

COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG
RECORD OF DELEGATED OFFICER DECISION

Penderfyniad Allweddol | Key Decision ✓

PWNC | SUBJECT: Publication of the 2022 Air Quality Progress Report and Revised Air Quality Action Plans.

DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:

The purpose of this report is to approve the publication of the “2022 Air Quality Progress Report” for public consultation and to confirm the Director - Public Health, Protection & Community Services, in consultation with the Cabinet Member for Public Health and Communities will consider the outcome of the public consultation, and should it be deemed appropriate, accept the 2022 Air Quality Progress Report and also approve the adoption of the revised Air Quality Action Plans published within the ‘2022 Air Quality Progress Report’.

PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:

The Council publishes the “2022 Air Quality Progress Report” for public consultation; and

The Director - Public Health, Protection & Community Services, in consultation with the Cabinet Member for Public Health and Communities considers the outcome of the public consultation and if appropriate:

- a. accepts the ‘2022 Air Quality Progress Report’.
- b. approves the adoption of the revised Air Quality Action Plans published within the ‘2022 Air Quality Progress Report’.



Louise Davies

30.11.22

Llofnod y Prif Swyddog
Chief Officer Signature

Enw (priflythrennau)
Name (Print Name)

Dyddiad
Date

Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

YMGYNGHORI | CONSULTATION



30.11.22

LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET
CONSULTEE CABINET MEMBER SIGNATURE

DYDDIAD | DATE

LLOFNOD SWYDDOG YMGYNGHOROL
CONSULTEE OFFICER SIGNATURE

DYDDIAD | DATE

**WILL THIS DECISION HAVE AN IMPACT ON THE WARD?
A FYDD Y PENDERFYNIAD YMA'N CAEL EFFAITH AR Y WARD?**

BYDD | YES x NA FYDD | NO ✓

**Any further comments/Need for Local Member to be informed:
Unrhyw sylwadau pellach/Oes angen rhoi gwybod i'r Aelod Lleol?:**

RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.

A YW'R PENDERFYNIAD YN UN BRYN A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:
IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

NAC YDY | NO ✓

Rheswm dros fod yn fater brys | Reason for Urgency:

.....

Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Llywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:

If deemed urgent - signature of Presiding Officer or Deputy Presiding Officer or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Llywydd | Presiding Officer)

.....
(Dyddiad | Date)

DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.

NB - If this is a reconsidered decision then the decision cannot be Called In and the decision will take effect from the date the decision is signed.

AT DDEFNYDD Y SWYDDFA YN UNIG | FOR OFFICE USE ONLY

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar Wefan y Cyngor | Publication on the Council's Website:- 01.12.22

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be

07.12.22

DYDDIAD / DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION :✓

Rhagor o wybodaeth | Further Information:

Cyfadran Directorate:	Public Health, Protection & Community Services
Enw'r Person Cyswllt Contact Name:	Neil Pilliner
Swydd Designation:	Environmental Protection & Housing Standards Manager
Rhif Ffôn Telephone Number:	01443 425001

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DELEGATED OFFICER DECISION

17TH NOVEMBER 2022

PUBLICATION OF THE 2022 AIR QUALITY PROGRESS REPORT & REVISED AIR QUALITY ACTION PLANS

REPORT OF DIRECTOR – PUBLIC HEALTH, PROTECTION AND COMMUNITY SERVICES

Author(s): Neil Pilliner - Environmental Protection & Housing Standards Manager
Gareth Purnell - Pollution Control Officer

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek approval to publish the Rhondda Cynon Taf County Borough Council 2022 Air Quality Progress Report and the proposed revised Air Quality Action Plans contained within, for public consultation.
- 1.2 Dependent upon the outcome of the public consultation:
 - a. to adopt the revised Air Quality Action Plans;
 - b. continue, as circumstances allow, to undertake the Local Authority's annual reporting duties in relation to the analysis of local air quality and review of local air quality management.
- 1.3 In accordance with the Local Authority's Scheme of Delegation, this report has been prepared to accompany the intended Officer decision of the Director of Public Health, Protection and Community Services, as described below.

2. RECOMMENDATIONS

- 2.1 It is recommended that:
 - a. The Local Authority publishes the 2022 Air Quality Progress Report for public consultation and the proposed revised Air Quality Action Plans contained within; and
 - b. The Director - Public Health, Protection & Community Services, in consultation with the Cabinet Member for Public Health & Communities considers the outcome of the public consultation and if appropriate:

- i. accepts the '2022 Air Quality Progress Report';
- ii. on behalf of Rhondda Cynon Taf County Borough Local Authority, adopts the revised Air Quality Action Plans.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The Local Authority conducts regular monitoring and review of ambient outdoor air quality within its area to determine compliance to statutory Air Quality Objectives [AQOs], set by Welsh Government to protect public health. The 2022 Air Quality Progress Report provides the latest examination of this work as well as an assessment of possible future influences upon local air quality management and the continued progress the Local Authority and its partners are making to advance the improvement of local air quality.
- 3.2 Local air quality will vary over time in response to changes to local, regional and national sources of pollutants as well as fluctuations in climate and weather. With the recent impact of COVID-19 and its substantial disruption to many previously normal ways of life, it is not surprising that 2021 continued to observe significant changes to previously established trends in air quality.
- 3.3 It is still the case that the vast majority of Rhondda Cynon Taf experiences compliant air quality, which is likely to remain so into the future and potentially continue to improve. Only a few small areas, within Rhondda Cynon Taf, associated with busy urban road junctions, the regional road network or specific local sources are likely to be vulnerable to non-compliant air quality.
- 3.4 Currently Rhondda Cynon Taf has sixteen Air Quality Management Areas [AQMAs], all of which are in respect of breaches of AQOs for Nitrogen Dioxide. These AQMAs are of limited size and are distributed throughout the County Borough. In recent times the majority of these AQMAs have experienced air quality that is compliant to the relevant AQOs for NO₂, however given future uncertainty, it is believed that all current AQMAs will remain pertinent, at least for the foreseeable future.
- 3.5 In addition to reviewing understanding of local air quality, the Local Authority may also take actions that hopefully work towards improving air quality within an AQMA. To facilitate the implementation of cost-effective actions, the Local Authority has adopted Air Quality Action Plans [AQAPs] for each of its sixteen AQMAs.
- 3.6 As the Local Authority continues to work towards achieving compliance, it is obliged to review its AQAPs to ensure their pertinence. The Local Authority has recently undertaken a comprehensive review of the existing adopted AQAPs and published, also within the 2022 Air Quality Progress Report, proposed revised AQAPs. The revised AQAPs contain up-to-date measures that are likely to be exercised by the Local Authority, in pursuit of the achievement of compliance within all its AQMAs.
- 3.7 To ensure effective prioritisation of resources, continued accountability, developing coordination with stakeholders, public participation and to satisfy its statutory obligations it is necessary for the Local Authority to publish for consultation, the 2022

Air Quality Progress Report, revised AQAPs and accompanying Equality Impact Assessment and Welsh Language Impact Assessment.

4. BACKGROUND

- 4.1 Evidence suggests that the lowest social economic groups are most likely to experience poor air quality and are likely to be the most adversely affected by it. As an example, Nitrogen Dioxide is a ubiquitous yet harmful gas that may reduce the quality and length of life of chronically exposed individuals. It is often most observed in urban areas or near strategic transport infrastructure. Within RCT, the emissions from motor vehicles are believed to be the largest local source of Nitrogen Dioxide. In recognition of its importance to public health, the “level of Nitrogen Dioxide in ambient air” has been set, by Welsh Government, as National Indicator No. 4.
- 4.2 Although the vast majority of the County Borough experiences relatively low levels of Nitrogen Dioxide, the reasons why it can become elevated in certain distinct locations can be very specific to the area concerned. The reasons often include local topography & urban environment, volume, speed and composition of road traffic, as well as the management and likelihood of chronic congestion. Often strategic arterial roads, for instance the A470 and the A4119, may have a demonstrable effect on both local and regional levels of air pollution.
- 4.3 Prior to 2020, overall reductions in national emission inventories of certain air pollutants as well as the adoption of “newer vehicles subject to stricter emissions standards” and certain local transport network improvements may of, in part, helped to sustain a more recent trend of reducing levels of Nitrogen Dioxide. During 2020, COVID-19 related disruption likely brought about additional unprecedented reductions in the levels of Nitrogen Dioxide, as many local and regional sources of Nitrogen Dioxide were muted during this period.
- 4.4 However, as expected, 2021 levels of Nitrogen Dioxide had increased since the very low levels observed in 2020, as the impact of COVID-19 related disruption diminished. Nonetheless, levels of Nitrogen Dioxide continue to remain lower than pre 2020 observations. With the majority of AQMAs still experiencing levels of Nitrogen Dioxide compliant with the relevant AQOs for Nitrogen Dioxide. Only the Cymmer, Ferndale, Tylorstown, Mountain Ash Town Centre, Nightingales Bush and Pontypridd Town Centre AQMAs experienced non-compliant levels of Nitrogen Dioxide in 2021.
- 4.5 It would be expected that those communities historically impacted by commuting traffic could be more likely to ‘hold-on’ to some of the Nitrogen Dioxide related improvements recently observed, particularly where alternative working patterns, such as ‘home or hybrid working’ have been more influential. However, due to significant uncertainty currently associated with local air quality trends it is still necessary to maintain the current sixteen AQMAs within Rhondda Cynon Taf.
- 4.6 There is an aspiration that all communities within Rhondda Cynon Taf will experience low levels of Nitrogen Dioxide that, at the least, are compliant with the relevant AQOs. In working with its partners, the Local Authority has drawn upon expertise and analysis to help identify those communities which may benefit the

most from an active approach to improve local air quality. This approach has highlighted the prioritisation of actions targeted at mid Rhondda (Cymmer, Ferndale and Tylorstown) and at Mountain Ash as being of particular importance.

- 4.7 It is acknowledged that, when working towards achieving compliance to an AQO within an AQMA, it may be necessary to draw upon a range of both national and local actions. Currently, the Local Authority has adopted AQAPs that identify and facilitate bespoke targeted measures that could be utilised to work towards achieving compliance within the associated AQMA.
- 4.8 As circumstances can change, for instance as actions are implemented, it is necessary to regularly review adopted AQAPs to maintain their pertinence. In undertaking the review of the AQAPs, the Local Authority has made use of an iterative evaluation process. This process has identified a number of new or revised actions that are considered cost-effective whilst also being cost-beneficial and as such, recommended them for inclusion within new revised AQAPs. For example, actions to improve active travel routes, encouraging behavioural change towards greater use of sustainable travel options, supporting the transition to increased use of Electric Vehicles, modifying existing traffic management and enhancement of targeted green infrastructure, all feature significantly within the revised AQAPs.
- 4.9 For many AQMAs, where compliance is expected to be achieved in the near-term, the AQAPs may act as a reserve and are only likely to be progressed if expectations around local air quality aren't met. However, for some AQMAs, where action may be necessary to achieve compliance as quickly as reasonably possible, it is expected that their AQAPs may be needed to be implemented to further this goal.
- 4.10 Many issues underlining poor air quality are also significant in the broader Active Travel, Climate Change, Environmental Noise and Biodiversity Agendas. Effective solutions to improve air quality can supplement efforts in tackling climate change and environmental noise. Close integration with the Active Travel Agenda, Climate Change Agenda and Noise Action Plan Priority Areas will continue to be aspired to in future local air quality management.
- 4.11 A number of actions to improve air quality have been implemented in the recent past, albeit COVID-19 related disruption and resource uncertainty has inevitably affected the planned delivery of certain interventions. For instance, with the publication of the Local Authority's Electric Vehicle (EV) Charging Strategy, further significant opportunities may arise from a holistic approach to air quality improvement that intertwines with the support of expected future fundamental road transport transformation.
- 4.12 The published '[Clean Air Plan for Wales](#)' sets out a potential evolution that, supported by the [White Paper on the Clean Air \(Wales\) Bill](#), could have implications as to how the Local Authority performs certain local air quality management duties into the future. This may require future decision-making to consider the need for the reappraisal of priorities and/or resources as well as enhanced collaborative working arrangements.
- 4.13 Whilst acknowledging significant future resource uncertainty and should circumstances allow, the Local Authority will continue to support the continuity of its

local air quality management reporting by working towards producing an air quality progress report in 2023.

5. EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY

- 5.1 The revised AQAPs within the 2022 Air Quality Progress Report may stipulate certain actions or a course of conduct that may have equality, diversity and Welsh Language implications. As such, an Equality Impact Assessment and a Welsh Language Impact Assessment have been undertaken and are included within the 2022 Air Quality Progress Report. These assessments do not indicate any likely significant negative effects to equality, diversity and Welsh Language from implementation of the revised AQAPs.

6. CONSULTATION / INVOLVEMENT

- 6.1 To discharge its statutory responsibilities, the Local Authority will consult upon the 2022 Air Quality Progress Report with the public and other statutory consultees as prescribed by Schedule 11 of the Environmental Act 1995, including the Welsh Government who will peer review its findings.

7. FINANCIAL IMPLICATION(S)

- 7.1 The revised AQAPs within the 2022 Air Quality Progress Report do not inherently allocate resources. However, there may be an expectation of the Local Authority to advance the actions within the AQAPs where it is reasonable to do so. Given the current high degree of uncertainty about the availability of future resourcing, the Local Authority may strive to progress the AQAPs where this can be achieved in partnership with other resourced agendas or where demarcated grant funding becomes available.
- 7.2 The 2022 Air Quality Progress Report recommends continuing the current level of provision with regards local air quality monitoring and analysis. This is estimated to have a revenue cost (but not staff and on-costs) of approximately £26,500 per year¹. However, several significant pieces of monitoring equipment utilised by the Local Authority have been in use for more than fifteen years and are approaching their end of life. Future capital expenditure be required to replace equipment.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 8.1 Rhondda Cynon Taf County Borough Council is under a legal obligation, in accordance with Section 82(1) of the Environment Act 1995 [the Act], to review local air quality within its area and make an assessment of likely compliance to the relevant statutory AQOs, as set in regulations.
- 8.2 To maintain consistency with statutory guidance¹ and the principles and working practices necessary to facilitate the goals of the Future Generations (Wales) Act

¹ Welsh Government, Local Air Quality Policy Guidance for Wales LAQM.PG(17)(W), 2017

2015, the 2022 Air Quality Progress Report has been compiled in accordance with the Welsh Government issued reporting template for local air quality management.

- 8.3 The Local Authority is also under a legal obligation, in accordance with Section 84(2) of the Act, to adopt appropriate AQAPs for each of this AQMAs. Statutory guidance also requires that these AQAPs are regularly reviewed, at least every five years, and revised where necessary. The Local Authority is not currently under a legal obligation to achieve compliance to an AQO or fully implement an AQAP immediately. However, the Local Authority is required to demonstrate annually its progress towards implementing the AQAPs and, in doing so, achieving compliance to the AQOs.
- 8.4 Under Section 85 of the Act, the National Assembly of Wales may compel the Local Authority to act in a certain way in regard to local air quality. Statutory guidance has clarified that such a direction will be issued to instruct the Local Authority to undertake its local air quality management duties, including declaring, amending or revoking an AQMA or AQAP should Welsh Government feel it necessary to do so.
- 8.5 Local air quality management duties and AQOs are an obligation derived from United Kingdom primary legislation.

9. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 9.1 Both mortality and morbidity factors associated with poor air quality have increased in importance, as understanding of the health impact of air quality has improved. This includes a greater appreciation of the accumulative impacts poor air quality can have on deprived communities affected by higher rates of poor health.
- 9.2 In regard to ‘People: Independent, Healthy & Successful’ within the Making a Difference The Council’s Corporate Plan 2020 – 2024, local air quality management may directly bring about improved health outcomes for local communities. This will be achieved by improving the quality of air these communities may regularly experience, as well as addressing the perceptions of poor air quality and its effect on local amenity.
- 9.3 In regard to ‘Places: Where people are proud to live, work and play’ within the Making a Difference The Council’s Corporate Plan 2020 – 2024, air quality is recognised as an important element of this Objective with its highlighted link to transportation and green infrastructure. Many of the actions within the revised AQAPs draw up both these themes and, should they be implemented, would support the efforts to achieve this Corporate Objective. For instance, measures to increase and support public transport and resultant community connectivity can have a driving effect for local and regional employment and leisure opportunities.
- 9.4 In regard to ‘Prosperity: People and business are innovative, entrepreneurial and fulfil their potential and prosper’ within the Making a Difference The Council’s Corporate Plan 2020 – 2024, local air quality management may indirectly improve local amenity which in turn can support greater desirability and investment within the area. In addition, actions within the revised AQAPs are likely to attempt to

harness innovation and best practice to bring about cost-effective air quality improvement.

- 9.5 Local air quality management statutory guidance now incorporates the principles and ways of working associated within the Well-being of Future Generations Act. By fully abiding by this guidance and utilising a method that acknowledges and promotes sustainable multi-agenda delivery, the 2022 Air Quality Progress Report and revised AQAPs furthers the Local Authority delivery of the Future Generations agenda.

10. CONCLUSION

- 10.1 Rhondda Cynon Taf County Borough Council has produced the 2022 Air Quality Progress Report and will now publish its findings along with revised AQAPs for public dissemination and comment.
- 10.2 The Local Authority has identified that it is necessary, subject to the outcome of public consultation, to accept the assessment of local air quality and the review of actions, developments and policies, which may affect local air quality management.
- 10.3 The Local Authority has acknowledged the need to ensure its AQAPs remain pertinent and has published revised AQAPs which, subject to the outcome of public consultation, can be adopted to enable the Local Authority to continue to work towards achieving compliance to the relevant AQOs in a cost-effective manner.
- 10.4 To comply with statutory obligations and promote understanding of the situation, a comprehensive consultation will be undertaken, including consulting upon the Equality Impact Assessment and Welsh Language Impact Assessment included within the 2022 Air Quality Progress Report. The responses received, including that from the Welsh Government, will inform any final decision and if necessary, this matter will be re-examined.

Other Information:

2022 Air Quality Progress Report provided on request.

Relevant Scrutiny Committee

Community Services Scrutiny

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DELEGATED OFFICER DECISION

17TH NOVEMBER 2022

**REPORT OF DIRECTOR – PUBLIC HEALTH, PROTECTION AND COMMUNITY
SERVICES**

**PUBLICATION OF THE 2022 AIR QUALITY PROGRESS REPORT & REVISED AIR
QUALITY ACTION PLANS**

Background Papers:

None

Officer to contact:

Neil Pilliner - Environmental Protection & Housing Standards Manager