



Workshop on the Review of Local Air Quality Management in Scotland

Summary of event and associated feedback

September 2013

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Environmental Protection Scotland

Environmental Protection Scotland (EPS) works with policy makers, local authorities, industry, academia, law professionals and environmental professionals to inform debate, influence policy and promote knowledge and solutions to achieve a cleaner, quieter, healthier, sustainable Scotland. We are active and influential in the fields of air quality, land quality, noise and are at the fore of emerging environmental issues. We will work to deliver those topics as a means to protect and improve public health, tackle climate change and address sustainable development.

1. Introduction

Environmental Protection Scotland, in conjunction with the Scottish Government, held a workshop event at Victoria Quay attended by 43 delegates representing 26 of the 32 Scottish Local Authorities, the Scottish Environment Protection Agency, Health Protection Scotland, Transport Scotland, consultancies and legal representatives. Delegates were split into five groups for the workshop discussions; the groups contained 6 or 7 delegates and were led by a facilitator and scribe from EPS' Air Quality Expert Advisory Group. Within each group there was an equal split between Local Authorities which have declared an AQMA and those which haven't. The workshop sessions focused on the consultation questions with discussion on each question and where appropriate a yes / no / no response vote was held.

All comments were collated and are summarised in this report to the Scottish Government for their consideration and publication. The content of this document reflects the comments and general discussion of the delegates; comments are not assigned to a particular attendee and are not necessarily the views of EPS.

Environmental Protection Scotland would like to thank Andrew Taylor and the Scottish Government for allowing EPS to contribute to the discussions and we look forward to the outcomes of the consultation in due course.

2. Consultation Responses

2.1. General comments

A number of delegates thought that the LAQM system is 'fire-fighting', has failed and should be revamped. However, there was also widespread agreement that the LAQM system focuses minds on local air quality and human health. Delegates voted unanimously to retain AQMA's as these increase awareness of air pollution issues amongst the public and elected members, whilst also underpinning a number of associated strategies within local and other authorities.

The issues of funding, resources and communication were central to many responses, with further information deemed to be required before any clear decisions could be made.

2.1.1. Funding and resources

Merging the LAQM and EU systems places a strain on Local Authorities if they are to impose Limit Values on an entire area rather than the more local approach of the LAQM system and declaring an AQMA.

Delegates stated that monitoring of PM_{2.5} should be increased with delegates outlining that it would require central government funding for equipment and staff. It was also recommended by numerous individuals that the Scottish and UK Government should consider actions to encourage the uptake of electric vehicles and associated infrastructure. This could be achieved through financial incentives, working with car manufacturers to reduce costs, policy changes or a combination of all three.

2.1.2. Communication

In some of the working groups it was outlined that communication between internal Council departments (e.g. planning, transportation, senior management and Elected Members) contributed to some of the difficulties that some local authorities experience when trying to adopt a joined up approach to tackling poor air quality. A number of delegates felt that similar problems exist between some Local Authorities and external organisations such as Transport Scotland, bus operators and local health boards.

2.1.3. Further Information

More information is needed on PM_{2.5} concentrations and the sources of PM_{2.5} emissions to inform decisions relating to controlling sources of PM_{2.5} at a local level.

2.2. Consultation questions

Question 1a: Do you agree that these are the key issues which any changes to LAQM should take account of?

Yes. The delegates felt that the key issues of LAQM and EU reporting, streamlining the requirements under both systems, the review of EU legislation and public health should be taken into account.

Delegates commented that the differences between the LAQM and EU legislation will not be easily overcome, particularly as the LAQM system looks at relevant exposure whilst the EU looks at public access. Central government needs to explain clearly the links and differences between local and national data gathering and how these two systems could be integrated or more closely aligned.

In general, the working groups suggested that the relevant exposure aspects of the LAQM system are important in keeping the focus on human health but that local Health Boards and Health Protection Scotland may not be fully aware of the system. It was recommended that useful communication between departments and organisations, in relation to air quality, should be increased to fully address potential problems and increase public awareness.

It was generally agreed by delegates that there is some scope for the LAQM system to be streamlined; however it was recognised that retaining annual reporting of Local Authority progress and action plan updates maintains continuity. It also keeps communication open between the Scottish Government and Local Authorities. If these reports are suitably set out, then they will be able to feed into, and aid, UK Government reporting to the European Commission.

Question 1b: Are there any other key issues which the Scottish Government should consider as part of the review?

- Engagement between planners and transport agencies such as Transport Scotland, SPT and bus companies. The trunk road network is thought to be the primary problem but numerous delegates indicated that Transport Scotland is not held responsible for the problem. It was considered important that in situations where the trunk roads are making a significant contribution to local air pollution problems, Transport Scotland along with transport operators (e.g. SPT), bus companies and the Traffic Commissioner should be included in the discussions regarding potential solutions.
- Relationships between industrial regulations and the LAQM system.
- The LAQM reviews carried out by DEFRA and the other Devolved Administrations. Will there be a UK-wide approach?
- Mitigation.
- Monitoring equipment: possible differences in monitoring data outputs; issuing further technical guidance in this area regarding equipment standardisation and the use of air quality equipment may be required.
- Monitoring sites: The number of national monitoring sites is quite small and that this affects the quality of local and national data.
- Training.

Question 2: Do you think the regulations covering LAQM and EU legislation should be merged?

Please provide reasons for or against this approach.

No. However, delegates felt that to consider this question more fully, it would be beneficial if the Scottish Government were to issue more information on how the two systems could be further integrated, as well as what the merging of the two systems could potentially entail and imply.

Merging the systems would cause difficulties in addressing the different requirements of 'relevant exposure' and 'public access' and where monitoring equipment is sited. The LAQM system allows for a more targeted approach to local air quality and health impacts, merging the legislation may weaken the existing system. Several delegates suggested that a merger could reduce the focus on local air quality and public health issues given that health boards focus on local morbidity and mortality.

There were some comments regarding the more stringent Scottish PM₁₀ LAQM annual mean objective, with a number of delegates indicating that they believed that the 18µg/m³ objective is overly strict and that increasing this to 20µg/m³ (in line with the World Health Organisation's guideline value) would allow a number of AQMAs to be revoked. Delegates agreed that keeping the LAQM objective lower than the Limit Value helps focus minds on human health. In addition, it was considered that if the EU were to decrease the 40µg/m³ limit value in the future, that Scottish Local Authorities are in a better position to deal with this and the objectives set for PM_{2.5} than other countries.

Question 3: Do you think we should retain the LAQM objectives for 1,3-butadiene, SO₂ (15 minute), carbon monoxide and lead? Please state your reasons for or against including potential implications.

Yes. The consensus view was that there is little extra Local Authority burden by retaining these objectives and this also allows for historical data to be compiled in the event that one of the pollutants becomes a problem in the future. Local circumstances dictate the stance on particular pollutants and whilst there are no concerns with these pollutants (other than SO₂ in certain areas); there is a case that these pollutants are retained and only monitored if there is a potential source.

If these objectives are removed it is possible the public may feel that the Scottish Government and Local Authorities are not taking human health as seriously as they should.

Question 4: What do you think are the basic air quality information requirements for local authorities and central government to meet their obligations under LAQM and EU legislation?

Many of the delegates stated that they felt that this question is unclear and that they were unsure what this question is actually asking. Most responses centred on monitoring and modelling:

- LAQM requires maintaining local monitoring networks and suitable tools to assist authorities,
- EU requires national modelling plus AURN data and appropriate Local Authority sites for verification,
- Costs of maintaining monitoring equipment can be expensive whilst cheaper equipment doesn't work as required,
- Some delegates considered that paying consultancies to do modelling is not a good use of Local Authority resources,
- Short term modelling is important e.g. planning applications,
- Does monitoring of one site give sufficient data or should more sites be used?

Other responses include:

- Any changes since previous annual air quality reports,
- Any exceedances of air quality objectives,
- PM_{2.5} should be expanded,
- Traffic and Meteorology data.

The introduction of templates for LAQM Progress and Updating and Screening Assessments has facilitated data gathering at a local level, however difficulties remain in obtaining data from internal departments within the timescales required by the LAQM programme. There should be more emphasis on health and links to poor air quality; at present public health data is not available.

Question 5: Do you agree there is a case for streamlining reporting, altering frequency of the reporting cycle etc.? If so, how should this be done?

Yes there is a case for streamlining the reporting process, however the reporting frequency should not be altered.

Reporting air quality issues keeps a local focus on the work being undertaken by Local Authorities and retaining annual reports allows for continued communication with the Scottish Government. The type of report however needs to be reviewed. Some of the delegates recommended that

Further Assessments were of limited value and that the source apportionment data that is prepared in the further assessment documents could be undertaken as part of the Action Plan or alternatively, could be undertaken as part of the Detailed Assessment and used to inform the Air Quality Action Plan.

Whilst the delegates appreciated that one size does not fit all, it was generally agreed that a single annual report, which would combine annual progress and assessment reports, should be submitted to the Scottish Government each year. It was also suggested that moving the submission date for such reports to May or June would reduce unnecessary pressure on local authorities to prepare reports during April.

Question 6: Can Scottish and UK data help to reduce the level of assessment required by local authorities and would this be appropriate?

It was felt that there is no clear yes / no answer to this question. Whilst Scottish and UK data can feed into each other this is better achieved at local level and the current informal arrangement for using national data is maintained; using UK data can be helpful but it may not be suitable for local cases.

Differences between the predictive modelling data and the actual monitored data have highlighted difficulties in assessing potential areas of exceedance. It is also noted that if Local Authorities reduce air quality expenditure then the money is likely to go to other departments and areas. An understanding of traffic flow and data may be useful, e.g. monitoring and number plate data.

Question 7: How can work undertaken by local authorities be used more effectively to support UK Government reporting to the European Commission?

This should be done but how this can be achieved was not known.

Data is publically available and should be used, however at present there are two sets of data from differing perspectives (relevant exposure and public access). Information on how these two data sets would be combined needs to be provided, and how quantitative local data would need to be used for national reporting. It would also be beneficial for Local Authorities to receive guidance / direction from the Scottish Government as to what information is required. There should be more consultation with the Scottish Government and the EU regarding siting of equipment, this would allow for a combined data set that can be used at local and national level.

Question 8: Do you agree we should retain AQMAs?

Yes. AQMA raises awareness as an issue with Elected Members and the public and have allowed for:

- Greater inter-departmental and inter-organisational working,
- The development of local planning criteria,
- The development of policy,
- Access to funding,
- Preventing local issues from getting worse.

The process could be streamlined, with possible differentiating between the extent of exceedance but it was considered that any streamlining should make the process quicker and better rather than just cheaper.

Question 9: Do you agree there needs to be more focus on action planning and delivery? Do you have any suggestions on how to improve delivery? What have been the main barriers to effective delivery to date?

Yes, it was generally agreed that there needs to be more focus on action planning and delivery, but not at the risk of missing emerging problems. Barriers and suggestions were divided into four main categories and are presented in Table 1 on page 9.

Question 10: Do you agree that local authorities should be provided with more detailed advice and guidance on what action they can take to make their action plans more effective?

Yes. Guidance may not be the correct term, instead a collection of case studies and examples of best practice would be more welcome. This could be paper / hard copies however the preferred option would be to include these on an online forum or website. The document should be suitable for use by other stakeholders such as health boards, planners, transportation colleagues. Suggestions to be included within the guidance are:

- Links to the case studies,
- Mitigation,
- Assistance in developing Action Plans,
- Emissions factors and EURO standard performance (outwith Local Authority control),
- A pro-forma template,
- Benefit of measures, simple toolkits and spreadsheets to quantify and demonstrate potential reductions,
- National framework for large measures such as LEZs.

To strengthen future Action Plans it would be useful to have more feedback and constructive criticism on submitted Plans. Similarly the Helpdesk should provide more feedback.

Table 1: Question 9 – barriers and suggestions

| Barrier | Suggestion |
|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Political</u> | |
| Organisational / political buy in | Air quality is built into Corporate Values; senior managers must attend meetings / working groups |
| Lack of political support and political priorities | |
| Wider ownership and responsibility within LA | |
| Internal timescales – getting reports to Committees can be a problem | |
| Single Outcome Agreement | Compulsory performance indicators. |
| <u>Communication</u> | |
| Lack of regional working / co-operation | Increase communication with transport planners and colleagues; |
| Poor internal links | |
| Planners not involved | Make more use of planning controls |
| Lack of involvement with external organisations | Involve others – health boards, Transport Scotland, SEPA, bus operators, SPT Supplementary planning guidance |
| <u>Resource / Budgets</u> | |
| Other department’s budgets. EHOs cannot tell other departments how to spend their money. | Must come from top down; Senior managers must attend meetings / working groups Need for political, public and commercial support for implementing measures which are not cheap; Need more than political rhetoric. |
| Opposition within other departments | |
| Planning and economic development can be higher priority and conflicts | |
| There is no will or finding to implement expensive action plan measures (e.g. road infrastructure improvements) | |
| <u>Other</u> | |
| Profile of air quality is poor | Have an air quality ‘champion’ who is interested in the subject to raise awareness; Public awareness and links between air quality and actions |
| Apathy – “we can’t do anything” | |
| Action Plan measures are generic (e.g. raise awareness) and may not be suitable for ‘hot spots’ | More legislation / guidance but this must remain flexible |
| Too much time doing annual reports | |
| Environmental Health have no control on emissions / outwith the control of action plans | |

Question 11: Do you agree that relevant information from local authority action plans should be included in central government reports to the EU?

The majority of delegates felt that relevant information should be included and that the work undertaken by Local Authorities is highlighted and fed forward. It is important that central Government engages accurately with local AQMAs but it is unclear how local action plans are relevant to EU reporting particularly as the two regimes are different in many aspects.

Information from Action Plans is already fed into EU reports, e.g. when applying for time extensions and it is feared that further reporting could add extra pressure on Local Authorities to implement measures.

Question 12: Do you agree that a more emissions based focus on action planning would help to improve outcomes?

There was no clear consensus in response to this question.

Emissions are only part of the picture and focusing on emissions does not take into account other factors such as topography, weather, chemistry etc.; assumptions would have to be made which could be misleading. Also problems vary locally, e.g. proportion of older cars, driving habits and congestion. An emissions focus could play a role but only if it is used with other tools, i.e. dispersion models to inform the action plan and data to monitor. Guidance would have to be published on this.

Monitoring of emissions is costly, with concerns about quantification. Modelling was seen as complex and expensive with the complication of calculating emissions. Low emission strategies are perceived as not popular with planners and that an emission based approach is only aimed at, and appropriate for, LEZs.

Question 13: What role do you see for local authorities in meeting PM_{2.5} objectives?

A required 15% reduction in Scottish PM_{2.5} levels will be challenging. Currently it is unclear as to what the sources are and how much Local Authorities can realistically control. If PM_{2.5} was brought under Local Authority control then it is possible that they may be held responsible for emissions outwith their boundaries. There needs to be an increase in funding so that Local Authorities have the appropriate resources to meet the objectives.

With only five PM_{2.5} monitoring sites throughout Scotland, further information on the background level is required. There is also a need to increase the number of real time monitoring sites. Further research regarding PM_{2.5} emissions from road traffic is required and would be beneficial. Further to

this, the Clean Air Act needs to be fit for purpose with an improved effectiveness in regulation domestic biomass emissions.

Question 14: Are there specific measures that authorities could take to reduce PM_{2.5} that differ from those already being undertaken for PM₁₀?

See Question 13 above. This was difficult to answer without further information. One group felt that PM_{2.5} should not be treated differently to PM₁₀ and that actions to meet the PM₁₀ and PM_{2.5} objectives should be combined. Other suggestions include:

- Introduce more PM_{2.5} monitors but only if additional funding is available,
- Give Local Authorities clear powers to control sources through the planning / building standards system to control biomass air quality impacts,
- Treat PM_{2.5} as a Statutory Nuisance,
- Electric vehicles and an increase in the number of charging points. This needs to be led by Scottish / UK Government funding initiatives and policy in conjunction with car manufacturers; electric vehicles are currently too expensive at present for the public to buy in the number needed to make a difference to air quality,
- Combine approach with local health boards.

Question 15: What approaches and strategies are currently being used to communicate the health impacts of poor air quality? How can these be built upon and improved to strengthen the message?

A number of strategies were mentioned:

- Air Quality in Scotland website,
- Know & Respond alert system,
- Fife Council: Try It campaign,
- Dundee Council: increased public awareness,
- Glasgow City Council: Emissions testing and Fixed Penalty Fine.

Although delegates felt that these websites and strategies are very good, in practice the impact of invisible air pollution is a difficult message to increase awareness of, e.g. road safety is more 'visible' and hence more 'important' than air quality. In particular it would be helpful if Elected Members received training to encourage support and cross party collaboration. At school level and the Curriculum for Excellence, children are taught the importance of bike safety, therefore adding an

awareness of air quality to the bicycle proficiency scheme would work. This has the added benefit of the 'nag factor' with children telling their parents.

There needs to be a balance between the strength and simplicity of the message and the need for local detail. It is important that drivers understand the message that air quality is everyone's concern without feeling they are being lectured. Awareness needs to be memorable. Other suggestions include:

- Add air quality to the weather forecasts similar to the pollen count,
- Use social media for good and bad,
- Include air quality and eco-driving on the driving test,
- Communicate issues regarding the impacts of diesel engines on local air quality; and,
- Target bus companies whose buses sit with engines idling.

Question 16: What role should the Scottish Government be playing in promoting the links between air pollution and public health?

By running national public media and school educational campaigns, the Scottish Government need to lead from the front with strong, loud leadership and with support from health professionals.

It is also important that there are links to policy areas to encourage people to take actions to improve air quality rather than only the links between action plans and public health.

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|-----------------------------|----------------------------------------|
| Aberdeen City Council | Aberdeenshire Council |
| Angus Council | Argyll and Bute Council |
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| East Dunbartonshire Council | East Lothian Council |
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| Scottish Borders Council | Scottish Environment Protection Agency |
| South Ayrshire Council | South Lanarkshire Council |
| Stirling Council | Transport Scotland |
| West Dunbartonshire Council | West Lothian Council |

Scottish Air Quality Expert Advisory Group

The goal of the **Expert Advisory Groups** is to promote integrates policies and practices that protect the quality of Scotland environment and resources, the **Air Quality Group** aims to reduce the negative effects of air pollution and greenhouses gases on human health and the environment.

The Expert Advisory Groups will be **PROACTIVE**:

- **Promote** a better understanding of the intra-disciplinary relationships between experts involved in managing Scotland’s environment.
- **Report** regularly on policy developments, initiatives, new developments and opportunities for project collaborations.
- **Organise** (seminar / workshop / conference / training) events for developing, sharing, educating and promoting current best practice.
- **Act** on members’ needs and provide a collective voice in responding constructively to policy consultations.
- **Co-ordinate** and develop Scottish information material for use by professionals to communicate with businesses and members of the public.
- **Traverse** communication barriers by dropping the jargon and promoting a common dialogue.
- **Initiate** networking opportunities for experts to exchange knowledge, experience and data within and between organisations and professions.
- **Validate** technical guidance and methodologies for application in Scotland.
- **Establish** a bank of expertise accessible to decision / policy makers in the Scottish Government.

Its members are:

Dr Stuart Sneddon, Ricardo-AEA (Chair)

Graham Applegate, SEPA

Kenny Bissett, Fife Council

Dom Callaghan, Glasgow City Council

Dr David Connolly, MVA Consultancy

James Crawshaw, Glasgow City Council

Jonathan Flitney, Falkirk Council

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