

AQS 12 Welsh NHS Confederation

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Bil yr Amgylchedd (Ansawdd Aer a Seinweddau) (Cymru) | The Environment (Air Quality and Soundscapes) (Wales) Bill

Ymateb gan Conffederasiwn GIG Cymru | Evidence from Welsh NHS Confederation



	The Welsh NHS Confederation response to the Climate Change, Environment, and Infrastructure Committee consultation on the Environment (Air Quality and Soundscapes) (Wales) Bill
Contact:	[REDACTED]
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Introduction

1. The Welsh NHS Confederation (WNHSC) welcomes the opportunity to respond to the Climate Change, Environment, and Infrastructure Committee consultation on the Environment (Air Quality and Soundscapes) (Wales) Bill.
2. The WNHSC represents the seven Local Health Boards, three NHS Trusts (Velindre University NHS Trust, Welsh Ambulance Services NHS Trust and Public Health Wales NHS Trust), and two Special Health Authorities (Digital Health and Care Wales and Health Education and Improvement Wales). The twelve organisations make up our Members. We also host NHS Wales Employers.

What are your views on the general principles of the Bill, and is there a need for legislation to deliver the stated policy intention?

3. Our members are broadly supportive of the general principles of the Bill and are clear that reducing air pollution levels is an important public health measure. This is an area of particular urgency and needs to be addressed as one of the wider determinants of health, as harm can be done even at low levels of pollution. These harm the cardio-respiratory system and are linked to health conditions such as heart and lung diseases, stroke and lung cancer.
4. There are also a number of pollutants which can pose a risk to health, which include nitrogen dioxide and other small particulate matter (PM). It is therefore important that holistic action is taken to ensure that initiatives to offset one harm does not result in an increase of another. For example, electric cars may reduce pollutants such as NO₂ but their greater weight increases the PM resulting from tyre and brake wear.
5. Air pollution should also be seen through the lens of inequality, as there is a key link between pollution, deprivation and health, with the 'triple jeopardy' effect at play in which those living in deprived areas are exposed to greater levels of pollution.
6. This legislation should be considered as one action among a suite to tackle the underlying causes of ill health and move to a more prevention-based approach across Wales. Our Health and Wellbeing Alliance briefing, in partnership with the Royal College of Physicians, '[Everything Affects Health](#)', outlined that there must be moves made to "shift the focus from initiatives delivered through the NHS and local authorities to

addressing factors such as poor housing, food quality, community safety, low incomes, fuel poverty, racism and discrimination, poor transport links and air pollution”.

7. So, while this legislation is welcome, it needs to form part of a broader set of cross-governmental measures to reduce the health impacts of inequality and poverty, particularly in light of the cost-of-living crisis and its long-term impacts on population health. In the predecessor report, [‘Mind the Gap: What’s Stopping Change’](#) we have called for a joined-up action plan across government departments to tackle inequality, including measures to address air pollution.

What are your views on the Bill’s provisions, in particular are they workable and will they deliver the stated policy intention?

National air quality targets

8. Targets should be ambitious and understood as an absolute maximum to protect the most disadvantaged from the effects of air pollution. Especially regarding those more vulnerable Welsh communities, who suffer a disproportionate burden of disease. It is therefore important that target setting and implementation is carried out with consideration of these inequalities.
9. Members welcomed the provision of powers to set, review and monitor targets, however they wanted to see a clear path to the quick adoption and implementation of the World Health Organization (WHO) air quality targets.
10. Targets also need to be accompanied by a suite of additional measures to reduce all forms of pollution, particularly in relation to reducing car travel and improving public transport provision across all parts of Wales.

Promoting awareness about air pollution

11. There is a need for better understanding within organisations and amongst the public regarding air pollution and actions which can be taken to reduce it. Therefore, the aims of the Bill would be better supported with greater awareness and promotion.
12. However, promotion must not be undertaken in such a way that would marginalise vulnerable communities by creating an assumption that they are being charged with responsibilities that lie outside their control.
13. Members also noted this approach should be integrated with existing legislation, which may already partly fulfil this requirement. For maximum impact, it was recommended the duty be placed on public bodies which fall under the Well-being of Future Generations (Wales) Act 2015 and Socio-Economic Duty and public authorities in the Environment (Wales) Act 2016.

National air quality strategy

14. Members supported the publication of a Clean Air Plan or Strategy, with reviews placed at five-year intervals. They welcomed the inclusion of health boards and Public Health Wales as statutory consultees in these reviews but recommended that other NHS organisations such as the Welsh Ambulance Services NHS Trust are also included.

15. The Office of the Future Generations Commissioner and Public Services Boards could also be considered as statutory consultees.
16. Also, suitable assurances should be provided to ensure powers to change and/or review the strategy must have approval from various stakeholders, including third sector organisations.

Air quality regulations

17. As above, members are supportive of the proposals relating to air quality regulations, including health boards and Public Health Wales as statutory consultees but, again, suggest the addition of the Future Generations Commissioner, Public Services Boards and other NHS organisations.

Local air quality management

18. Members agreed that local air quality monitoring processes do need reform, including a move away from “hot spot” management because of the limited potential of such an approach to have any significant effect on either air quality or people’s health.
19. Members also supported the proposal to move to local authorities conducting an annual air quality review. However, it would be useful to understand the level of support that will be provided by Welsh Government to individual local authorities to ensure adequate resource is available. Local authorities should look to collaborate with other stakeholder organisations included in the Bill in preparing and delivering action plans and reviews.

Smoke control

20. While there was broad support for the proposed approach to increase compliance with smoke control areas, members did stress that potential implications for inequalities should be considered. This is primarily due to increasing energy costs and the possibility that people may turn to domestic burning as a cheaper source of fuel and that punitive approaches may lead to increased hardship and impact on people’s health and wellbeing due to cold homes.

Vehicle emissions

21. Members are generally supportive of efforts to address vehicle emissions but have concerns over the provisions within the Bill. Members disagreed that any income generated through trunk road charging should be used to fund initiatives unrelated to transport due to the extent to which transport contributes to air pollution levels.
22. There is an inequality element to the measures set out, with some actions potentially exasperating them. Any Clean Air or Low Emission Zones (CAZ/LEZ) could disproportionately affect those from more deprived areas as they are often employed in roles which require travel to a place of work.
23. Members therefore suggest a greater focus on improving public transport and active travel infrastructure so that it is accessible to people who regularly commute. Access to low emission vehicles also poses significant challenges for those on lower incomes due to the current costs of these vehicles and will affect their ability to achieve compliance with CAZs.
24. On vehicle idling, members did welcome this measure but raised some concerns, particularly around ensuring local authorities have sufficient capacity to enforce this adequately. There were also issues raised around the promotion of low emission

vehicles as an anti-idling measure, with the greater weight of electric cars still contributing to PM levels as highlighted previously in paragraph four.

National soundscapes strategy

25. Members welcomed the acknowledgement of the impact of noise on people's health and wellbeing and the plans for a soundscape strategy, including the stipulation for consultation. Again, consultation on the strategy should also include Public Services Boards.

Strategic noise map and noise action plans

26. Members welcomed the options to alter the intervals between strategic noise mapping, but suggested clarity is required on which scenarios these powers will be used.

What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?

27. As previously mentioned, consideration needs to be given to the impact on inequality of some of the measures contained within the Bill, to ensure that any actions to alleviate the effects of air pollution do not exacerbate other areas of inequity.

28. There is a risk of duplication as legislation for air quality sits differently across the national policy agenda, local delivery arrangements and is related to different Acts in transport, housing and environment. Therefore, there is a need for a clear governance, delivery arrangements and identification of roles.

29. Gaining support from stakeholders will help the Bill achieve its aims, so measures already contained such as seeking independent and relevant expertise when setting or reviewing targets, are a necessary step in ensuring that support.

30. The impacts of the Bill on Welsh public sector targets for the delivery of Net Zero by 2030 should be fully outlined as some members questioned whether actions would affect current decarbonisation targets in relation to transport. If so, there would need to be an understanding of any Welsh Government support plans, such as the provision of additional capital funding and infrastructure to support fully electrified fleets.

How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)?

31. Members suggested the powers are appropriate, providing ministers consult with relevant parties.

Are any unintended consequences likely to arise from the Bill?

32. As already highlighted, members are concerned about the impact on existing inequalities of some of the measures.

33. Furthermore, the measures used may not capture the full impact of poor air quality, as in the past there has been emphasis on local air quality management, which creates a focus on hotspots rather than the wider risks that affect health more broadly.

Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum or any related matters?

34. It would be useful to consider the legislative mechanisms which lie outside the control of the Welsh Government and those negotiated at a UK and international level. Members also wished to understand the timescales for the Bill to come into force.

35. The Bill will complement Wales' move to the 20mph speed limit in urban areas from September 2023.

Conclusion

36. Overall, our members welcome this step to address the harmful effects of air and noise pollution on people's health and wellbeing, particularly among the most vulnerable. However, efforts should be made to better understand the impacts on inequalities more broadly and how these might be mitigated.