

AQS38 Natural Resources Wales,

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 Cyfoeth Naturiol Cymru | Evidence from Natural Resources Wales

General principles

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

NRW supports the general principles of The Environment (Air Quality and Soundscapes (Wales)) Bill. We agree that the Bill is only one package of measures to achieve these goals.

What are your views on the Bill's provisions (set out according to sections below), in particular are they workable and will they deliver the stated policy intention?

National air quality targets (sections 1 to 7)

NRW welcomes the provision within the Bill to set new air quality targets and development of a national strategy for soundscapes.

NRW are supportive of the development of air quality targets to support public health improvements and to maintain and enhance our ecosystems and biodiversity. We believe that these measures will provide a legislative framework to require and encourage initiatives to deliver air quality improvements across Wales.

We note the specific intention to set a target for PM2.5 which is welcomed.

We also ask that WG consider setting air quality targets for ammonia, not only to protect our sensitive habitat, but also as ammonia is a key contributor to the formation of secondary particulate formation, a significant contributor to PM2.5 levels across Wales. We support the requirement for a regular review period and believe that this will encourage a continuous improvement approach to air quality in Wales.

We believe that input from the Welsh Government Clean Air Advisory Panel (CAAP) will be key in ensuring that the correct targets and metrics are devised to maximise the improvements that can be achieved.

We would encourage WG Air Quality branch to identify synergies with other new legislation and work in conjunction with new incentives such as the Sustainable Farming Scheme that is due to launch in 2025 to ensure that air quality improvements are optimised. It is critical for a range of

schemes and incentives to work in conjunction with these regulations, to maximise the improvements to air quality in Wales.

Promoting awareness about air pollution (section 8)

NRW believe that promoting awareness of air quality and soundscapes and their importance in relation to environment, health and wellbeing is critical to engaging the public in contributing towards air quality and soundscape improvements in Wales.

NRW considers air quality and soundscape as part of the State of the Natural Resources Report (SoNaRR) and our contribution to the Noise and Soundscape Action Plan (2018 -2023) respectively. These documents will supply robust data to use as the basis of an awareness campaign.

We believe that a Behavioural Insights approach is vital to the success of any communication so that the public and organisations are encouraged to maximise their contribution to air quality improvements

National air quality strategy (sections 9 to 11)

NRW welcomes the proposed approach that each Welsh Government should set out their aims in relation to air quality in the form of a Clean Air Plan / Air Quality strategy in the first half of the Senedd term. It is also positive that it is proposed that the frequency of publication of such documents can be flexible to account for extra-ordinary Senedd elections.

We agree with the intention to mirror the Section 81A duty, which applies to public bodies in England, to require public bodies in Wales to have regard to the Clean Air Plan when carrying out their duties. This will facilitate a more integrated approach to air quality management across Wales.

We acknowledge and support the need to consult the specific public bodies that will be given this additional duty on the development of the Clean Air Plan at the start of each Senedd term.

Air quality regulations (section 12)

We welcome the broadening and setting out in legislation of a requirement to consult with the Local Authorities, Public Health Wales, Local Health Boards and the public on new legislation brought under Part IV of the 1995 Act. We agree that this should lead to more robust legislation.

The broadening of the consultation on the Air Quality Strategy and the review of the National soundscape strategy to a wider range of public bodies is also welcomed and should ensure a greater understanding and contribution from all public bodies in relation to the achievement of the objectives of these strategies.

Local air quality management (sections 13 to 15)

NRW supports the change in approach on local air quality management from being purely target based to become more preventative and focused on achieving the best air quality possible. This change in approach will maximise the improvements in public health.. NRW will continue to work alongside Local Authorities in relation to air quality management providing information and reports on air quality investigations and regulatory activities relating to our regulated sites.

Smoke control (sections 16 to 18)

We recognise that increased powers for Local Authorities on smoke control and controls on use of solid fuels could contribute significantly to reductions in PM2.5 concentrations in urban areas, and as

such would support the achievement of future targets for this pollutant. It is important to note that in the current climate of fuel poverty, introductions of smoke control areas need to be consulted widely and reviewed within Public Service Boards to ensure that controls and mitigation measures are proportionate and vulnerable communities that rely on solid fuel to heat their homes are supported.

Vehicle emissions (sections 19 to 21)

NRW agrees that the proposal will support air quality improvements. In order to maximise the benefits the introduction of Clean Air Zones needs to be supported by an effective public transport infrastructure and active travel options..

We believe that penalty notices and fines should be used to fund further improvements in public transport infrastructure or active travel initiatives.

We would recommend that the locations of Clean Air Zones should be reviewed regularly as pollutant concentrations change.

We suggest that the timeline for introduction of penalty notices should be aligned with improvements to public transport and active travel infrastructure.

National soundscapes strategy (sections 22 and 23)

NRW supports the alignment of the timeline for the Air Quality strategy and the National soundscapes strategy. This enables the synergies between the two strategies to be fully explored giving optimal benefits.

Strategic noise map and noise action plans (sections 24)

NRW are supportive of the introduction for increased flexibility in options to change timescales for the development of noise maps and review of noise action plans. This could support the soundscape strategy and can be utilised flexibly in its review timetable to align with new industrial and domestic developments.

The ambitious Net Zero (decarbonisation) targets introduced by Welsh Government will potentially deliver an accelerated change to the environment and it is important that noise plans can evolve at the same rate of change, as technology changes to improve air quality it also has the potential to reduce noise impacts.

General provisions (sections 25 to 28);

NRW agrees that the Bill provides Welsh Government with adequate powers to implement key regulations to enhance and improve both air quality and soundscapes in Wales.

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

NRW recognises the barriers identified within the consultation documents and the regular reviews and broader consultation aspects that contribute towards the management of those barriers.

We have not recognised any additional barriers at this time.

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)?

We have no comment on this part of the consultation.

Are any unintended consequences likely to arise from the Bill?

It is important to note that the aim of the Bill is to improve air quality and soundscapes in Wales which also includes supporting the Nature emergency and enhancing the natural environment which in turn supports the wellbeing goals. Any new strategies need to be considered holistically and consulted upon widely to ensure that any unintended consequences are managed.

What are your views on the Welsh Government's assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?

We note that the costs of the additional compliance activity required by the Local Authorities is acknowledged within Part 2 of the Explanatory Memorandum.

It should also be recognised that any additional requirements made of NRW in relation to increased consultation and technical advice for air quality and soundscapes as a result of the Bill will need additional resource to fulfil.

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

NRW are supportive of the Bill, as it has the potential and ambition to improve air quality and soundscapes in a consistent and structured manner with regular reviews to ensure that the main goals are always in sight for an enhanced environment for the people and biodiversity of Wales. The Bill aligns in supporting NRW's delivery of our wellbeing objectives – Nature is recovering, Community Resilience to Climate Change and Pollution is minimised.
