
**MEMBER BRIEFING NOTE: LOCAL AIR QUALITY MANAGEMENT – ANNUAL
AIR QUALITY PROGRESS REPORT**

Reason for the Report

1. To provide the Committee with a Member Briefing Note on the 2020 Cardiff Council Annual Air Quality Progress Report in advance of it being received at Cabinet on the 10th December 2020.

Background

2. Each year a paper is presented to Cabinet to seek approval for the Annual Cardiff Council (CC) Local Air Quality Management (LAQM) Annual Progress Report (APR). The report is based upon on air quality datasets obtained in the previous year, i.e. for the current report the datasets used are for 2019. The report requires Cabinet approval before the finalisation and submission to Welsh Government.
3. Under Section 82 of the Environment Act 1995 every local authority has an obligation to regularly review and assess air quality in their areas, and to determine whether or not air quality objectives to protect health are likely to be achieved. Where the air quality reviews indicate that the air quality objectives are not being achieved, or are not likely to be achieved, Section 83 of the 1995 Act requires local authorities to designate an Air Quality Management Area ('AQMA'). Section 84 of the Act ensures that action must then be taken at a local level which is outlined in a specific Air Quality Action Plan (AQAP) to ensure that air quality in the identified area improves.
4. The air quality objectives applicable to LAQM in Wales are set out in the Air Quality (Wales) Regulations 2000, No. 1940 (Wales 138) and Air Quality (Amendment) (Wales) Regulations 2002, No 3182 (Wales 298).

5. The Annual Progress Report provides details on the ratified data for air quality monitoring undertaken in 2019 within the Cardiff Council area.
6. Welsh Government issue statutory policy guidance to Local Authorities under section 88 of the Environment Act 1995 to bring the local air quality management system in Wales into line with the sustainable development principle outlined in Welsh Government's Well-being for Future Generations legislation, 2015. This guidance, with which local authorities must have regard to when carrying out their air quality functions under the Environment Act 1995, sets out that authorities in Wales have to produce an Annual Progress Report in draft by 30th September each year and publish it by 31st December at the latest. This report must include monitoring results for the previous calendar year, a progress report on action plan implementation and an update on any new policies or developments likely to affect local air quality.
7. This Annual Progress Report satisfies the above criteria examining ratified datasets for air quality monitoring undertaken in 2019 within the Cardiff Council area.
8. Poor air quality is now considered the largest environmental risk to public health in the UK. There is clear scientific evidence that shows that air pollution exposure reduces life expectancy by increasing mortality and morbidity risk from heart disease, and strokes, respiratory diseases, lung cancer and other conditions.
9. In the UK, in the context of air quality management, the main air pollutants that are the primary public health concern are particulate matter and Nitrogen Dioxide (NO₂). In the UK, it has been estimated that an equivalent of 23,500 deaths can be attributed to long-term exposure to NO₂ each year.
10. The principle source of these pollutants is from road transport emissions, particularly from diesel cars. In 2012, the International Agency for Research on Cancer listed diesel exhaust pollution as a Class 1 carcinogen³ and extended this to all ambient air pollution in 2013. Public Health Wales has stated that poor air quality is the second greatest public health concern after smoking and is the most significant environmental determinant of health. In Wales, based on data for the period 2011-2012, it has been estimated that an equivalent of 1,100 avoidable deaths can be

linked to NO2 exposure each year.

11. Poor air quality does not only cause ill health, it also has a wider societal cost. Accounting for health service costs and reduced productivity through lost workdays in the UK this is significant, standing at around £20bn every year.
12. Some people are more at risk than others. Air pollution can disproportionately affect vulnerable population groups (e.g. children, older people, people with underlying chronic disease), as well as those exposed to higher levels because of living or commuting in urban or deprived locations.
13. Recent work by Public Health Wales estimates that the equivalent of over 220 deaths each year among people aged 30 and over in the Cardiff and Vale area can be attributed to NO2, with many more citizens suffering ill health as a consequence of poor air quality.
14. The 2020 Cardiff Council Annual Air Quality Progress Report is due to be presented at Cabinet on the 10th December 2020. To provide Members with a better understanding of this report officers from Shared Regulatory Services have provided a summary report, this captures the main points of the report and is attached to this document as **Appendix 1**.

Way Forward

15. Members will be asked to note the content of this Member Briefing Note, and decide if any further scrutiny is required on the matter.

Legal Implications

16. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not making policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to the Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be

within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

17. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not making policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

18. The Committee is recommended to:
 - (i) Consider the information in this report and the information presented at the meeting;
 - (ii) Determine whether they would like to make any comments, observations or recommendations to the Cabinet on this matter; and,
 - (iii) Decide the way forward for any future scrutiny of the issues discussed.

Davina Fiore

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28th October 2020