

Notice of Meeting and Agenda Regulatory Functions Board

| Date | Time | Venue |
|---------------------------|-------|------------------------|
| Wednesday, 17 August 2022 | 10:00 | Remotely by MS Teams , |

MARK CONAGHAN
Head of Corporate Governance

Membership

Councillor John McNaughtan (Convener): Councillor Cathy McEwan (Depute Convener):

Councillor Audrey Doig: Councillor Neill Graham: Councillor John Hood: Councillor Lisa-Marie Hughes: Councillor Kevin Montgomery: Councillor Sam Mullin: Councillor Emma Rodden: Councillor Andy Steel:

Recording of Meeting

This meeting will be recorded for subsequent broadcast via the Council's internet site. If you have any queries regarding this please contact Committee Services on 0141 618 7111.

To find the recording please follow this link: https://youtu.be/bpF_HfRLx2A

Items of business

Apologies

Apologies from members.

Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

1 Renfrewshire's Local Air Quality Management Update - 7 - 12 2021 and 2022 Air Quality Annual Progress Reports

Report by Director of Communities & Housing Services.

2 Grant of Late Hours Catering Licences - Personal

Appearances

Under reference to item 3 of the Minute of the meeting of this Board held on 8 June 2022 resume consideration of application (a) for grant of a Late Hours Catering Licence and submit application (b) for grant of a Late Hours Catering Licence. Applicant (a) has been asked to appear personally for the third time and applicant (b) has been asked to appear personally for the first time:-

(a) Applicant: Exotic Kitchen Limited
Premises: 23 Causeyside Street, Paisley
Activity: takeaway
Operating hours: Monday to Sunday – 11.00 pm to 2.00 am

(b) Applicant: Select Service Partner UK Limited
Premises: Café Bar, Central Pier 18-22 Terminal Building, Glasgow Airport, Paisley
Activity: cafe
Operating hours: 7 days per week – 11.00 pm to 5.00 am

3 Renewal of Late Hours Catering Licences

Submit the undernoted applications for renewal of Late Hours Catering Licences:-

(a) Applicant: Wm Morrison Supermarkets Limited
Premises: Petrol Filling Station, 30 Napier Street, Johnstone
Activity: petrol filling station
Operating hours: Monday to Sunday – 11.00 pm to 5.00 am
Licence No.: LHC 099

(b) Applicant: Wm Morrison Supermarkets Limited
Premises: Petrol Filling Station, 16 Thread Street, Paisley
Activity: petrol filling station
Operating hours: Monday to Sunday – 11.00 pm to 5.00 am
Licence No.: LHC 101

4 Variation of Private Hire Car Operators' Licences - Personal Appearances

Submit the undernoted applications for variation of Private Hire Car Operators' Licences. The applicants have been asked to appear personally for the first time:-

(a) Applicant: Craig Halliday
Variation: exception to policy and standard condition 1
Licence No.: PH1608

(b) Applicant: Thomas McGarrell
Variation: exception to policy and standard condition 1
Licence No.: PH1448

(c) Applicant: John Sutherland
Variation: exception to policy and standard condition 1
Licence No.: PH1150

(d) Applicant: Stuart Crichton
Variation: exception to policy and standard condition 1
Licence No.: PH1430

(e) Applicant: Robert Kerr
Variation: exception to policy and standard condition 1
Licence No.: PH1369

5 Variation of Taxi Operators' Licences - Personal Appearances

Submit the undernoted applications for variation of Taxi Operators' Licences. The applicants have been asked to appear personally for the first time:-

(a) Applicant: Gordon Chapman
Variation: exception to policy and standard condition 22
Licence No.: TX014

(b) Applicant: John Stewart Reid
Variation: exception to policy and standard condition 22
Licence No.: TX235

(c) Applicant: John McIntyre
Variation: exception to policy and standard condition 22
Licence No.: TX047

EXCLUSION OF PRESS AND PUBLIC

The Board may by resolution exclude the press and public from the meeting during consideration of the following items of business as it is likely, in view of the nature of the business to be transacted, that if members of the press and public are present, there could be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 7A of the Local Government (Scotland) Act 1973.

6 Grant of Taxi Driver's Licence - Personal Appearance

Submit the undernoted application for grant of a Taxi Driver's Licence. The applicant has been asked to appear personally for the first time together with Police Scotland who has submitted a representation to the application:-

Paul Lafferty

7 Grant of Private Hire Car Drivers' Licences - Personal Appearances

Under reference to item 6(b) of the Minute of the meeting of this Board held on 8 June 2022 resume consideration of application (e) for grant of a Private Hire Car Driver's Licence and submit applications (a), (b), (c), (d), (f) and (g) for grant of Private Hire Car Drivers' Licences. Applicant (e) has been asked to appear personally for the third time and applicants (a), (b), (c), (d), (f) and (g) have been asked to appear personally for the first time together with Police Scotland who has submitted an objection and a further letter in relation to that objection to application (e); a late representation to application (f); and a representation to application (g):-

- (a) Arshad Mehmood Bibi
- (b) Janat Gul Ahmadzai
- (c) Esmail Raufi
- (d) Salah Abukhabta

Adjournment

The meeting will adjourn following consideration of item 7 (d) and resume at 1.30 pm.

- (e) Barry Wood
- (f) Lukasz Kaznowski
- (g) Obaidullahkhan Mohammadsulton

**8 Renewal of Private Hire Car Drivers' Licences - Personal
Appearances**

Submit the undernoted applications for renewal of Private Hire Car Drivers' Licences. The applicants have been asked to appear personally for the first time together with Police Scotland who has submitted an objection to application (a) and a late representation to application (b):-

- (a) Ian Anderson P6285
- (b) Robert Houston P6326

**9 Grant of Private Hire Car Operator's Licence - Personal
Appearance**

Submit the undernoted application for grant of a Private Hire Car Operator's Licence. The applicant has been asked to appear personally for the first time:-

Rahmatullah Naqibullah

**10 Hearings into Possible Suspension or Revocation of
Private Hire Car Drivers' Licences - Personal
Appearances**

Consider the possible suspension or revocation of the undernoted Private Hire Car Drivers' Licences. The licence holders have been asked to appear personally for the first time together with Police Scotland who has submitted a letter in relation to item (b):-

- (a) Gordon Rooney P0171
- (b) Adam Pollock P0561



TO: Regulatory Functions Board

ON: 17 August 2022

REPORT BY: Director of Communities and Housing Services

HEADING: Renfrewshire's Local Air Quality Management Update – 2021 & 2022 Air Quality Annual Progress Reports

1. Summary

- 1.1. This report provides an update in relation to air quality within Renfrewshire and details the findings of the Council's two most recent Local Air Quality Management reports, Renfrewshire's 2021 & 2022 Annual Progress Reports.
- 1.2. This report summarises the key findings of the 2021 and 2022 Renfrewshire Air Quality Annual Progress Reports and highlights the positive trend in compliance with air quality monitoring standards across Renfrewshire. Full electronic copies of the 2021 and 2022 Air Quality Annual Progress Reports will be published on the Council website once approved by the Scottish Government and SEPA but can be made available for elected members now if required.
- 1.3. The 2021 Annual Progress Report reviewed air quality monitoring data from 2020. There were no exceedances of any air quality objectives identified within Renfrewshire during 2020. The monitored concentrations of both nitrogen dioxide (NO₂) and particulate matter (PM) continue to show a downward trend across Renfrewshire. While it should be noted that the coronavirus pandemic travel restrictions will likely have impacted on some of the monitoring sites the overall downward trend was in evidence before the impact of the COVID pandemic.
- 1.4. The 2022 Annual Progress Report reviewed air quality monitoring data from 2021. Again, there were no exceedances of any air quality objectives identified within Renfrewshire during 2021 with concentrations of NO₂ and Particulate Matter continuing to show a downward trend.

- 1.5. There have now been two consecutive years of compliance with statutory objective levels throughout all of Renfrewshire and, in particular, seven years of compliance within Paisley and the Paisley Town Centre Air Quality Management Area. The legislative framework permits Air Quality Management Areas to be amended or revoked and Scottish Government Policy Guidance recommends that, this should be considered when as a minimum there are three consecutive years where the pollutants of concern are complying with the relevant objective levels.
 - 1.6. The overall picture in relation to air quality across Renfrewshire is positive and Communities and Housing Services will continue with the current monitoring programme throughout 2022. Consideration will be given to amending or revoking the Council's three Air Quality Management Areas following the analysis of that monitoring period should the position continue to reflect compliance with relevant objective levels.
-

2. Recommendations

- 2.1. It is recommended that the Regulatory Functions Board:
 - (i) notes the outcome of Renfrewshire's 2021 Air Quality Annual Progress Report and 2022 Air Quality Annual Progress Report and that there were no exceedances of any air quality objectives identified within Renfrewshire during both 2020 and 2021.
-

3. Background

- 3.1. Air quality is directly related to a number of key Scottish Government National Outcomes and policy priorities, notably those focussed on the environment, sustainable places, environmental impact and healthier lives.
- 3.2. In accordance with the Local Air Quality Management statutory process introduced by the Environment Act 1995, all local authorities are required to undertake a regular review and assessment of air quality within their area and submit their findings by means of an Annual Progress Report to the Scottish Government by the end of June each year for approval.
- 3.3. The 2021 Report was not presented to the Board last year due to uncertainties relating to the impact of the restrictions put in place during the COVID pandemic on data collected during this period. While the air quality results were noted as indicating positive progress it was considered appropriate to wait for the 2022 Report to determine whether the identified downward trends were anomalous. From both the 2021 and 2022 reports, it can now be seen that this trend has continued through the 2021 period.

- 3.4. Each Annual Progress Report provides an overview of air quality within Renfrewshire during the previous year. The Renfrewshire 2021 Air Quality Annual Progress Report and 2022 Air Quality Annual Progress Report therefore include a review of 2020 and 2021 pollutant monitoring data respectively and also atmospheric emissions sources within Renfrewshire. The reports then compare the available data to national air quality standards.
- 3.5. The main pollutants of concern within Renfrewshire are nitrogen dioxide (NO₂) and particulate matter (PM). There are currently three Air Quality Management Areas declared within Renfrewshire; the Paisley Town Centre Air Quality Management Area declared August 2009 and the Johnstone High Street and Renfrew Town Centre Air Quality Management Areas declared August 2016.
- 3.6. In 2020 and 2021 the Council operated four automatic monitoring sites (Gordon St in Paisley, Cockels Loan and Inchinnan Rd in Renfrew and High St in Johnstone) which measured NO₂ and/or PM concentrations. Concentrations recorded at all automatic monitoring sites were below the annual mean and short-term objective levels for both pollutants during 2020 and 2021. Monitoring of NO₂ was also undertaken via a network of fifty-four NO₂ diffusion tube sites during 2020 which increased to sixty-five sites by 2021. There were no exceedances of air quality objectives at any monitoring locations throughout Renfrewshire during either of those years.
- 3.7. A largely downward trend in concentrations has been observed across the Council's 2020 monitoring data, with 83% of existing diffusion tube monitoring sites reporting a decrease in NO₂ concentrations in 2020 from 2019 levels. The downward trend in concentrations observed in 2020 continues for the majority of sites in 2021 with only six sites out of sixty-five experiencing an increase in annual mean NO₂ concentration from 2020 to 2021. This may still be partially attributed to the atypical traffic conditions observed across the UK during the pandemic and therefore any downward concentration trends will continue to be reviewed and reported within the 2023 Annual Progress Report.
- 3.8. Within the Paisley Town Centre Air Quality Management Area there have now been seven consecutive years of compliance with statutory objective levels within Paisley. The legislative framework permits Air Quality Management Areas to be amended or revoked and Scottish Government Policy Guidance recommends that, as a minimum there will normally be at least three consecutive years where the pollutants of concern are complying with the relevant objective levels.
- 3.9. There are various reasons why the Paisley Town Centre AQMA has not been revoked to date and presently the Council is awaiting finalisation of significant infrastructure projects to the north of the Paisley Air Quality Management Area to confirm that these have not had an adverse impact on air quality caused by road traffic in that area. In terms of the Johnstone High Street Air Quality Management Area, there have been no exceedances of NO₂ since 2018 when there was a reading of 40ug/m³ (the objective level is 40ug/m³) at one diffusion tube site. Within the Renfrew town Centre Air Quality Management Area there was one marginal exceedance at a diffusion tube site in 2019 with

a reading of 41.4ug/m³. The City Deals action measure within the Air Quality Action Plan includes the construction of a bypass road north of Renfrew Town Centre and it is anticipated that this project will significantly reduce traffic within the town centre and result in ongoing compliance with the NO₂ statutory air quality objective in this location. If that is the case the Air Quality Management Area will thereafter be revoked, in accordance with Scottish Government guidance.

- 3.10. No further action is required by the Council other than to progress with implementation of the Renfrewshire Air Quality Action Plan which was approved and published earlier in March 2019.

4. **Next Steps**

- 4.1. Officers from Communities and Housing will continue with the current monitoring programme throughout 2023 and collate a further years' worth of monitoring data before consideration will be given to amending or revoking any of the Air Quality Management Areas.
 - 4.2. Officers will continue to progress with implementation of the Renfrewshire Air Quality Action Plan which was approved and published earlier in March 2019.
-

Implications of the Report

1. **Financial** – None
2. **HR & Organisational Development** – None
3. **Community Planning**

Renfrewshire is well – by reviewing and assessing air quality throughout Renfrewshire and producing our annual Local Air Quality Management report we aim to improve air quality and provide a clean and safe environment for all of Renfrewshire's residents, workers and visitors.

4. **Legal** – None
5. **Property/Assets** – None
6. **Information Technology** – None
7. **Equality & Human Rights** -
8. **Health & Safety** – None
9. **Procurement** – None
10. **Risk** – None
11. **Privacy Impact** – None

12. CoSLA Policy Position – N/A

- 13. Climate Change** – The interactions between air pollution and climate change are complex which is recognised within the Scottish Government’s 2015 air quality strategy *Cleaner Air for Scotland – The Road to a Healthier Future (CAFS)*. An action measure within this strategy recommends all Scottish local authorities which have or are currently developing a Sustainable Energy Action Plan to ensure that air quality considerations are also covered.
-

List of Background Papers

- a) Background Paper 1: 2021 Air Quality Annual Progress Report for Renfrewshire Council
- b) Background Paper 2: 2022 Air Quality Annual Progress Report for Renfrewshire Council

The foregoing background papers will be retained within Communities and Housing Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is the Environmental Health Manager (Public Health).

Author: Oliver Reid

Email: oliver.reid@renfrewshire.gov.uk

