

Report



Cabinet Member for Licensing and Regulation Cabinet Member for Sustainable Development

**THIS IS FOR MEMBER CONSULTATION PURPOSES – PLEASE
RESPOND BY 4PM 11 MARCH 2020**

Part 1

Date: 4 March 2020

Subject **Clean Air Plan for Wales - Welsh Government Consultation**

Purpose To advise the Cabinet Members of the consultation and to seek approval of the draft consultation response

Author Regulatory Services Manager (Environment & Community)

Ward City Wide

Summary The Welsh Government are consulting on a wide-ranging Clean Air Plan for Wales, which will affect the work of a number of Council Service Areas. A draft consultation response has been prepared and requires approval.

Proposal **That the Cabinet Members formally approve the draft consultation response**

Action by Head of Law & Regulation

Timetable The consultation closes on 10 March 2020

This report was prepared after consultation with:

- Head of Law & Regulation
- Head of Finance
- Head of People & Business Change
- Corporate Management Team
- Planning Policy

Signed

1. Background

1.1 The Welsh Government are consulting on a wide-ranging Clean Air Plan for Wales, which will affect the work of a number of Council Service Areas.

1.2 The sections of the Plan being consulted on are:

- Air Pollution and Health (monitoring and new reduced pollutant targets)
- Legislative and regulatory air quality management framework
 - Local Air Quality Management (Environmental Health-led function)
 - Clean Air Zones/Low Emission Zones
 - Domestic Combustion (proposed control on domestic stoves and fires)
 - Smoke Control Areas (proposed change to existing legislation controlling types of domestic stoves and fuels in certain areas)
 - Indoor Air Pollution
- Public Awareness
- Improving air quality to support our natural environment, ecosystems and biodiversity
 - Agriculture
- Improving air quality to support a prosperous Wales
 - Industrial Air Pollution
 - Economic Development
 - Waste
- Improving air quality to support sustainable places
 - Planning Policy
 - Transport
 - Public Transport and shifting away from private motor vehicles
 - Active Travel
 - Ultra-low emission vehicles

2. The Council's response to the consultation

2.1 The draft response to the consultation is included as the appendix to this report. It follows the format of the questions posed by the Welsh Government.

2.2 Broadly speaking it is proposed that the Council expresses support for the Clean Air Plan however, a number of the responses highlight the need for additional resources from the Welsh Government for the Council.

2.3 Other responses also highlight the need for the Welsh Government to work more closely with or regulate the Council, in order to help us improve air quality in the city.

2.4 It is also suggested that in certain situations, it should be the Welsh Government that is responsible or jointly responsible for improving air quality, not the Council (in isolation). This is particularly relevant to air pollution from the M4 motorway and in the context of the decision not to build the M4 Relief Road.

3. Financial Summary

There is no direct financial impact arising from this report as it seeks approval of the draft consultation response. Any future actions stemming from this will need to be considered in terms of funding at that time.

4. Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
That the consultation is not responded to.	Medium	Low	This report seeks to ensure that the draft response can be submitted to the Welsh Government.	Head of Law and Regulation
That the draft response does not reflect the Council's position.	Medium	Low	The draft response has been circulated to the Corporate Management Team (CMT) and the Regulatory Services Manager presented to CMT and requested any additional responses for inclusion.	Head of Law and Regulation

5. Links to Council Policies and Priorities

- 5.1 Work to improve air quality link with the following plans/policies:
- 5.2 Newport City Council's Corporate Plan (the most relevant theme is "A thriving city" and the most relevant Well-being objective is "To enable people to be healthy, independent & resilient).
- 5.3 Well-being Plan 2018-2023. The most relevant Well-being objective is: "Newport has healthy, safe and resilient environments".

6. Options Considered/Available

6.1 Option1

To approve the draft consultation response to the Clean Air Plan for Wales consultation.

6.2 Option 2

Not to approve the draft consultation response to the Clean Air Plan for Wales consultation.

7. Preferred Option and Why

7.1 Option 1 above.

To approve the draft consultation response to the Clean Air Plan for Wales consultation in order to ensure that the Council's views are communicated to the Welsh Government.

Comments of Chief Financial Officer

There are no financial impacts in responding to the consultation. Any actions stemming from this will need to be considered, in terms of funding, at that time.

Comments of Monitoring Officer

There are no specific legal issues arising from the Report at this stage as the Cabinet Members are only being asked to agree the Council's response to the Welsh Government consultation on the proposed Clean Air Plan for Wales. However, if the proposals within the draft Plan are enacted into legislation, then it will have significant implications for the Council in terms of regulatory enforcement duties and the provision of other services that impact on air quality and climate.

Comments of Head of People and Business Change

There are no direct HR implications contained within this report. The report identifies how the Clean Air Plan is in line with the sustainable development principle in the Well-being of Future Generations Act.

The Council's response to the consultation notes that partnership working, particularly with the Welsh Government, will be necessary to deliver the Clean Air Plan; One Newport PSB's partnership Well-being Plan has among its priorities to "Improve air quality across the city" and that "Newport has a clean and safe environment for people to use and enjoy." Partners are working together to achieve this.

Scrutiny Committees

No consultation with Scrutiny Committees has been undertaken.

Equalities Impact Assessment and the Equalities Act 2010

No Equalities Impact Assessment is necessary.

Children and Families (Wales) Measure

The proposal set out in this report has no more impact on children or families than any other group or individual.

Wellbeing of Future Generations (Wales) Act 2015

Well Being Assessment:

- **Long term:** The Clean Air Plan for Wales sets out long term proposals to improve air quality.
- **Prevention:** The Clean Air Plan for Wales sets out proposals in the context of the adverse impact that poor air quality can have on health and that action must be increased to prevent illnesses and deaths as a result of pollution.
- **Integration:** The Clean Air Plan for Wales sets out actions that will have a major impact on our Well-being Objectives and the Well-being Goals.
- **Collaboration:** Work to deliver the Clean Air Plan would need to involve significant collaboration with Services Areas across the Council and with the Welsh Government.
- **Involvement:** The Clean Air Plan includes suggestions for improving that way in which the public are engaged on this issue.

Crime and Disorder Act 1998

The proposal set out in this report has no impact on crime and disorder.

Consultation

No consultation is necessary.

Background Papers

The Clean Air Plan for Wales can be found at <https://gov.wales/clean-air-plan-wales>

Dated:

List of Appendices

Draft Consultation Response

Appendix A

Clean Air Plan Draft Consultation response

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The Clean Air Plan for Wales – Thematic Approach and Commitments

1 – Does the thematic approach in the Clean Air Plan bring together the key air quality issues in a way that is clear and helpful?

We agree that there is a benefit in approaching the subject thematically. The four themes cover the various aspects of air quality – but is this specific enough? The themes could be used to cover contaminated land, air quality, noise or any other pollution source. In which case does this mean there should be a higher level plan that sets out the framework similar to the Well Being Plan, or Planning Policy Wales? – a Pollution Policy Wales? From that there are many ways to group the issues – pollution states, pollution source or receptor. Please see the following table to illustrate:

Pollution Policy Wales: Themes	Pollution States	Source	Receptor
Improving ---- to protect the health and wellbeing of current and future generations	Solid Contaminated Land Waste	Transport Energy Waste Water Agriculture	Humans Ecology – Water, Air, Land
Improving ---- to support our natural environment, ecosystems and biodiversity	Liquid Water Quality	Economy (Industry / Commerce / Development (PPW))	
Improving ---- to support a prosperous Wales	Gas Air Quality Carbon Emissions	Climate Change / Sea Level Rise	
Improving ----- to support Sustainable Places	Odour Wave Noise, Light		

Generating a thematic approach for air quality in isolation from the other issues perpetuates the silo approach that hinders a much wider strategic approach. Even this consultation focusing on air quality perpetuates the same approach – something more fundamental needs to be addressed and the thematic approach presented in the air quality plan may be an option, but if it is confined to air quality, it may not succeed in the way it should. This approach would also place Environmental Policy ahead of all others.

One drawback from using a thematic approach that is tied to one pollutant group - there is a risk of dividing and separating efforts, responsibilities and impacts arbitrarily. It is not clear what organisations have what roles and responsibilities.

In the current format, the plan up to this point has been repetitive and it is felt that the message could be delivered in a more succinct manner, making it shorter and more user friendly.

Air pollution and health

2 – Do you agree enhancing monitoring and assessment capabilities will help to understand and inform action to reduce the impacts of air pollution on health and wellbeing in Wales? Please provide evidence in support of your views where possible.

Yes. However additional resources in the form of staff, funding and equipment will be required at all levels. Existing resources are stretched to capacity. A consistent approach to air quality monitoring across Wales must be coordinated and driven by the Welsh Government.

Each local authority is responsible for monitoring in their district. Some Authorities have large monitoring networks; some have very small ones. Using local data to construct a national picture means the situation has been skewed by some authorities being very proactive compared to others.

The testing and implementation of new monitoring technology needs to be coordinated – money has been wasted by duplication of efforts testing identical systems that have been shown not to work. There should be a clear coordinated system across Wales that allows all parts of the country to be included and share the learning. The Welsh Government must drive this issue.

3 – Do the commitments and actions for health and well-being address the most important factors for improving air quality and realising health benefits?

Yes.

Local Air Quality Management (LAQM) [NB to NCC Members – this is an Environmental Health function. Note to be removed from WG response]

4 – Are you satisfied the proposals for local air quality management will result in robust effective air quality management arrangements?

Yes to a certain extent. The document sets out the proposal for the WG to explore providing expertise and technical support to ensure local authority monitoring strategies are proactive and robust. Our view is that the Welsh Government needs to take a firmer approach in this area for example by committing to conducting detailed audits of local authority activity and providing additional funding to deliver improvements where they are required. Alternatively the Welsh Government should commit to providing additional funding to ensure that local authorities are able to resource appropriate officers or consultants to complete such work.

We also feel that a review of the monitoring network should be carried out annually as part of the annual progress reporting; not every 3 years as proposed.

The examples of sharing good practice (car free day) is useful. However the two local authorities that have been able to implement such events, were funded by Public Health Wales and other sources. To deliver such events, the Welsh Government will need to ensure that additional funding is made available and that such resources are fairly distributed.

A strategy is required in order to ensure that all regional, district and local plans for active travel, carbon reduction, electric vehicle charging points, bus fleet renewal etc. complement each other, ultimately demonstrating how properly funded Welsh Government aspiration translates to improvement at a street level. Without this transparency, Action Planning for a single AQMA is very difficult. An AQMA and Action Plan needs to be put into context of the wider problem and solutions. Otherwise extreme solutions such as demolition of properties are the only answer.

Area-specific policies and the designation of air quality improvement areas/zones

5 – Are you satisfied with the proposed approach for Clean Air Zones/ Low Emission Zones in Wales?

Yes the publishing of an interim Clean Air Framework by March 2020 will be useful – however if Welsh Government do not provide resourcing at the local level it will be a struggle to develop plans and near impossible to implement.

Regarding the final action bullet point in this section – “Continue to review the role of vehicle access restriction, including whether road user charging and banning of the most polluting vehicles has a role to play in reducing roadside levels of air pollution” – we are unsure what this means in practice and would welcome Welsh Government clarification.

Domestic Combustion

6 – Do you agree with the proposals for tackling air pollution from domestic combustion?

To a certain degree yes but a registration system for open fires, wood burners and biomass boilers is required; otherwise, it will be impossible to regulate their use. Regulatory controls especially in urban areas, need to remain an option. If the proposals in the Plan are to limit polluting vehicles via Clean Air Zones, surely we should take similar steps with wood burners?

Our view is that burning garden and household waste should be banned completely, implemented with appropriate legislation, which includes the enforcement option of Fixed Penalty Notices.

7 – Which aspects of Smoke Control would you would like Welsh Government to consider or Strengthen?

A registration and public register similar to private water supplies for all wood burners, open fires and biomass boilers. There should also be an opportunity to include the use of diesel powered generators and mobile plant. A Clean Air Zone targets vehicles; a Smoke Control Area should allow targeting / regulation of all non-transport related emissions. Without a registration scheme, relying on fixed penalty notices to enforce a smoke control area will fail.

The burning of garden and household waste should be banned completely.

Integration of area specific policies

8 – Are you satisfied with the proposals to deliver a more integrated air quality management approach? If no, please provide evidence to support other alternatives.

Transport for Wales and similar organisations should have an onus on delivering an improvement, not just local authorities. More collaboration between stakeholders is useful; however, the driving force should not be left to local authorities alone. If there is a move to penalise local authorities for not improving, what penalties are there for the health boards, Transport for Wales, the Highways agency etc.?

Furthermore the LAQM process is focused upon sensitive receptors, these should be a priority but the wider issue of air pollution at the work environment etc. should not be ignored.

Collaborative working between local authorities may be useful in some areas, however in Newport some of the current air quality problem is generated by vehicles using the M4 motorway, many of which are passing through the area. It will be appreciated that there is little the local authority can do about this issue, however the current Local Air Quality Management regime puts the responsibility squarely on the Council. We require much stronger intervention by the Welsh Government to deal with this issue, especially in the light of the decision not to build the M4 relief road. The Clean Air Plan needs to reflect that at times it will be the Welsh Government that is responsible for improving air quality.

Indoor air pollution

9 – Are there aspects of indoor air pollution which you would like Welsh Government to address? You may wish to consider what the Welsh Government's top priorities should be for regulating chemicals in articles and products which may contribute to poor indoor air quality.

It is agreed that indoor air quality is a complex issue that needs to be investigated and public / business awareness raised. Indoor air quality environments in other premises such as work and educational facilities should be a priority. Work environments could include vehicles where drivers spend significant time inside them. Lessons learned from these environments can then be applied to the 'less controllable' home environment.

Planning advice for developments in poor air quality areas encourages non-opening windows with mechanical ventilation. This issue needs investigation.

It should also be noted that the current focus on insulating homes to reduce heat loss often results in homes becoming less well ventilated. This can lead to mould growth, the spores of which can be considered a pollutant with health impacts. This is a particular problem for some individuals on low incomes who air-dry washing indoors. Work on this area should take this issue into account.

A Clean Air Act for Wales

10 – Do you support the proposals for Clean Air Act for Wales?

Yes. However as discussed in Q1, should this be a much wider Pollution Act for Wales?

11 – Are there additional issues a Clean Air Act should address?

Point 2 – a requirement for a Clean Air Plan/Strategy to be published/reviewed every 5 years - it is recommended that Welsh Government produce an annual report, similar to the LAQM Progress Report on how well the Plan/Strategy is being implemented. The annual reports can then be used to inform the review and the next 5-year iteration.

Embed air quality improvements and awareness into the educational curriculum.

Nationally and internationally clean air zones will displace older vehicles – what legislative steps can be taken to discourage their uptake in Wales? For example, older diesel buses being exported from London to Wales. Or increased regulation of wood burners, could this cause displacement?

Atmospheric plastic pollution is an issue that has little to no attention – the new legislation should have some regard to what may rapidly develop in this area – again if there was a fundamental framework that underpinned environmental pollution, adaption to emerging issues should be less problematic.

12 – What other legislative or regulatory actions in relation to air quality should we consider to improve people's lives and community wellbeing in a sustainable way?

The vehicle emissions scandal demonstrated the intentional non-compliance with regulations by car manufacturers. Little to no progress has been made by the UK government in taking these companies to court and using the fines to implement air quality improvements. Should the new legislation provide a framework for such legal action?

Should workers' rights include a provision for low / zero emission travel? – see below.

Public awareness about airborne pollution

13 - Citizen science projects to date have focused on work with young people. Are there other age groups or communities would you like to see us work with?

The working age community is likely to be the largest polluter but the hardest to engage with. Engaging with the business community will help connect with this age group.

14 – Which age groups do you think would benefit most from greater understanding of air quality, pollutants, evidence and interpretation, and developing personal awareness and responsibility?

The working age community are the most polluting group with regards to transport. Large scale personal awareness and responsibility will only come via their employer. Bus providers, haulage companies, coach companies should also be encouraged to participate.

15 – Are there other approaches or opportunities to develop greater understanding of air quality issues that you think we should explore?

Air Quality public engagement campaigns should have the same resources and scope as Anti-Smoking. Anti-Smoking has signs in every public space, cigarette packets with information and regular adverts / advice on TV, Radio etc. Relying on one awareness day (Clean Air Day) is very limited. To start with there should be advertising public health and environmental messages at petrol stations. Otherwise single day events will be seen as a 'novelty'.

Sustainability in general should be seen as a priority, rather than the silo mentality of air quality as an isolated issue. Even this consultation and proposed legislation perpetuates the view of air quality is a separate issue to sustainability, where in fact 50% of the pollution for both issues comes from the same sources.

16 – Do the proposed communications work streams provide a suitable focus for air quality communications and behaviour change work?

Yes.

17 – Are there features you would like as part of the Air Quality in Wales website?

Who is the Air Quality in Wales Website aimed at? Is it for the general public, if so why would they visit? There are plenty of infographic youtube channels that engage with the general public – if we are using the air quality in Wales website to engage with the public there needs to be a hook to draw them in. Is there a way of linking Air Quality to travel planning or mapping websites and apps?

18 – Are there specific communications and behaviour change campaigns you would support?

As set out above for question 15, a general campaign to raise public awareness would be welcomed.

19 – Are there any groups or communities who could contribute to developing citizen science projects?

Developing and promoting a resource pack for citizen science will allow this engagement to grow naturally around groups or communities. This could include a method of feedback – such a forum to share ideas.

20 - Which age groups would benefit most from developing personal awareness, understanding and responsibility in terms of air quality and pollutants?

All age groups but in particular the working age group would benefit most.

21 – Are there additional approaches or opportunities to develop greater understanding of air quality issues that should be explored?

Possibly, but data management becomes an issue. The public could share the data they collect via a self-service website. Otherwise the onus would be on Local Authorities which would stretch resources even further.

Improving air quality to protect the health and well-being of current and future generations – commitments and actions

22 – Do the proposed commitments and actions address the issues described in the health and well-being section of the plan?

Yes.

23 – Do you agree the actions will help to reduce the impact of air pollution on health and wellbeing in Wales?

Yes.

24 – What additional commitments or actions would you propose?

With any of these actions the key issue is funding and resourcing. If that is not provided all actions will remain an aspiration.

Improving air quality to support our natural environment, ecosystems and biodiversity

25 – What sorts of nature based solutions could be promoted to help to reduce human exposure to air pollution?

Newport has recently undertaken an i-tree Eco survey of Newport's urban trees, which has been carried out by The Research Agency of the Forestry Commission and funded through Welsh Government. This 'i-tree' study has mapped the urban trees of Newport and valued this asset against a series of Ecosystem Services, including Air Pollution removal. The study has estimated that Newport's urban forest removes an estimated 76 tonnes of urban pollutants per year including NO₂ and O₃. This equates to 1.1% of the NO_x and 8.8% of the PM_{2.5} emissions of the City. Newport is comparatively low in terms of tree cover for a UK city and therefore solutions and funding that would support increased planting measures and promoting the retention of private tree cover, through development control are essential. This must be linked to increase in general public awareness of the benefits of Green Infrastructure. However increase of GI to benefit air pollution removal and other ecosystem services should not be a 'sticking plaster' solution, distracting from the hard measures of reducing the pollutants at source.

26 – How can we speed up the recovery of our biodiversity and ecosystems alongside emission reduction?

This would have to be through the provision of funding or resource to undertake comprehensive mapping of green assets – through initiatives such as i-tree, coupled with planting programmes make net gains in GI throughout the urban areas. This could also include emphasis on other key initiatives such as Bee Friendly accreditation, SUDS and Natural Resource management for overall biodiversity gain and improvement in air quality.

27 – What activities can we emphasise in our environmental growth plan to help tackle air pollution and its impact on ecosystems in Wales?

In addition to analysis and improvement of urban GI we would recommend linking with all initiatives for sustainable travel including Active Travel initiatives and continued commitment from WG for the creation of better Active Travel infrastructure and promotion of benefits to health and the environment. This must be undertaken in tandem with Education and Engagement – there is very little in the way of educating the public on the source of pollution to the consequences. Unless it is obvious – such as plastic pollution.

Currently it is near impossible for the public to understand the contribution of travelling in a fossil-fuelled car or using a wood burner to the death of bees.

28 – Do the proposed commitments and actions address the issue described in natural environment, ecosystems and biodiversity section of the plan?

Yes. – expand Woodland Cover as set out in our Woodlands for Wales Strategy. This a specialist tool for planner and developers to quantify structural and environmental effects is mentioned, however the focus must be on the expansion within the urban areas as discussed above.

29 – Do you agree the actions will help to reduce the impact of air pollution on natural environment, ecosystems and biodiversity in Wales?

The combination of all actions should make the improvements in air quality that are needed however not all actions have appropriate levels of funding and resources to assist. This should be a clearly mapped out when WG make future funding commitments.

30 – What additional commitments or actions would you propose?

Strengthening planning policy in areas relating to sustainable development and in particular sustainable forms of transportation should be considered. The inclusion of sustainable travel options such as Active travel infrastructure should be included as a first principal part of any new development potential made a statutory requirement rather than a consideration.

Industrial Air Pollution

31 – On which sectors, processes or areas should we focus our action to reduce public exposure to industrial emissions to air pollution?

Biomass burners, peak diesel generators and waste to energy incinerators are of concern.

Power generation and usage and public transport. If these sectors are as clean and efficient as possible it would set a clear example of what is possible.

32 – Are there any specific legislative changes you think we should consider in order to tackle emissions to air?

How will the Environmental Permitting regulation regime integrate with the proposed Clean Air Act? Could the thresholds for Permits be reviewed? Will the generation of air quality legislation in isolation generate unintended consequences in combating other pollution sources?

33 – Are there any specific actions or measures with which we can encourage investment by industry to reduce air pollution?

No specific actions or measures are proposed by this consultation response but we feel that a Carbon trading scheme or similar model should not be used for industrial emissions with respect to air quality.

34 – Are there any novel or emerging approaches to reducing emissions to air from industry that you think we should consider?

35 – Do you think generators used for research and development should be treated differently in terms of emission controls?

No.

Improving air quality to support a prosperous Wales – commitments and actions

36 – Do the proposed commitments and actions address the issues described in the Prosperous Wales section of the Plan?

To some degree.

Address industrial emissions of greenhouse gases and air pollution together across the whole of Wales, in a range of sectors, focusing where the best opportunities exist for reducing those emissions – is this ambition reciprocated in greenhouse gas emission policy/plans?

The plan notes that ‘evidence suggests harmful emissions from transport are reducing, largely driven by international legislation on standards for new vehicles, but poor air quality remains a significant concern’. It should be noted that this downward trend should not be taken for granted; due to the complex socio-economic factors, it is not a certainty that the current pollution problem will be resolved this way.

The National Infrastructure Commission for Wales

37 – Should air quality issues be referenced in the remit of NICW?

This could be useful but without the framework discussed in question one the NICW may provide conflicting advice. NICW – provide advice and recommendations to the Welsh Ministers on the economic and environmental infrastructure needs of Wales.

Is there a balance between Economic and Environmental Infrastructure needs? Will the continued pressure of growth from the Economy always have a negative impact on the Environment? Where does this group fit with Transport for Wales, The M4 Commission etc.?

Transport

38 – Are there other air quality matters relating to transport which Welsh Government should consider or review?

With respect to Electric vehicles - The source of electricity for ultra-low emission vehicles should also be controlled to ensure it is sustainable.

With regard to the M4 at Newport mentioned in the final bullet point on page 108, Newport Council has been in correspondence with the WG requesting that vehicle speed be controlled from junction 24 to junction 28 of the M4. We have highlighted that focussing on junction 25 to 26 is failing to assist the Council with a number of AQMAs associated with the Newport stretch of the M4. We would support a permanent reduction to 50 mph between junctions 24 and 28 and recommend that this be enforced with an average speed check.

Improving air quality to support sustainable places – commitments and actions

39 – Do the proposed commitments and actions address the issues described in the Plan?

Yes – however the format of the plan is not clear how these will work from a regional, district to local scale. It is useful to have a time scale, but how will this be delivered on the ground and what are the funding routes?

Local Air Quality Management requires the delivery of an air quality action plan in areas that exceed the objective. Most areas of high pollution are due to road traffic emissions. The Air Quality Action Plan process requires a priority list to be produced that targets various vehicle groups. When the Welsh Government make funding available, local authorities have apply for funding to address actions that meet the aims of that particular funding. We suggest that a different approach would be beneficial: the actions in an Action

Plan should be costed and then funding provided towards delivering the Action Plan as a whole. Supporting Action Plans should be a priority for WG funding, where the WG are satisfied that the actions will deliver real air quality improvements.

The plan notes that an Air Quality Fund has been set up to support measures to achieve compliance with legal limits for nitrogen dioxide. Please confirm whether these are just for the work in Caerphilly and Cardiff mentioned in that paragraph. If this is the case, Newport Council would highlight the need for funding for Newport in order to address the local air quality issues and declared AQMAs.

40 – Do you agree the actions will help to reduce the impact of air pollution to support sustainable places in Wales?

Hopefully. The plan notes an action ‘to promote the shift from the private motor vehicle to active travel and public transport - We will work with partners to ensure improved provision of public transport’. This is vague - will this mean more than the proposed metro or other actions set out in the plan?

The implementation of a 20mph speed limit must be enforceable, it would be sensible to alter the physical environment to ensure that drivers cannot drive at high speeds rather than relying on compliance which is difficult and resource intensive to enforce.

41 – What additional commitments or actions would you propose?

Welsh Language

42 – We would like to know your views on the effects the Clean Air Plan have on the Welsh Language, specifically on –

- a. An opportunity for people to use Welsh and,**
- b. Treating the Welsh language no less favourably than the English language.**

43 – What effects do you think there would be? How could the positive effects be increased? Or negative effects be mitigated?

44 – Please also explain how you believe the proposed plan could be formulated or changed so as to have –

- a. a positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English Language**
- b. No adverse effects on opportunities for people to use the Welsh language and on treating the Welsh Language no less favourably than the English language.**
- c.**

General question

45 – We have asked a number of specific questions. If you have any related issues that we have not specifically addressed, please use this space to report them.

In relation to page 99, paragraph 3, the consultation says “...and has a wider role in reducing emissions from buildings through energy-efficiency measures and use of renewable energy technologies.”

There does not appear to be a question in the consultation relating to this.

The role of reducing emissions from buildings through energy-efficiency measures and use of renewable energy technologies - is this not a building control matter?

It is important to note that there is a distinction between a developer dealing with the impact from a proposed development and current air quality issues experienced in a particular locality. It is for the developer to ensure that the proposed development does not cause harm.

It is also important to note that developers should understand that it is not enough for their proposals not to meet harmful thresholds; any increase in air pollution is bad. The effectiveness of mitigation measures should also be understood and evidenced; a concept which supports the 'intelligent planting' concept set out in this plan.