

Meeting Minutes for Cleaner Air for Scotland Governance Group

Location: SEPA, Strathearn House, Lamberkine Drive, Perth PH1 1RX
Date: 19 February 2016
Time: 10:00 – 13:00

Present

Graham Applegate, GA (SEPA)	Gavin Martin, GM (City of Edinburgh Council)
Aileen Brodie, AB (Aberdeen City Council)	Vincent McNally, VM (Glasgow City Council)
James Curran, JC (Scottish Environment Link)	Eleanor Pratt, EP (SEPA/TS)
Colin Gillespie, CG (SEPA)	Colin Ramsay, CR (HPS)
Emilia Hanna, EH (Scottish Environment Link)	Andrew Taylor, AT (Scottish Government)
Drew Hill, DH (Transport Scotland)	Stephen Thomson, ST (TS)
Martin Marsden, MM (SEPA)	Iris Whyte, IW (Dundee City Council)

Chair

Stephen Thomson (TS)

Apologies

Janice Milne, JM (SEPA)
 Nikola Miller, NM (RTPI)

Item	Title	Action
1.	<p><u>Welcome and introductions</u></p> <p>ST welcomed everyone to what was essentially the first full meeting of the CAFS Governance Group (CAFS GG) and introduced new members: local authority (LA) representatives from Aberdeen (AB), Dundee (IW) and Edinburgh (GM), and Scottish Environment Link (SE Link) representatives. JC and EH will share the role of representing SE Link, attending alternate meetings. It was highlighted that IW is also the chair of the Scottish Pollution Control Co-ordinating Committee (SPCCC). Round table introductions were made for the benefit of new members.</p>	
2.	<p><u>Overview of CAFS GG</u></p> <p>ST provided some background to the CAFS GG. What was previously the Scottish Urban Air Quality Steering Group (SUAQ SG), a mature group tasked with developing CAFS, has now grown into the CAFS GG, tasked with overseeing implementation of CAFS.</p> <p>It was highlighted that there is still some ongoing debate about membership. There is the potential to bring in strategic-level organisations e.g. Heads of Planning Scotland (HOPS), Society of Chief Officers of Transportation in Scotland (SCOTS) etc., to attend on a quarterly basis as these are unlikely to engage with more regular meetings.</p> <p>The chair role for CAFS GG will be rolling – ST/MM/AT. Locations will be moved around Scotland to accommodate as many LA members as possible. Roughly 6 week meeting schedule, although initial meetings are more regular to accommodate people’s diaries and reflect the pace of ongoing work.</p>	

	<p>Working groups will be set up around the 6 CAFS objectives, overseen by the CAFS GG, and a small management group (Scottish Government, Transport Scotland and SEPA), which will feed into Scottish Ministers.</p>	
<p>3.</p>	<p><u>Terms of Reference/Local Authority Engagement</u></p> <p>A draft set of Terms of Reference (ToR) had been circulated for comment. ST asked for general feedback.</p> <p>Comments included:</p> <ul style="list-style-type: none"> - Current version is largely administrative; much of this information could be included in an annex to the ToR instead. - ToR should address what the CAFS GG is <u>doing</u> – currently only states ‘oversee’ implementation of CAFS – what does ‘oversee’ actually mean? - Lack of clarity on accountability, and the process by which this is defined. Group needs to be held accountable for CAFS delivery. - Concern that the current draft seems to imply that the main responsibility of group members is to their own organisation (representing views, and feeding back on the activities of the CAFS GG), rather than to the CAFS GG itself, which should be the priority. - Need to further clarify how the group reports to ministers. - Further define the role of STEP. - Aims/delivery of outcomes of CAFS should be more clearly stated. - More in the way of timescales and clarity of purpose required – currently a bit vague. - Should clarify any ‘executive responsibility’ of organisations for certain actions outside of CAFS GG (e.g. Transport Scotland actions are still being progressed, even though CAFS GG still clarifying working arrangements). - Clarify what the CAFS GG is actually responsible for. <p>IW highlighted the need to ensure that the right people are around the table – do they have a mandate to deliver, and are they in a position to represent the views of their organisation (especially important for LAs)? IW doesn’t have the right to speak on behalf of others in her LA unless instructed to do so. Discussion followed around the need for LA representatives to have some form of delegated authority in order to represent their LA across the different professions (transport, planning, health etc.). Current CAFS GG LA members can represent the views of Environmental Health, but not other professions.</p> <p>The tight timescales in place to deliver CAFS were highlighted, and the point made that if we continue to focus on the environmental health profession, rather than using a broader approach which includes other key professions, we are unlikely to achieve the aims of CAFS.</p> <p>It was stated that it was for this reason that there is the intention to include</p>	

HOPS and SCOTS at quarterly strategic level meetings, with the hope that this would be more likely to keep them engaged/informed than if they were invited to attend regular meetings. Do LA reps think this approach will work?

VM agreed that Heads of Planning and Transport are not going to attend regularly. VM felt the current CAFS GG LA set up works, as long as there's recognition that those representatives don't speak for the whole council, only for those environmental health people. IW responded that a key part of engaging with CAFS is to engage with transport and planning colleagues on air quality. This is happening to some level but IW was hoping CAFS would help deliver better engagement, rather than continuing as previous/'business as usual'.

Other LA members agreed that the issue is not at 'officer' level, where there is good engagement on air quality, and that there is a lack of specific drive/instruction at higher level (chief officers specifically), where air quality does not have the same level of priority and awareness as, for example, carbon. The need for delegated authority was repeated, otherwise LA reps will continue to have to act as a conduit for information, but be unable to influence decision making.

The need to fully address this issue was accepted, in order to allow CAFS work to be delivered properly. The CAFS GG needs to find the mechanism for how each organisation commits and delivers. It was suggested that there is a need for a dedicated meeting session to deal with the 'culture' and working practices of this group.

IW suggested a letter to be drafted from the 3 core chairs of the CAFS GG (Scottish Government, SEPA and Transport Scotland) to invite LAs to identify an appropriate person to represent that LA with appropriate delegated authority, to allow greater cross-professional engagement on CAFS.

Action 1: AT to draft letter from core chairs (SG/TS/SEPA jointly) to LA chief executives requesting 1 permanent member to attend all CAFS GG meetings, with other professions nominated to attend quarterly meetings. E.g. if the LA transport official attends the regular meetings, then the heads of environmental health/planning should attend quarterly 'strategic level' meetings.

AT

Discussion followed on whether to send this letter to all 32 LAs (too large a meeting to chair), or just to the 4 'key' cities; there is a need to represent views from all LAs. It was suggested that the Regional Transport Partnerships could represent the remaining LAs.

GM commented that the suggestion was made at the recent STEP meeting that air quality sub groups could be created, linked to the Local Pollution Control Liaison Groups (LPCLGs) to act as a conduit to those who have air quality issues. IW responded that this matter has been raised by AT with the SPCCC. In her capacity as SPCCC convenor, IW has responded that the SPCCC

	<p>is set up by the Royal Environmental Health Institute of Scotland (REHIS), with specific ToR for it and its various sub groups. To do what's suggested would mean a change in that structure, and IW is unsure how comfortable REHIS would be with that, given that key drivers for air quality change are transport/planning rather than environmental health. This issue will be discussed at the SPCCC meeting on 25 Feb.</p> <p>It was suggested that similar discussion is required at HOPS and SCOTS meetings, to allow these 3 organisations to make decisions on how to fairly represent LAs on the CAFS GG.</p> <p>It was queried what type of person LA chief executives are likely to nominate on receipt of a letter from the CAFS GG chairs? They are likely to nominate those LA representatives already around the table, or equivalents, as anyone higher level is unlikely to attend. However this letter was still seen to be helpful as it will require a mechanism for wider feedback on CAFS GG within LAs.</p> <p>Potential difficulties due to differing LA structures, priorities etc. were acknowledged, but all LA representatives agreed that CAFS has to do something differently, and that this will require instruction.</p> <p>It was highlighted that the group ToR need to be finalised before the letter to chief execs is sent out.</p> <p>Action 2: ALL to provide ST (cc in EP) with comments on ToR (as tracked changes on current Word version, together with narrative/explanation for those changes in bullet points in email) by 10am on Friday 26th Feb 2016.</p> <p>Action 3: EP to draft agenda for next meeting for circulation. To include sessions on ToRs and culture/working practices.</p> <p>Action 4: EP to invite RTP representative to next meeting.</p>	<p>ALL/ST/EP</p> <p>EP</p> <p>EP</p>
4.	<p><u>CAFS Sub-Groups</u></p> <p>Discussion on the CAFS sub-groups set up and membership.</p> <p><u>National Modelling Framework (NMF)</u></p> <p>The NMF group set up during CAFS development had a broad membership. CG was sought a steer on whether to bring in new members to take forward that group towards delivery of CAFS. Discussions today have showed that we're still at early stage.</p> <p>ST commented that the NMF group is set up to develop air quality models - ST is keen to make sure outputs from these can be used with <u>transport</u> models, to evaluate transport focussed actions. There is a need for strong overlap between the NMF/NLEF frameworks and groups. ST suggested that the chairs of the NMF/NLEF groups should each sit on the other group, to</p>	

ensure outputs from each group are used correctly.

CG commented that the RTPs should be included in these groups.

DH highlighted the need to focus on driving forward the work-stream itself rather than focussing on the group set up, but it was highlighted that we have made a commitment to having sub-groups overseeing these processes. Agreed we need to ensure actions are delivered to tight timescales, but need to engage with the wider community also.

National Low Emission Framework (NLEF)

DH aims to set up a meeting in March to discuss how these air quality/transport models will integrate. An NLEF 'pre-appraisal' meeting will also be planned for April, to examine evidence from these models.

It was queried whether any members of the original working group on LEZs during CAFS development would be appropriate for the new NLEF sub-group? AT, who chaired the LEZ working group stated that the previous group's membership should form the basis of the NLEF group going forward - some modification may be required, but should be used as a starting point.

Health

CR clarified that this group operated differently during the development of CAFS (no 'physical' group was set up). Lots to do to decide function. Main priority is to ensure health community - specifically health boards - are engaged and aware that they will be required to deliver action under CAFS on health plans (action H2). This will require engagement at Scottish Government Health and Social Care (H&SC) directorate level to ensure this is fully understood.

Other principle issues are as identified in CAFS – namely supporting development of the communications strategy. CR has spoken to Scottish Government's H&SC directorate Public Health department – further discussion required before deciding how any potential health group would be taken forward.

Transport

ST stated that he plans to disband the working group set up on Transport for CAFS development. He clarified that the CAFS transport actions can now be divided into 3 groups:

1. Those covered by pre-existing Transport Scotland- led policy areas where existing networks are already in place.
2. Those that require links with UK Government– ST and new head of Roads Policy at Transport Scotland will lead on this.
3. Those which are not included as actions within the CAFS document, but which are referred to as 'measures requiring further investigation and

research'. These should be examined by a group with input from other organisations, although ST is not clear yet who those individuals may be. Will clarify by 11 March.

Communications

ST has provided an interim lead on this work, although this is now being handed over to communications professionals. A draft CAFS Communications Strategy is being prepared, based on meetings of comms professionals across SEPA/Transport Scotland/Scottish Government/Health Protection Scotland. This will be circulated to the CAFS GG once the comms people have commented. The Communications sub-group will be chaired by Lorna Bryce (Marketing and Communications Manager at SEPA). ST highlighted that there will be input into the Greener Scotland team at SG –good engagement is needed to make links between climate change and air quality messages. CR will provide a 'technical' perspective to link back to CAFS GG, with support from ST as required.

Place-Making

Will seek feedback from NM on potential group members/set up.

The floor was opened for comments.

EH expressed concerns that the Transport sub-group and actions appear to be being delivered separately by Transport Scotland, apart from a potential group set up to look at research.

EH also expressed concerns regarding the interaction between the NMF/NLEF, and timescales for delivery. CAFS is aiming for compliance with EU air quality limits by 2020, but it is difficult to envision how NLEF options will be in place in time to deliver air quality improvements by then. This was echoed by others who struggled to reconcile this ambition with the number of practical things which need to be delivered.

DH highlighted that work is continuing to move forward both at local authority level, and above, even though the frameworks aren't yet finalised. The NLEF will provide a clearer structure to focus on the various options already available (e.g. LEZs), to help LAs implement these. The process and framework will be in place before the end of this year.

Discussion followed on the NMF. There were concerns over how air quality problems localised to city centres would be addressed by the 'national' model, and how local changes (e.g. new Aberdeen peripheral route or Dundee waterfront development) which have potentially huge impacts on traffic by 2020, will be taken into account if the model being developed is using data from 2015. Does this mean the model will be used to predict changes in the future, when the base traffic levels will have already changed drastically? Does this mean the model can be used reliably for major decisions? Concern was also expressed that there was scope for the

	<p>development of the standardised models to delay the delivery of actions, particularly where LAs already carry out local modelling.</p> <p>CG addressed these concerns by clarifying that the NMF is not a national model, but rather a national <u>approach</u>. The regional model data will be updated regularly to take local changes (e.g. a bypass) into account and be fed into planning decisions.</p> <p>On the local model, CG acknowledged that LAs have carried out modelling of city centres, but this has been done very differently across different areas, using different techniques. The NMF proposal is a national approach on city-wide modelling which is more detailed and doesn't just look at individual streets, but also the traffic make-up. Scenario-testing tools are also in development to allow LAs to consider planning processes and how they will impact traffic/air quality.</p> <p>The need for the modelling to be embedded in transport and regional planning to influence regional development around areas with AQMAs was highlighted. Many LAs with AQMAs are impacted by development in surrounding LAs. The national/regional approach to modelling will be useful, as long as it is considered in areas where the development is actually taking place in order to help resolve these trans-boundary issues.</p> <p>ST highlighted that Transport Scotland, in conjunction with LAs, have pushed forward the NTDS (National Transport Data System) which provides a central repository for traffic data. The NTDS will be available to all LAs, rather than data being stored in different formats and in multiple different places with access issues, which will allow better, more consistent modelling at LA level. CG stated that the Scottish Air Quality Database Development Project (SAQDDP) is also ongoing.</p> <p>JC highlighted that overseeing all evidence gathering/research commissioning strands to ensure the multiple benefits are captured is a crucial role for this group. ST stated that some form of CAFS manager has been discussed to act as that linchpin– this work requires a programme manager.</p>	
5.	<p><u>Local Authority Membership/Engagement</u></p> <p>This was considered to have been discussed under item 3 (discussion on ToR).</p>	
6.	<p><u>National Modelling Framework (NMF) update</u></p> <p>Comments on this work were provided, in addition to the sub-group discussion recorded above. CG stated that Aberdeen has been used to set out the process for the 'local' model; Glasgow is to be done next. Additional work with Glasgow University to look at model validation has now gone out</p>	

	<p>for peer review – to be finished by April. Discussions with SPT on the regional model for Glasgow are taking place. The ‘Dutch method’ has also been fitted to some of the modelling outputs for the regional model. Work on the action in CAFS to develop a national air quality indicator (CAFS action C1) has begun.</p>	
7.	<p><u>National Low Emissions Framework (NLEF) update</u></p> <p>Comments on this work were provided, in addition to the sub-group discussion recorded above. DH stated that the QCumber research is ongoing, with a focus on Glasgow. The bid for funding has gone well. This project will be feeding into the NMF and therefore the NLEF. A meeting is scheduled for 15 March 2016 for discussions with transport modellers and CG.</p>	
8.	<p><u>NMF/NLEF links with LAQM</u></p> <p>A diagram is being produced to illustrate how the NMF/NLEF links into LAQM. However discussions between SEPA/Transport Scotland are required out-with this meeting to tighten up the diagram before presenting it to the group. This may be issued as a working suggestion between now and the next meeting.</p> <p>ST asked AT to clarify progress on the work to revise the LAQM Policy Guidance (PG16). AT stated that work is more or less complete on both the policy and technical guidance, with both due to be published at the end of March. Currently these mention CAFS, but there is not yet sufficient detail on the NMF and NLEF to mention these frameworks specifically within the guidance. DH requested Transport Scotland be given an opportunity to include a sentence on the NMF/NLEF, which AT agreed should be possible. These will be online documents, so further revisions can be made to embed the frameworks in the guidance (which LAs have to have regard to) once they are further developed.</p> <p>IW stated that currently each LA is going through their local development plans. IW has sent colleagues CAFS, and is pulling together comments on Dundee’s LDP, which includes the need for CAFS to be embedded in the local development plan process (CAFS action P2).</p> <p>Discussion followed on the need for the NMF/NLEF to be taken into account in planning policy/guidance/legislation. Ideally we would follow the Netherlands approach where this was embedded in statute.</p> <p>It was suggested that this group could feed into the ongoing national planning review to ensure that Scottish Planning Policy (SPP)/Planning Advice Note (PAN51) get revised to tackle the issues around planning and air quality that LAQM perhaps isn’t able to deal with. Some uncertainty as to what extent the planning review will revise these elements. Perhaps this group could express a position on this to the planning review? NM would be better placed to know how best to engage.</p> <p>Action 5: EP to ask NM for a view on above , when the review is due to be</p>	EP

	<p>completed, and whether to go direct to SG Planning to provide input, either via the RTPI or the CAFS GG.</p>	
9.	<p><u>Delivery Planning</u></p> <p>This discussion was tabled until the April meeting, which can focus on project planning with presentations from the group chairs on the tasks required to deliver their group's actions.</p> <p>The need to ensure this group oversees the joining up of each piece of work and delivering on time was highlighted. Support was expressed for a potential CAFS project manager who can sit back from the Governance Group and oversee progress, risks, interdependencies etc. Discussion on funding for this position followed - funding not yet identified, but work is ongoing on this.</p>	
10.	<p><u>Previous Minutes</u></p> <p>Previous minutes were reviewed. All actions complete apart from:</p> <p>Action: DH and VM to discuss plan for how the April NLEF pre-appraisal meeting could function – ongoing.</p> <p>Action: ST to produce NLEF consultant brief by end of Jan 2016 – ongoing.</p> <p>Discussion followed on this action. ST clarified that there are two elements to these briefs:</p> <ol style="list-style-type: none"> 1) A smaller brief for ministers with costs of different systems for LEZ enforcement, to get a steer on what they're prepared to fund from a 'menu' of options (e.g. high-cost ANPR based enforcement, lower-cost sticker option, or something in between). This is based on recommendations from Defra, should help ensure consistency in enforcement across Scotland, and is required before any guidance for LAs on the NLEF process can be developed. 2) A consultant brief for the production of technical guidance for LAs on each part of the NLEF appraisal process. ST highlighted that the consultant will be unlikely to produce a 'finished product' – but something that will require final review/polish before passing over to LAs. However an indication from ministers on whether we will be using high cost ANPR systems or low cost sticker system is considered to be required – this needs to be agreed at this group before going to the consultant. <p>Discussion on these briefs followed. The upcoming election/purdah is likely to delay progress. It was stated that studies have already been carried out by LAs and others on the cost/benefits of 'types' of LEZs. If we go to ministers, we need to know what we want LEZs to achieve. Evidence shows that lower cost options aren't going to achieve reductions in NO2, and ministers are always likely to go for the cheaper option.</p>	

The need to ensure LAs are involved in developing the guidance was stated, as were concerns about the timescales to develop this. 6 months was considered to be 'fast paced' to get the guidance developed - more likely to take a year. DH highlighted however that production of the guidance will not then be followed by development of the framework; but rather there will be continuous development of both the NLEF (work packages being developed and fed back to the group, pre-appraisal meetings feeding into consultants etc.), AND the guidance simultaneously, with continuous LA input.

It was queried how we will we work with the consultants producing the guidance, while also developing the framework itself, to ensure consultants are not working in isolation. The suggestion was made that the consultants should be invited to meetings of this group, and reassurance that this group will have input into the production of the second brief above was provided.

Discussion followed around whether it is wise to go to ministers at this stage; even though we are not yet sure of what level of LEZ enforcement may be required, or even if LEZs are required at all? ST thought engaging ministers was necessary; otherwise it may result in the consultants producing guidance which may not be signed off by ministers down the line.

The need for political will was highlighted. Is flagging this issue to ministers when we don't yet have sufficient evidence wise? We already have ministerial agreement that LEZs are a potential option, so why not wait the evidence is in place to discuss further with them? It was highlighted that enforcement costs will depend on whether members of the public (e.g. all diesel cars) will be included in an LEZ – this is a huge decision which we cannot expect ministers to make until the NLEF process has been carried out to define the scope of the problem. AT agreed that there is little point in going to ministers in more detail until the evidence base is in place.

It was however agreed that ministers may need to be warmed up (e.g. via briefing papers on potential costs and impacts) to avoid them saying no at the last minute. It is important for ministers to know that this group will provide sensible advice at appropriate times; we need to choose the right time when sensible arguments based on evidence can be made.

ST agreed the need to delay going to ministers, and highlighted that purdah begins on 24 March, with no guarantee the same ministers will still be there after the election; therefore no point spending time/effort on warming up ministers now. Post-election we will have to brief potential new ministers on CAFS, which could provide an opportunity to warm them up via a series of ministerial briefing notes over the next few months e.g. an introduction to CAFS, followed by an introduction to NLEF, then asking for a steer on enforcement options.

It was suggested since a ministerial view was not being sought, that the consultant briefs for the development of the guidance could include a suite of options to cover the various enforcement and LEZ options e.g. HGVs with

	<p>stickers, diesel cars with ANPR etc. which the consultant would then price and provide guidance on.</p> <p>It was instead advised that we look at work that has previously been carried out by various local authorities on this. There was agreement round the table: if the point of paying the consultant to price the various LEZ options before knowing whether these will achieve reductions to NO2 is only to warm up ministers, we can do this ourselves using existing work rather than making it a separate work-stream for the consultants.</p> <p>There was seen to be little point in carrying out cost/benefit analysis of options when we don't yet know what options are appropriate – we should wait until we know what we want to cost before costing it. It was also suggested that costing out options now may skew the NLEF process, as people will always hold costs in their mind when making decisions on which measures to implement. Costs also depend on how many cities will have to implement the measures, size etc. – too many variables.</p> <p>However it was agreed that we still need to provide a sufficient evidence base to warm ministers up to fact that they will have to make a decision at some point – perhaps a paper using donor material from the various LA LEZ studies, and from TfL/England with evidence of costs of enforcement.</p>	
11.	<p><u>AOB</u></p> <p>VM stated that the recurring comment is made at these meetings that 'previous work done on air quality hasn't succeeded'. VM highlighted that this is often due to a lack of awareness of improvements, and the perception of a lack of action; in Glasgow air quality has improved over the last 5 years. He highlighted the need for positive messaging, that the picture is generally improving.</p> <p>EP requested clarification on any potential role of Sniffer, funding available etc. in order to engage them appropriately and allow them to resource plan.</p> <p>Action 6: MM to provide clarity on Sniffer's role/funding – likely to require further discussion.</p> <p>EH re-stated her role on this group is to represent SE Link, but acknowledged that her role within Friends of the Earth Scotland (FoES) is a different one. She hopes going forward we can continue to work constructively. In her capacity of FoES air quality campaigner she expressed some concerns regarding the ongoing Supreme Court NO2 compliance case, but hopes this doesn't preclude working together well on this group.</p> <p>JC suggested that we should all declare conflicts of interests at next meeting e.g. JC is on board of James Hutton Institute.</p>	MM
12.	Thanks and Close	