health and Wellbeing; Councillor Michael Michael, Cabinet Member for Clean Streets, Recycling and the Environment; Paul Orders, Chief Executive; Andrew Gregory, Director City Operations; and Gary Brown, Operational Manager, Assets, Engineering and Operations, to the meeting. Following statements from the Cabinet Members the officers were invited to deliver a brief presentation.

The Chairperson invited Members of the Committee to comment, seek clarification or raise questions on the information received. Those discussions are summarised as follows:

- The Committee noted that the Council's initial scoping proposals were to be completed and submitted to Welsh Government by 31 March 2018. Members asked whether the deadline was achievable. Officers advised that it was intended the proposals will be sent to Welsh Government on 29 March 2018.
- Members asked how the authority planned to co-ordinate consultation on the proposals with Cardiff's 90,000 commuters. The Cabinet Member for Strategic Planning and Transport stated that the Transport Green Paper has been shared with colleagues in all neighbouring authorities via the Cardiff Capital Region Cabinet. The Chief Executive stated that as the authority works through the process we will need to build a business case tailored to Cardiff's circumstances. That business case will include an engagement plan and consultation with local citizens form part of that.
- Members referred to the two areas identified by DEFRA where data modelling has indicated potential for NOx exceedances. These are at the A48 near Heath Hospital and the A4232 near Ferry Road Retail Park. Members considered that it was essential that the public be advised of the levels of NOx pollution in those areas in order to gain public support for any clean air policies. The Cabinet Members for Clean Street, Recycling and the Environment stated that the appointed consultants would be tasked with providing robust, up-to-date, evidence based, city-wide, air quality data. The Chief Executive stated that this question was at the core of the issue – national transport data sets have highlighted potential problems at the A48 and A4232 and it was important to verify that data.
- Members asked whether the scoping proposals would include the potential impact of the housing development in the city on air quality. The Director confirmed that the proposals will take a long-term view and it must factor in housing schemes.
- Members asked whether it was possible to complete the feasibility study within the six-month deadline set by Welsh Government. Members were advised that Welsh Government already has transport/air quality modelling in place that provides evidence based methodology. That model will be used for the

feasibility study. The study would also seek to draw on expertise in this field and best practice.

- Officers confirmed that any EU legislation regulating vehicle emissions is likely to be adopted by the UK during transition and after the 'Brexit'.
- Members agreed that it was clear that a great deal of weight would be given to the feasibility study. The Committee asked how much consideration was being given to the consultants used. Officers stated that procurement preparations were currently taking place. The long-term position for the city must address health and economic factors. If the city moved to a charging or penalty position, then this would impact on the various sections of the community in different ways. The authority must be mindful of that and be mindful of the global position. Dynamic cities were said to have moved decisively on this issue. These factors would be taken into account by the consultants when evaluating technical solutions. The Chief Executive stated that there was a range of balancing factors and a trade-off between short-term and long-term priorities. Balancing factors also included the Well Being of Future Generations Act, a city-wide or localised solution, the consequences of the directive issued and the availability of additional capital funding.
- A Member stated that a number of European cities were leading the way in terms of addressing air quality. The Member asked how wide the net was being cast in terms of procuring a partner (consultants). Officers stated that there were many consultancies that specialise in this area who work globally. The Cabinet Member for Social Care, Health and Wellbeing asked the Committee to note that underpinning any decision on a solution for Cardiff would be the impact of air quality on health. Public Health Wales and the local health board have expertise and are able to support work in this area.
- Members asked whether existing proposals relating to the road network, cycle networks and fuel energy sources in the city would be reviewed as a result of the Welsh Government directive. The Cabinet Member for Clean Street, Recycling and the Environment indicated that these issues are contained within Transport Green Paper as part of the long-term plan to change fuel dependency in the City.
- Members noted that the directive issued by Welsh Government followed a High Court judgement, which was preceded by 2 earlier judgements. Members asked what preparations the authority has made in advance of this moment. Officers stated that the authority has a positive transport agenda and the Council has been moving in this direction for some time. The Active Travel proposals and the Transport Green Paper aim to address this issue, but the High Court judgement has put the debate in a public health context and the issue onto the Welsh Government's agenda.
- Members asked how it was possible to reconcile the delivery of economic growth and improved public health and how this could be modelled. The Chief Executive stated that these were fundamental questions. Economic growth and public health were balancing factors. It was important to consider all factors and provide a proportionate response. The Cabinet Member for Strategic

Planning and Transport stated that the question was indicative of the administration's approach to tackling this issue. The Cabinet Member commented that the cities currently leading on addressing air quality are also those at the forefront of economic growth.

- Members asked whether Welsh Government has agreed to provide any additional resources. The Director stated that broad indications were that the cost of the feasibility study and its implementation would be covered by Welsh Government.
- The Committee sought to clarify what efforts have been made in terms of working in partnership with neighbouring authorities. The Cabinet Member for Strategy Planning and Transport indicated that he has met with all neighbouring authorities to discuss transportation issues as the issue is at the heart of the City Deal agreement.
- Members advised that during the recent Clean Air Task and Finish Inquiry the message from public transport providers was clear – they do not have the finances in place to shift towards cleaner vehicles. The Cabinet Member for Clean Streets, Recycling and Environment stated that during discussions with taxi operators, 55% of whom are owner-drivers, it was explained that electric-power vehicles are more expensive to purchase, but more economical to run. The Cabinet Member considered that the move towards clean sources of energy would be an incremental process.
- Members supported proposals for cycling in Cardiff, but raised concerns about the outlying areas where cycling is not always a feasible option. A Member considered that 'game changing' public transport was needed and asked offered how this might be achieved. The Director stated that the Transport Green Paper sets out ambitious proposals for public transport and it is testing the appetite of the public by coming up with costed options. The costs are significant and a wider discussion is necessary in partnership with the Welsh Government. Members considered that integrated ticketing, park and ride schemes and more proactive bus routes were essential.
- Members asked what efforts were being made to bring Council directorates into the clean air proposals. The Director stated that there are actions set out in the Green Paper, such as the remodelling of travel plans. A number of processes are aligning themselves; Transport Green Paper, Metro, Clean Air Zones. This is providing an opportunity to align major changes and a strategic view is therefore needed in the feasibility assessment. The Cabinet Member for Clean Streets, Recycling and Environment stated that as many directorates will be brought into the proposals as possible. Work will continue across directorates. This is evidenced by having three Cabinet Members present at the meeting.
- A Member considered that Cardiff was perhaps entering the end of the Clean Air Zone process and questioned whether the Council risks accelerating its decisions and being compromised as a result. The Chief Executive stated that there was a logic to the legal process which has now translated into directives issues at a devolved level. The authority now needs to respond but it has

already been moving in this direction for a number of years.

- The Committee requested an indication of the estimated costs of the feasibility study. Officers estimated that the feasibility study would have indicative costs in the region of £400k and procuring air quality consultants would be around £350k. These costs would be met in full by Welsh Government. Officers urged caution about estimating costs of the final plan. Once the preferred option is known the authority would seek to secure the best possible outcome for the city.

RESOLVED – That the Chairperson write to the Cabinet Member on behalf of the Committee to convey their comments.

The meeting terminated at 6.50 pm