

## AQS 02a Asthma + Lung UK Cymru

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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**

Additional evidence from Asthma + Lung UK Cymru | Gwybodaeth ychwanegol gan Asthma + Lung UK Cymru

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### Smoke control

In your written evidence you say the smoke control provisions don't go far enough and suggest the Bill could be strengthened by including a power for the Welsh Ministers to roll out smoke control areas Wales-wide.

In the Minister's letter to the Committee, she said the Welsh Ministers have powers under section 19 of the Clean Air Act 1993 to direct local authorities to create smoke control areas where they are satisfied that the local authority has not sufficiently exercised their powers under section 18 of that Act to abate identified air pollution by way of a smoke control order. The Ministers also said the Welsh Government will work with local authorities to ensure any necessary smoke control areas are established by them under section 18 and that powers of direction would be used as a last resort.

1. To what extent does the Minister's response address your concern that the Bill does not go far enough in relation to smoke control?

The Ministers response is reassuring and I am pleased to hear that the Welsh Government has this power after all. I note that she says that powers of direction would only be taken as a last resort. If the new ambitious air pollutions are going to be met then this is going to require a tightening up of the rules on domestic burning and restrictions that are Wales-wide not simply locally. We would therefore support the smoke control zone being extended nationally to protect the environment and human health.

**National strategy for air quality and soundscapes**

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In your evidence, you raised concern that the power provided in section 22(7) for the Welsh Ministers to change the review period for the national soundscapes strategy could be used to extend the review period beyond 5 years. A comparable power is included in section 9(1) in relation to the national air quality strategy.

2. The Bill provides that regulations to change either of the review periods must be laid before and approved by the Senedd. To what extent does this satisfy your concern in relation to the inclusion of these powers?

We recognise that there might be unique situations where it would be necessary to change the review period, for example if the Senedd was dissolved early and a new election was called. However these circumstances will be rare. As long as there are safeguards that these powers should only be used in exceptional circumstances and the regulations need are subject to the affirmative procedure rather than the negative procedure, then our concerns would be satisfied.