

Meeting Minutes for Cleaner Air for Scotland Governance Group

Location: Dundee House, 50 North Lindsay Street, Dundee, DD1 1QE
Date: 17 May 2017
Time: 10:00 – 13:00

Present

Graham Applegate, GA (SEPA)	Vincent McNally, VM (Glasgow City Council)
Aileen Brodie, AB (Aberdeen City Council)	Janice Milne, JM (SEPA)
Janet Brown, JB (City of Edinburgh Council)	Eleanor Pratt, EP (SEPA/SG)
Lorna Bryce, LB (SEPA)	Colin Ramsay, CR (Health Protection Scotland)
Shauna Clarke, SC (City of Edinburgh Council)	Neil Ritchie, NR (Scottish Government)
James Curran, JC (Scottish Environment Link)	Andrew Taylor, AT (Scottish Government)
Colin Gillespie, CG (SEPA)	Stephen Thomson, ST (Transport Scotland)
Drew Hill, DH (Transport Scotland)	Iris Whyte, IW (Dundee City Council)
Martin Marsden, MM (SEPA)	

Additional Attendees

Chris Large (Global Action Plan)	Alison Leith (Transport Scotland)
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Chair

Neil Ritchie (Scottish Government)

Apologies

Gillian Dick, GD (Heads of Planning Scotland)	David Kernohan, DK (SG Health Protection)
Emilia Hanna, EH (Scottish Environment Link)	Bruce Kiloh, BK (SPT)

Item	Title	Action
1.	<p><u>Welcome and introduction</u></p> <p>Shauna Clarke was welcomed, who will be replacing Janet Brown after her retirement in June as City of Edinburgh Council’s representative on the group. Alison Leith (Transport Scotland) is providing administrative support to ST’s team. Chris Large (Global Action Plan) was in attendance to deliver an update on National Clean Air Day.</p>	
2.	<p><u>2018 Planning</u></p> <p>A list of key tasks to deliver the 2018 LEZ was produced after the workshop discussion at the last meeting and circulated. Time was spent sense-checking the content, in order for this to be further developed into a project plan.</p> <p>It was agreed that the spreadsheet captured the main points but that more detail under each heading is required, and to ensure language is clear. It was suggested that a headline to summarise overall progress on this work should be included, and the ‘importance/urgency’ boxes to be RAG-coded to indicate ‘critical’ tasks.</p> <p>Use of the Place Standard tool was flagged – it is potentially of use to this work, but is based on subjectivity, which should be acknowledged if using the</p>	

tool to help define LEZs, as suggested in the task list. This should be discussed more fully at the next CAFS GG meeting which will be focussed on Placemaking.

Summary of discussion:

1. LEZ Legislation:

1.1 'Clarify legislation and enforcement for LEZs using TROs': Currently powers for Traffic Regulation Orders (TROs) exist, which would need to be enforced by Police Scotland, who have already indicated (though not formally stated) that it is unlikely they will be able to do so. In order for TROs to be enforced by local authorities (the preferred option), they would need to be decriminalised, as previously done for bus lanes. However bus lane decriminalised offences can be enforced because the Transport (Scotland) Act 2001 explicitly mentions civil penalties for bus lane contraventions.

This is not the case for LEZs, therefore an amendment to the primary legislation is required in order to get secondary legislation in place – this may be difficult. The scope of the suggested Transport Bill will be confirmed at the end of May. If LEZs are not included in it, then getting legislation in place for enforcement of LEZs by TROs in place not be possible for some time. This does not prevent an LEZ from being set up, but may make it difficult to enforce.

Action 1: ST to produce note on legislative issues around TROs and LEZs; to also include summary of discussions with Scottish Government Legal Directorate as to whether direction on LEZs can be provided from ministers (query arising at 7 March meeting).

Action 2: ST to produce note of recent discussions with Traffic Commissioner.

Timetabling: May 2017 meeting for ministers' views on scoping of Transport Bill. Confirmation of scope of Bill in early June. Ongoing meetings between Transport Scotland and Scottish Government Legal Directorate on this, and post-2018 LEZs.

2. LEZ Enforcement/Back Office set-up:

2.1 'Clarify back office/infrastructure set-up for LEZ enforcement': There is a need to develop a database for ANPR to detect engine types/Euro category. A decision is needed on whether a centralised procurement service is required for equipment and back-office support services for LEZs. LAs would much prefer a centralised approach with Transport Scotland/Scottish Government to procure equipment and provide resource, technology and back office support services to manage it. Mention was made of the safety cameras partnership where Transport Scotland purchased the cameras, but LAs led on their installation.

Action 3: ST to develop 'in principle' proposals for procurement for agreement within Transport Scotland by end of June, for discussion with

LAs (Environmental Health and Transport), and decision by September.

3. Funding:

3.2 'Bid for new funding for LEZs': ST has provided a draft indicative figure for LEZ funding for the Programme for Government 2018/19, including retrofitting of buses, infrastructure, revenue and communications. Jacobs are currently working on more definite LEZ costings (estimated based on what is required in Glasgow), for completion by mid-June. This will be followed by a 'full call' in the autumn for details of what should be included in the final spending review. It will be vital need to ensure all information required will be available at that point.

3.4 'Influencing scope and prioritisation of existing funding': The Green Bus Fund and Bus Service Operators Grant are being revised; they have been reduced this year but will be reviewed further from 2018 onwards, so scope to increase again. These funds are vital to this work: engagement required to ensure air quality is given sufficient consideration in the review of these funds.

3.5 'Influencing' monies for other measures e.g. congestion. There may be other opportunities available via City Deal and active travel funds. LAs should explore the City Deals for each city, and the scope for each to support the LEZ work by September. Possibility to include City Deal leads in CAFS GG meeting, or attend City Deal meeting.

4. Defining Progress:

4.1 Defining objectives/outcomes: to be informed by next item on the agenda.

4.2 2018 KPIs (previously 'CAFS' KPIs): It was acknowledged that as this list is specifically for the 2018 workstream, that line should deal explicitly with KPs for 2018, rather than CAFS KPIs. Development of the air quality indicator depends on the Scottish Air Quality Indicator (SAQI) work-stream, which has fallen behind due to disagreement between the contractor and the Institute of Occupational Medicine (IOM) as to the approach (see CG's May NMF briefing note), but is hoped to be complete at the end of July.

It was acknowledged that KPIs on transport, as well as air quality are also required (e.g. a sustainable transport index). Once the SAQI work is complete a CAFS GG meeting should be used to develop KPIs for both CAFS generally, and the 2018 work.

5. Defining LEZ Areas:

5.1: Develop proposals for geographic definitions of potential LEZ areas for each city: It is intended to use existing LAQM information, supplemented with the NMF work and use of the Place Standard Tool to define a range of potential LEZ areas within which to run more detailed NMF scenarios. The Glasgow and Edinburgh models are in a position to do this, via the NMF city

	<p>groups already established which include a range of partners including RTPs and Transport Scotland. Defining potential areas for Aberdeen and Dundee is more difficult as they do not yet have the level of NMF detail required.</p> <p>It was suggested that Glasgow and Edinburgh could use the report for committee on their Annual Progress Report to communicate the results of this exercise. Dundee and Aberdeen could provide an initial indication of possible areas.</p>	
<p>3.</p>	<p><u>EU/Domestic Air Quality Requirements</u></p> <p>AT presented his paper (circulated in advance of the meeting), summarising the key differences between requirements under the EU Ambient Air Quality Directive (AAQD) and Local Air Quality Management (LAQM) regime including AAQD limit values/LAQM objectives; responsibilities; attainment dates; scope of assessments and assessment methodologies.</p> <p>This paper was intended to clarify why the AAQD and LAQM are not directly comparable, and why there are a relatively high number of Air Quality Management Areas (AQMAs) in place under LAQM, but only a few places where the AAQD is being legally failed.</p> <p><u>Discussion</u></p> <p>It was questioned how AT's paper should be transposed into something that can be easily understood by the public. It was noted that we need to raise the visibility of what's already been done/achieved. VM highlighted that Glasgow City Council haven't had Directive exceedances in the past two years and that levels have dropped, perhaps with the use of diesel particulate filters on buses and meteorological conditions affecting transboundary pollutants.</p> <p>There was discussion on where LAQM objectives/Directive limit values fit with the CAFS work. There should be an initial focus on achieving compliance with Directive limit values, but going beyond this to reduce exposure in both residential and non-residential areas and meet LAQM objectives. It was acknowledged that this requires a level of political ambition within LAs to look beyond their LAQM duties, which can be a difficult message to sell given that there is no statutory requirement for LAs to meet the LAQM objectives.</p> <p>It was acknowledged that LEZs are an important part of this, but not the sole action as by themselves LEZs are unlikely to achieve compliance; interlinkages between LEZs, wider CAFS measures and LAQM measures should be highlighted. There is a need for public engagement on actions done to date and progress made (e.g. on PM) as well as clarity on outcomes to be delivered and why - link to definition of LEZs (2018 and beyond).</p>	
<p>4.</p>	<p><u>National Clean Air Day</u></p> <p>Chris Large of Global Action Plan, who is managing National Clean Air Day</p>	

	<p>(NCAD) on behalf of UK and Scottish Governments, provided a summary of the NCAD work. There is an initial focus of the campaign on public awareness of air pollution – this can be built upon in subsequent years. Scotland-specific messages have been produced in conjunction with Health Protection Scotland and Scottish Government Public Health Directorate. There will be a Scottish Government national press release and media alert issued.</p> <p>CL highlighted a number of actions various organisations are carrying out to promote the day (e.g. schools closing car parks), and the range of resources and toolkits available to Scottish stakeholders: https://www.cleanairday.org.uk/Pages/Category/scotland. A poll on air quality awareness in Scotland is also being carried out.</p> <p>CAFS partners were strongly encouraged to support the campaign through communicating the campaign their own employees and signing up to the social media ‘Thunderclap’ (see link in EP email sent 18/05/17). CAFS organisations can have access to discuss opportunities with the NCAD Scotland campaign manager (see details in EP email sent 18/05/2017).</p> <p>Action 4: SEPA to prepare NCAD briefing for all to provide to their organisations’ comms team (circulated).</p>	
5.	<p><u>Reflection/Key Decisions</u></p> <p>It was agreed that the next CAFS GG meeting would focus on the Placemaking elements of CAFS, as well as the 2018 project plan which will be further developed.</p> <p>Reflections included the need to widen focus back out to wider parts of CAFS beyond LEZs.</p> <p><u>AOB</u></p> <p>JB was thanked for her hard work and positive contribution to the CAFS work, and wished the best of luck for her retirement.</p>	
6.	Thanks and Close	