

**MINUTE OF THE SCRUTINY COMMISSION DISCUSSION ON THE AIR
QUALITY AND HEALTH ACTION PLAN
2 SEPTEMBER 2020**

The Scrutiny Commission considered a report at its meeting on 2 September 2020 and the following points were raised:

- a. The priorities identified in the Joint Strategic Needs Assessment agreed by the Health and Wellbeing Board in May 2019 formed the basis of the actions now set out in the Action Plan. Members welcomed the Plan and recognised that both nationally and locally air pollution was the biggest environmental hazard in terms of mortality impacts.
- b. Members noted that the County Council had responsibility to deliver the Action Plan and sought to work with and influence partners including district councils as the local planning authority, to secure the outcomes identified within this. However, it was district councils that had responsibility to monitor and manage air quality and they had to balance this against the need to deliver increased housing numbers set by central government. Members raised concerns that no single body had oversight or control of the issue and that this hindered the ability for real action to be taken. A member suggested that an explanation of these conflicting issues and how disjointed the current set up was would be helpful to enable the public to understand the difficulties local authorities faced in addressing this issue.
- c. Members considered that air quality needed to be prioritised as part of the local plan process so that mitigation measures could be identified early. Growth was necessary to boost the local economy and provide housing. However, this often came at the cost of air quality and other environmental considerations. Partnership working would be critical. However, concern was raised that action by consent might no longer suffice and would not deliver the outcomes required quickly enough. Members suggested that the Plan could be strengthened in this area. It was also suggested that the County Council might need to be more direct and clearer about actions required to address air quality and should challenge district council local plans on this basis.
- d. It was noted that unlike on highway matters, the County Council was not a statutory consultee when it came to air quality. Whilst it had the ability to undertake modelling and the expertise to provide advice and support on this issue it was up to individual district councils to take up that offer. When provided it was also up to district councils what weight to apply to that data.
- e. Members agreed that air quality needed to be brought to the top of the agenda and district councils and developers brought on board. However, it was recognised that without support from central

government, it would be difficult for local planning authorities to give this the weight needed when deciding planning applications. Refusal of an application based on the adverse air quality impacts a development would likely be overturned on appeal based on current planning legislation.

- f. Members felt more monitoring is needed to be undertaken to give a true picture of the extent to which air quality was a problem across the County and to identify those key areas requiring action. Improved data would also support future decisions around where developments could and could not take place as part of the local plan process, or if planning applications were to be refused on the grounds of air quality impacts. Members commented, however, that district councils did not have enough resources to do this and would require further support to take this forward.
- g. Members welcomed work by the Strategic Planning Group to produce a health planning guide and hoped that this would help developers understand what was expected in respect of air quality measures as part of a development. However, it was not clear how this would address existing problems arising from existing or current developments.
- h. It was suggested that the data now presented for each district should be shared and publicised to drive the need for change.
- i. Concern was expressed that there was currently no member involvement in the development of the Plan or its delivery. The Director agreed and undertook to revisit the governance structure to ensure political oversight was properly reflected in the Plan.
- j. A member suggested that it would be helpful to understand what work was being done in surrounding areas including the City Council, which would likely impact the air quality position in some boundary areas, particularly those like Oadby and Wigston which had much higher levels of pollution than other parts of the County.