

MINUTES of a meeting of the COMMUNITY SCRUTINY COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 20 NOVEMBER 2019

Present: Councillor D Harrison (Chairman)

Councillors K Merrie MBE, C C Benfield, A J Bridgen, T Eynon, J Geary, B Harrison-Rushton, G Hault and D E J Tebbutt

In Attendance: Councillors S Sheahan

Portfolio Holders: Councillors A C Woodman

Officers: Mr J Arnold, Mrs R Wallace, Mr M Fiander, Mrs W May, Mr P Sanders, Mrs M Scott and Ms C Proudfoot

#### **17. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **18. DECLARATION OF INTERESTS**

Councillor T Eynon declared a non-pecuniary interest in item 5 – 2019 Air Quality Annual Status as a Leicestershire County Councillor.

Councillor D Harrison declared a non-pecuniary interest in item 5 – 2019 Air Quality Annual Status as an associate of Mr W Moore, who was addressing the committee.

#### **19. PUBLIC QUESTION AND ANSWER SESSION**

None.

#### **20. MINUTES**

Consideration was given to the minutes of the meeting held on 23 October 2019.

It was moved by Councillor J Geary, seconded by Councillor D Tebbutt and

RESOLVED THAT:

The minutes of the meeting held on 23 October 2019 be approved and signed by the Chairman as a correct record.

#### **21. 2019 AIR QUALITY ANNUAL STATUS**

Due to the nature of the item, the Chairman reminded Members of the decision making process and that any comments made by the committee would be considered by Cabinet at its meeting in December. He then gave an overview of the format in which the item would be considered and stressed that there was to be no discussion on any related planning matter.

Mr W Moore, a local resident who had some experience in the measurement of air quality, was invited by the Chairman to address the Committee and gave a presentation.

In response to a question from Councillor T Eynon, Mr W Moore reported that the diffusion tubes that were placed around the district only measured NO<sub>x</sub> in the air; other

Chairman's initials

particulate levels were measured by the use of models. He stressed the importance and need for taking scientific measurements for all particulates. Councillor T Eynon expressed concerns that some of the data shown by Mr W Moore indicated that the air quality in some parts of the district was worse than London.

Councillor K Merrie did not believe the example given of particulate levels in an enclosed HGV garage was appropriate, as this would be covered under health and safety legislation due to it being a workplace. He would like to have seen data in relation to outdoor areas, which would be more relevant. He also raised concerns regarding the mortality figures, as the total figures were incorrect.

In response to a question from Councillor C Benfield, Mr W Moore stated that there were 30 measurement points across the district, predominantly in the north of the district with nothing at all in the South, particularly Ashby. Councillor C Benfield expressed concerns that there was a lot of focus on mortality rates and none on the impacts on general health.

Councillor J Geary was disappointed that air quality was not being measured throughout the whole district. He particularly liked the DEFRA website demonstrated by Mr W Moore where you could see the air quality hotspots and asked for the link to be shared with Members. Councillor T Eynon also asked for the link the County Council reports to be circulated.

Councillor A Bridgen commented that as Mr W Moore indicated that North West Leicestershire was the worst performing district in Leicestershire, more consultation should be had with neighbouring authorities to learn what they had in place in relation to air quality.

With the permission of the Chairman, Councillor S Sheahan who was observing the meeting addressed the Committee. He pointed out that that the Cabinet report attached for information stated that the district had the second lowest particulate related deaths in Leicestershire, however Mr W Moore's presentation indicated differently. He asked for clarification. The Chairman reported that mortality rates would be addressed in the presentation from the Leicestershire County Council representative.

Ms J Knight, Public Health Team at Leicestershire County Council gave a presentation to the Committee in relation to a recent study conducted on air quality in Leicestershire. She questioned the accuracy of the mortality data provided by Mr W Moore and drew members attention to the correct data included at slide 12 of the presentation.

In response to a question from Councillor C Benfield, Ms J Knight explained that the exceedance levels referred to in the presentation did not include PM2.5 as it was based on a model rather than actual measurements. In response to a further question, Ms Knight reported that there was some emerging evidence regarding the link between levels of PM2.5 and cognitive function but it was yet to be tested. Councillor C Benfield expressed concerns regarding levels of PM2.5 around school areas due to the link to cognitive function.

Councillor T Eynon raised concerns that the information regarding air quality levels from DEFRA was not being used by officers and that the levels of PM2.5 was not being measured when it was clear it needed to be. Ms J Knight explained that the recent assessment was the first to be undertaken and it was the first time that priorities for the County could be identified. She informed Members that there was a strong network of air quality officers and public health officers across the County who were undertaking excellent work to move things forward. She assured Members that this was only the beginning for this area of work and officers would build on the findings of the assessment.

She confirmed that North West Leicestershire officers were involved in the network and were actively pushing this agenda forward.

At this point Councillor B Harrison-Rushton left the meeting.

In response to a question from Councillor K Merrie, Ms J Knight clarified that in relation to planning applications, she felt health in general needed to be a consideration not the effects of pollutant levels on health.

The Environmental Protection Team Manager and the Street Protection Team Leader gave a presentation to Members.

In response to a question from Councillor T Eynon, The Environmental Protection Team Manager explained that PM2.5 was not currently measured, as there was not a statutory duty to do so. However, monitoring gaps was one of the things being considered collectively with the Public Health Team across the County.

In response to a question from Councillor D Tebbutt, the Environmental Protection Team Manager confirmed that there were action plans in place as that formed part of the statutory duty as a monitoring authority. She added that other authorities were involved in the action plan as well as North West Leicestershire District Council.

In response to a question from Councillor A Bridgen regarding the various timeframes for means testing, and how it was decided, the Environmental Protection Team Manager reported that this was a directive from DEFRA. As it was based on technical calculations, it was agreed for an explanation to be provided to Councillor A Bridgen outside the meeting by the relevant officer.

Councillor J Geary expressed his concerns regarding the health of the public and the consequences should there be a serious incident. The Environmental Protection Team Manager assured Members that there was monitoring equipment in the district and officers were consulted on planning applications, this was to ensure that any emerging problems could be identified.

Councillor S Sheahan referred to the motion that was taken to Council on 27 June 2017 regarding the concerns of air quality and mortality rates in the district. The agreed motion was for officers to engage with Leicestershire County Council and the Director of Public Health to move forward with an Air Quality Action Plan. Councillor S Sheahan questioned what had been done since the motion had been agreed. The Environmental Health Team Manager agreed to provide a full response outside of the meeting.

The Chairman put forward the following recommendations:

Community Scrutiny Committee support the recommendation to cabinet on the air quality annual status report and recommend to cabinet that consideration is given to the need for additional capacity for Air Quality functions of the council including:

- More monitoring to take place in the district;
- More resource to support the Health and Wellbeing Strategy and wider public health issues;
- Additional resource to support the scrutiny of planning applications;
- Further support for carbon neutrality and the Council's commitment to the climate change emergency.

A lengthy discussion ensued in relation to the content of the previous report taken to cabinet, with the overall feeling that some parts were inadequate, as PM2.5 levels were not being measured. In particular, the statement made within the report that there were no new areas exceeding safe levels of particulates, as Members felt it was impossible to say this without physical measurements.

The Environmental Protection Team Manager understood Members concerns regarding the gaps in monitoring but explained that the annual status report was set out in a prescribed format, therefore it could not be changed and the only measurements that were included were those that as a monitoring authority, the council were required to measure.

After further discussion the Environmental Protection Team Manager clarified that, the data within the report was a factual statement for the previous year and therefore reiterated that it could not be changed. However, she offered to include more context within the cabinet report to ease understanding.

Councillor C Benfield requested that the final report to cabinet include a reflective summary in relation to what as an authority we would like to do, what was currently happening and what the aims were for the future, specifically the measurement of PM2.5.

The Environmental Protection Team Manager reiterated that the aim of the report was to fulfil a statutory duty; it was not to form a picture for the future. However, she did believe it would be beneficial to bring a further report to committee identifying the work that was being undertaken in this area, which would include the aspirations for the future. Ms J Knight suggested that Members read the JSNA chapter as referenced in her presentation as this would be a good starting point for discussions.

Members did not feel they could support the recommendation to Cabinet as proposed by the Chairman and therefore amended the wording to 'note the recommendation to cabinet'.

By affirmation of the meeting it was

RESOLVED THAT:

Community Scrutiny Committee note the recommendation to cabinet on the air quality annual status report and recommend to cabinet that consideration is given to the need for additional capacity for Air Quality functions of the council including:

- More monitoring to take place in the district;
- More resource to support the Health and Wellbeing Strategy and wider public health issues;
- Additional resource to support the scrutiny of planning applications;
- Further support for carbon neutrality and the Council's commitment to the climate change emergency.

## **22. NORTH WEST LEICESTERSHIRE TOURISM STRATEGY**

The Cultural Services Team Manager presented the report to Members.

Members were pleased to see the heritage of the district celebrated and felt that the focus on the National Forest was a positive way forward for the future. The need to attract visitors was recognised and the work being undertaken around the lack of accommodation for visitors was welcomed.

Chairman's initials

Officers were thanked for the excellent report and attendance at the meeting.

**23. ITEMS FOR INCLUSION IN THE FUTURE WORK PROGRAMME**

A discussion was had regarding the items for future meetings at the previous meeting. The Strategic Director of Place reported that work was ongoing on developing the work programme and Members would receive more information at the next meeting.

**Councillor B Harrison-Rushton left the meeting at 7.35pm**

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 9.18 pm