

## PERTH AND KINROSS COUNCIL

## Environment Committee

11 January 2017

**AIR QUALITY: PUBLICATION AND IMPLICATIONS OF NATIONAL AIR QUALITY STRATEGY: 'CLEANER AIR FOR SCOTLAND-THE ROAD TO A HEALTHIER FUTURE'****Report by Director (Environment)**

This report advises the Environment Committee of the current air quality issues within the Perth and Kinross area. It also provides information on the new Scottish Government air quality strategy, "Cleaner Air for Scotland – The Road to a Healthier Future" (CAFS) and its implications.

**1. BACKGROUND / MAIN ISSUES****Legislative requirements**

- 1.1 The Scottish Governments' Air Quality Strategy (Part IV of The Environment Act 1995) imposes a duty, on Local Authorities to carry out regular reviews and assessments of air quality in their areas and work towards meeting Local Air Quality Management objectives in order to protect human health and the environment. Where these objectives are not met or are unlikely to be achieved, local authorities must declare an Air Quality Management Area and make action plans for improvements in pursuit of national objectives (as achievement of these objectives is not legally binding).
- 1.2 In doing so, councils are expected to adopt an integrated community planning approach, particularly when preparing land use and traffic/transport plans.

**Air Quality in Perth & Kinross**

- 1.3 Currently air quality within some of the central streets in Perth, and the main street in Crieff, exceed air quality objectives for nitrogen dioxide and particulates. The cause is primarily traffic congestion combined with the surrounding high buildings creating polluted street canyons. Such exceedances have been well publicised in the media, particularly Atholl Street in Perth, which has often been singled out as one of the nation's most polluted.

## **Council action to tackle air quality exceedances**

- 1.4 Much work has been done by the Council in tackling air pollution over recent years, including:
- A comprehensive programme of air quality monitoring throughout the Council area;
  - The development and implementation of an Air Quality Action Plan for Perth City since 2009, which introduced a number of short and long term improvement measures. A similar action plan is being developed for Crieff following the declaration of an Air Quality Management Area (AQMA) in 2014.
- 1.5 In addition, Regulatory Services have been successful in bidding for, and attaining, significant funding to progress improvement measures within the AQMAs. In 2015/16, £117,000 of Scottish Government funding was received to carry out the following initiatives:
- Cycling and Walking to School - including setting up school travel plans, cycling training, cycle/scooter parking and the introduction of a temporary Bikeability Officer.
  - Bus interchange improvements in Crieff, involving the upgrade of existing boarding/alighting areas and 6 new DDA (Disability Discrimination Act) compliant shelters.
  - Creation of a Regional Dispersion Model which covers the whole of Perth & Kinross and includes all the main emission factors affecting air quality. This will enable more consistent and accurate predictions on the effects of new developments on existing air quality, especially within our air quality management areas.
- 1.6 A further £50,000 was received to maintain and operate 4 real time air quality monitors (which measure pollutant levels 24/7), thereby greatly minimising the impact on existing budgets.
- 1.7 An ongoing proactive approach to improving local air quality continues following receipt of a further £140,000 of Scottish Government funding in 2016/17.

## Impediments to improving air quality

- 1.8 These improvements are incremental and based on small individual projects, often implemented in isolation, by individual Services. Consequently, issues can arise from conflicting service demands thereby minimising the effectiveness in achieving air quality objectives. Basic examples include the recent introduction of biomass heating systems for new local schools, as opposed to cleaner energy alternatives. Whilst this can be a sustainable and appropriate way to heat schools, particularly in more rural areas, it may not be appropriate within our AQMAs due to the fact they can increase particulates. Additional or incentivised parking proposals in Perth in the future could also have a potentially detrimental effect to air quality within the city if not fully considered in terms of the extra impact on pollution levels.

## 2. PROPOSALS

- 2.1 The UK and Scottish Governments require to achieve full compliance with EU air quality legislation.
- 2.2 In response to the above, there is now a need to adopt a national partnership approach, involving the Government, its agencies, local authorities, business and industry, as well as non-governmental organisations and the general public. As such, the Scottish Government has published a document, 'Cleaner Air for Scotland' (CAFS), which details a national framework setting out how the Scottish Government and its partner organisations, propose to achieve further reductions in air pollution in line with our statutory responsibilities.
- 2.3 The CAFS strategy has six main objectives which are summarised below, together with the potential implications for local authorities:
- **Health** – a Scotland which protects its citizens from the harmful effects of air pollution, reducing health inequalities. This will include the setting of new legislative air quality targets to be met by all local authorities.
  - **Transport** – a Scotland that reduces transport emissions by supporting the uptake of low and zero emission fuels and technologies, promoting a shift away from the car, through active travel (walking and cycling) and reducing the need to travel. Examples of where this will impact on local authorities will be the requirement for all local authorities to have a corporate travel plan, to have more home working and to encourage local authorities to establish a Freight Quality Partnership.
  - **Legislation and Policy** – a Scotland where all European and Scottish legal requirements relating to air quality are as a minimum complied with. To ensure that this is delivered, a revised and updated Scottish action plan will be devised and maintained over the next 4 years which will include specific measures for local authorities.

- **Placemaking** – a Scotland where air quality is not compromised by new or existing development and where places are designed to minimise air pollution and its effects. This will be achieved by ensuring that all future updates and revisions to Scottish Planning Policy and the National Planning Framework will take account of CAFS.
- **Climate Change** – a Scotland that reduces greenhouse gas emissions and achieves its renewable energy targets whilst delivering co-benefits for air quality. There will be an expectation that air quality considerations are included within the local authority's Sustainable Energy Action Plan.
- **Communication** – a Scotland where all citizens are well informed, engaged, and empowered to improve our air quality. This will include the Council contributing to a new national air quality public awareness campaign.

2.4 The CAFS document also introduces the National Low Emission Framework (NLEF), which sets out a procedure for local authorities to determine effective measures for addressing air quality issues in their areas. Also included is a proposed National Modelling Framework (NMF), which is intended to provide a standard air quality assessment methodology for use across Scotland.

2.5 It is proposed that progress with CAFS will be monitored through a series of Key Performance Indicators (KPIs) that will be developed in the first year following the launch of CAFS. Progress with CAFS will also require to be included in the Local Authority's annual air quality progress report.

2.6 Through all of the above measures, and within the first five years, CAFS will aim to ensure full compliance with EU air quality legislation and that significant progress has been made within each local authority towards the revocation of all Air Quality Management Areas (AQMAs).

### **Implementation of CAFS Actions**

2.7 The CAFS strategy details a number of phased actions and timescales for delivery by various organisations. In particular, information on the National Modelling Framework and National Low Emissions Framework is awaited, and it is predicted there could be a number of potential implications for Local Authorities, especially for those with existing Air Quality Management Areas.

2.8 It may be the case that Perth or Crieff or parts thereof may require significant intervention in the form of, for example:

- **Low Emission Zone (LEZ)** - Setting minimum emission standards for access to a defined area; either charging vehicles to enter the area or excluding those vehicles that do not meet the standards.

- **Clean Air Zone (CAZ)** - Assessing vehicles operating in a defined area and targeting an implementation of measures, other than exclusion, at the most polluting vehicles that enter a space on a regular basis, with a focus on setting different entry standards.
- **Other Access Regulation Schemes Controlling** - Access to a zone based on weight or at certain times of day.
- **Traffic Management Appraisal** - Define, appraise and, where appropriate, implement a range of additional traffic management measures to improve air quality, including Intelligent Transport Management, road junction upgrades, cycle lanes, cycle corridor lighting prioritisation and public messaging.
- **Vehicle Licensing Regulations** - Compliance with specified air quality objectives through conditions attached to vehicle licences for buses and/or taxis.

2.9 The application of such controls has yet to be determined, but could have significant future impacts in these areas. However, there also exists the opportunity to consider a modern, multi-disciplinary approach to city development and alternative travel.

2.10 In the interim, by 2016/17, all Local Authorities require to have a Corporate Travel Plan (CTP) in place that is consistent with our local air quality action plan. This objective creates an opportunity to revisit the work previously undertaken on this subject and further develop a comprehensive and current CTP for Perth & Kinross Council. Scottish Government funding of up to £50k has already been agreed to carry out this task, however formal commitment to implementing such a plan would be required no later than mid-March 2017 in order for the funding to extend into 2017/18. In view of these timescales, work on this project is being progressed and any proposals submitted to the relevant committee for approval.

### **Council Governance and Air Quality**

2.11 Officers of Environmental Health (EH), based within Regulatory Services, currently monitor and evaluate compliance with air quality objectives, seek funding and oversee air quality improvement projects. An internal Regulatory Service steering group on air quality was recently formed to assist in progressing a more integrated approach to air quality. However, it is clear that, as air quality is a Council wide responsibility, that positive action will only be realised via a more strategic approach supported through local political leadership. In order to deliver the necessary improvements Rosanna Cunningham (Cabinet Secretary for Environment, Climate Change and Land Reform) reiterated the need for such an approach in a letter to all Chief Executives in August requesting support for the new CAFS strategy and clearly stating that, in order to deliver improvements, a multi-disciplinary approach is essential. The Council, therefore, has a key role to play in providing support, advice and policy direction in this regard.

- 2.12 It is suggested that any future Corporate Air Quality Working Group would be represented by relevant management, principally from Regulatory Services, Roads Transportation, Planning and Economic Development to act as a forum to not only progress the CAFS objectives, but also any matters likely to have an effect on air quality.

### 3. CONCLUSION AND RECOMMENDATIONS

- 3.1 As detailed above, the CAFS strategy will have implications for several services within the Council. Future planning and transportation decisions will require to take due cognisance of the aims and objectives within the CAFS document as will the Council's Air Quality Action Plans for Perth and Crieff.

#### Recommendations

- 3.2 It is recommended that the Environment Committee:
- (i) Notes the future requirements of the CAFS strategy and the implications for the Council.
  - (ii) Agrees the need for a strategic approach to tackling air quality and support the creation of a Corporate Air Quality Working Group to facilitate a fully integrated approach to improving air quality, including implementation of the CAFS strategy requirements.
  - (iii) Requests the Director (Environment) to bring forward further update reports in due course.

#### Author

Name	Designation	Contact Details
Kirsty Steven	Principal Officer, Environmental Health	01738 475000 <a href="mailto:TESCommitteeReports@pkc.gov.uk">TESCommitteeReports@pkc.gov.uk</a>

#### Approved

Name	Designation	Date
Barbara Renton	Director (Environment)	25 November 2016

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>n/a</b>
Workforce	<b>n/a</b>
Asset Management (land, property, IST)	<b>n/a</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>n/a</b>
Strategic Environmental Assessment	<b>n/a</b>
Sustainability (community, economic, environmental)	<b>n/a</b>
Legal and Governance	<b>Yes</b>
Risk	<b>n/a</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>n/a</b>
<b>Communication</b>	
Communications Plan	<b>n/a</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

1.1 The proposals detailed within this report support each of the following priorities:

- (i) *Giving every child the best start in life*
- (ii) *Developing educated, responsible and informed citizens*
- (iii) *Promoting a prosperous, inclusive and sustainable economy*
- (iv) *Supporting people to lead independent, healthy and active lives*
- (v) *Creating a safe and sustainable place for future generations*

#### Corporate Plan

1.2 The proposals detailed within this report relate to the achievement of the following Corporate Plan priorities:

- (i) *Giving every child the best start in life;*
- (ii) *Developing educated, responsible and informed citizens;*
- (iii) *Promoting a prosperous, inclusive and sustainable economy;*
- (iv) *Supporting people to lead independent, healthy and active lives; and*
- (v) *Creating a safe and sustainable place for future generations.*

## **2. Resource Implications**

### Financial

- 2.1 There are no financial implications associated directly with this report; however subsequent reports specifically relating to air quality strategy projects will require detailed costings and approval.

### Workforce

- 2.2 There are no resource implications associated directly with this report with the exception of time commitments in attending the proposed corporate group; however, subsequent reports specifically relating to air quality strategy projects could require detailed assessment and further approval.

### Asset Management (land, property, IT)

- 2.3 There are no asset management implications associated with this report.

## **3. Assessments**

### Equality Impact Assessment

- 3.1 This report recognises that poor air quality affects the health of those more vulnerable members of the community. However, as there are no relevant actions resulting from the recommendations in this report then at this stage it has been assessed as 'not relevant' for the purposes of EqIA.

### Strategic Environmental Assessment

- 3.2 The Committee are requested to note the contents of the report and only agree to the creation of a Corporate Air Quality Working Group, at this stage.

### Sustainability

- 3.3 There are no sustainability issues associated directly with this report, however subsequent reports specifically relating to air quality strategy projects will require further sustainability assessment.

### Legal and Governance

- 3.4 To date the Scottish Governments Air Quality Strategy imposed a duty on Local Authorities to carry out regular reviews and assessment of air quality in their areas and work towards meeting Local Air Quality Management objectives, in order to protect human health and the environment.



- 3.5 However as the UK and Scottish Governments have not achieved full compliance with EU air quality legislation, the Scottish Government has published the strategy document described in this report entitled, 'Cleaner Air for Scotland' (CAFS). The strategy proposals detail a national framework which sets out how the Scottish Government and its partner organisations (including Local Authorities) propose to achieve further reductions in air pollution in line with our statutory responsibilities.
- 3.6 In order to facilitate compliance with the aforementioned strategy objectives this report recommends the creation of a strategic working group.

#### Risk

- 3.7 There are no risks associated with the content of the report.

### **4. Consultation**

#### Internal

- 4.1 All relevant internal stakeholders, in particular representatives of Regulatory Services, Internal Steering Group on Air Quality have been consulted on the proposals in this report. These stakeholders support the need for further clarity regarding the status of air quality, especially in terms of the Councils strategic priorities and the methods of facilitating the objectives contained within the 'CAFS' strategy.

#### External

- 4.2 It has not been identified as appropriate at this time to consult any relevant external stakeholders regarding the content of this report, although this will happen as specific strategy projects are identified.

### **5. Communication**

- 5.1 All key stakeholders will receive appropriate communication as the recommendations in this report progress.

### **2. BACKGROUND PAPERS**

- 2.1 The Scottish Government, 2015, 'Cleaner Air for Scotland, The Road to a Healthier Future'.

### **3. APPENDICES**

- 3.1 None.