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By email to: [air.quality@defra.gsi.gov.uk](mailto:air.quality@defra.gsi.gov.uk)

25 February 2013

Dear Sir

## **Consultation on Repeal of 'Further Assessment' Provision in the Environment Act 1995 – Response from Environmental Protection UK**

We are writing in response to the above consultation. The Air Quality Committee of Environmental Protection UK has considered the consultation document and welcomes the opportunity to comment. These comments represent an overview of the Committee, but do not necessarily reflect the views and opinions of individual Environmental Protection UK members.

### **About Environmental Protection UK**

Environmental Protection UK is a national charity that provides expert policy analysis and advice on air quality, land quality, waste and noise and their effects on people and communities in terms of a wide range of issues including public health, planning, transport, energy and climate.

We offer clear and critical analysis of UK government and European Union policy proposals through a range of high-quality publications and expert-led events, as well as up-to-date regulatory information through our comprehensive guide to UK and EU environment legislation.

Environmental Protection UK works with and for UK national and devolved governments, local authorities, business, academics and the general public, and with relevant EU institutions and NGOs.

### **Response to Specific Questions.**

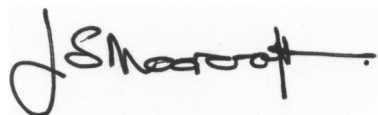
*Q1: Do you agree that Section 84(1) of the Environment Act 1996 requiring the preparation of a Further Assessment following the declaration of an AQMA and Section 84(2)(a) which requires a report of the results of that Assessment to be prepared should be repealed?*

EPUK is of the view that the Local Air Quality Management regime plays an important role in improving air quality within the UK. However, the precise purpose of the Further Assessment report has never been clear, and often serves only to delay the important preparation and implementation of the Air Quality Action Plan. Any additional work that is currently undertaken in the Further Assessment (e.g. source apportionment) could be readily completed within either the Detailed Assessment or within the Air Quality Action Plan itself. EPUK supports the repeal of Section 84(1) and Section 84(2)(a).

*Q2: Do you agree with the estimate of costs and benefits outlined above? Are there other costs and benefits that should be taken into account?*

The cost and benefits outlined by Defra assume that removing the requirement to prepare a Further Assessment report would completely remove the requirement for all of the assessment work within that report. However, the Further Assessment is often used to undertake source apportionment work to support the preparation on the Air Quality Action Plan, and this work would still need to be completed, either within the Detailed Assessment or within the Action Plan itself. The benefits to local authorities of removing the requirement for Further Assessments may therefore be overstated. However, there would be additional cost savings to Defra in that Further Assessment reports would no longer need to be appraised, and this benefit has not been considered within the analysis provided.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Moorcroft', with a horizontal line extending to the right.

Stephen Moorcroft  
Chair of Air Quality Committee