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Dear Sir/Madam,

## **Consultation on draft plans to improve air quality – Tackling nitrogen dioxide in our towns and cities**

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 Consultation**

#### **Summary**

- We are not confident the National Plans will deliver the NO<sub>2</sub> limit values in as short as possible time, nor address the public health impacts from extended exposure to poor air quality.
- Air quality causes major public health impacts. The new health and economic analysis serve to emphasise the need for large-scale and ambitious actions to deal with the NO<sub>2</sub> problem and

these need to extend beyond EU limit value compliance. The longer term perspective would also improve cost effectiveness as benefits are accrued over a longer time scale.

- It is disappointing that the evidence was not published with this consultation. Without the evidence underlying the plans, it is impossible to assess the level of improvement needed to achieve limit values as soon as possible and whether the measures included will meet this. The uncertainties, particularly in emission reductions from vehicles, and the lack of clear support and funding for local authorities, make it seem extremely unlikely.
- The National Plans lack actual national government action. They seem to be based on historical local authority action plans (that may in practice deliver little more for air quality) and actions by other government departments being carried out for other reasons and are not optimised to improve air quality. There are no measures to ensure local authorities have all the powers they need to make Air Quality Management Areas and Air Quality Management Plans effective.
- The sensitivity analysis in the consultation documents suggests that if the emission factors are overly optimistic (which the evidence suggests they are), an additional 22 zones will be non-compliant. This will also increase the magnitude of the problem in the 8 zones considered to need further measures in the plan. The plan does not include any information on the further measures needed, if this is the case.
- As the National Plans are a whole government plan, it was disappointing that there were so many missed opportunities for air quality improvements for departments other than Defra. The plans fail to adequately harness the potential for air quality benefits (and focus these where most needed) from other government initiatives, such as DfT's low emission vehicle programmes, DECC's energy and heat efficiency initiatives and HMT's vehicle taxes, as well as the normal mechanisms that are available such as building regulations, development control and local transport plans.
- It is important that the upcoming revised policy and technical Local Air Quality Management guidance gives strong encouragement for local authorities to take action and explain how they can do this. It also should make clear that development and transport planners are expected to play an important role in air quality action, especially where upper-tier authorities exist, and the legislation and guidance which set out this requirement.
- The plans place great reliance on Clean Air Zones to solve the biggest exceedences of limit values but nothing being proposed appears to overcome the main barriers to implementing CAZs, in particular the lack of local political will and scheme implementation costs, or that these can be delivered in time for 2020. There are also issues which must be addressed if a CAZ and LEZ is to be effective, such as the Euro standards and their true relationship to real world emissions.
- We agree that it makes sense to have a national framework for CAZ and LEZ. The government also needs to consider and recommend the implementation mechanisms, including identifying adequate funding and providing the necessary data, infrastructure and support. Any LEZ should also take into account other pollutants, especially particulates, primary nitrogen dioxide and ideally carbon dioxide. To exclude these will compromise cost effectiveness in the longer term, and decrease the health benefits.
- We believe the plans do not address many of the latest recommendations of the Environmental Audit Committee. In particular we feel it is important to consider what can be done for those adopted for prioritisation by the Clean Air Alliance:
  - Developing and promoting a national framework for low emission zones;
  - Promoting low emission and electric vehicles;
  - Implementation of emission controls for non-road mobile machinery;

- Promoting public awareness (for example, CAAUK is planning to launch an annual air quality action week);
- Promoting guidance for reducing air pollution through the planning system and development control (in May this year, EPUK published revised guidance, with IAQM);
- Ensuring the continued availability of high resolution clean air data.

### **Comments on Modelling and Analysis**

As we and others highlighted in the various meetings, workshops and our letter of 2 October 2015, it is very difficult to assess the impacts of the plans to deliver compliance with the NO<sub>2</sub> limits, as the evidence behind these plans (within the UK Technical Report) has not been released. This means we have been unable to fully assess the scale of the problem, the measures and their impacts, the likelihood of compliance, and what is being asked of others, such as local authorities. For example, without this data:

- we cannot assess why the number of predicted non-compliant areas has decreased dramatically;
- we cannot assess the necessary fleet penetration of cleaner vehicles, without understanding the background assumptions on fleet turnover and composition;
- there is insufficient information on the likely impact of the proposed Clean Air Zones, to form an opinion on the number and ambition of these zones which would need to be introduced to ensure compliance;
- the reports highlight that if Euro 6 emissions are higher than assumed in the 'base case', there will be additional areas of non-compliance, but there is no indication of what additional measures might be needed;
- we cannot make an informed opinion on the impact of primary NO<sub>2</sub> emissions from diesel vehicles, as there is no detail on this in the reports; and
- there is very little information on the uncertainties around all the numbers and assumptions used in this assessment.

Although the reports recognise that there is uncertainty in the projections and the likelihood of the measures to deliver, there is no information on these uncertainties and what further measures would be necessary, if these uncertainties are taken into account.

The modelling has been based on COPERT emission factors, which have recently been reduced. However, there is strong evidence to suggest these are underestimating the real world urban emissions.

We know from experience that assuming emission factors are correct can lead to major air pollution problems and associated deaths. Decisions on air quality policies in the 1990s and 2000s were based on projections that vehicle emission standards would lead to the Air Quality Directive being met, so little further action was taken, despite early indications that these emission factors did not reflect real world emissions. Thousands of people have died because of this. We cannot afford to make the same mistake again, especially in light of the new evidence arising in the current alleged VW diesel emissions scandal.

The sensitivity study on the impact of Euro 6 not working is presented but there is no discussion of what additional measures would be needed if Euro 6 emissions turned out to be higher than assumed in the 'base case'.

A NO<sub>x</sub> emission rate of ~0.2 g/km has been assumed to apply to all Euro 6 including pre-Euro 6c diesels. The current alleged diesel vehicle scandal suggests this may be overly optimistic. The national plan does not state whether the measures proposed could be increased to achieve a greater air pollution reduction, or whether new measures would be required.

The COPERT emission factors assume a Euro 6 compliance factor of 2.8. The ICCT (2014) information indicates that the mean difference between the real-world and test emissions is a factor of 7, the TNO (May 2015 report) suggests real world emissions are 5 to 6 times higher than the standard (and therefore about twice as high as in EFT6.0.2), and a similar factor was seen in TfL's In-service emissions performance of Euro 6/VI vehicles report 2015 for Euro 6 diesels cars on a London drive cycle compared to the test cycle.

If the projections are overly optimistic, there will be a much larger number of areas which do not comply by 2020. The Draft Evidence Annex states a real world emission five times worse than the standard will lead to an additional 22 zones could be non-compliant. There is no information on what plans are being formulated to support these areas or whether the plans already set out could be scaled up to achieve the limit values in this case.

No information was provided for the primary NO<sub>2</sub> emissions from diesels, which is crucially important for roadside concentrations.

The analysis uses the SL-PCM model. This isn't described and hasn't been peer reviewed. There is no data on what approximations it makes compared with the full PCM and how these affect the findings.

Historically, the national PCM model is necessarily less detailed than the Review and Assessment process undertaken by local authorities, which also considers long term exposure. This has resulted in a discrepancy in areas identified as failing to achieve air quality objectives between the two methods. There is a risk that some areas identified as polluted in local but not national modelling, may be excluded from action and support at the expense of areas identified by the national model as non-compliant where there may be little or no risk of long-term public exposure.

The health impacts analysis and work by REVIHAPP/ WHO shows clear adverse health effects and costs below the current EU limit values, depending on the threshold assumptions chosen. The threshold doesn't represent evidence of a no effects level but a recognition of the concentrations range of current epidemiological studies. Action therefore needs to be taken beyond the non-compliance areas and there are huge health benefits and life quality to be gained. There is a clear parallel with the PM<sub>2.5</sub> exposure reduction and the impacts analysis suggests the inclusion of this within the public health indicators.

It is interesting that the chosen co-efficient for NO<sub>2</sub>, of 2.5% increase in mortality per 10 µg m<sup>-3</sup> NO<sub>2</sub>, is less than the 5.5% recommended by WHO REVIHAAP/ HRAPIE. If the WHO figure was used the health impact figures would be much higher.

## **Consultation Questions**

### **Question 1: Do you consider that the proposed plan set out in the overview document strikes the right balance between national and local roles?**

No, the plan does not include any actual direct action by national government. There is no indication of how the government will encourage or support local authorities to take more action.

The plans fail to adequately harness the potential for air quality benefits (and focus these where most needed) from other government initiatives, such as DfT's low emission vehicle programmes, DECC's energy and heat efficiency initiatives and HMT's vehicle taxes, as well as the normal mechanisms that are available such as building regulations, development control and local transport plans.

It is important that the upcoming revised policy and technical Local Air Quality Management guidance needs give strong encouragement for Local authorities to take action and explain how they can do this. It also should make clear that development and transport planners are expected to play

their important role in air quality, especially where upper-tier authorities exist, and the mechanisms that require this.

The plans place great reliance on Clean Air Zones to solve the biggest exceedences of limit values but nothing being proposed appears to overcome the main barriers to implementing CAZs, in particular local political will and scheme implementation costs. Nor do these seem practical to deliver by 2020.

In addition to the measures expected to be taken by local authorities, it is hoped that innovative solutions to improve air quality on the UK's motorway and trunk road network will be developed by Highways England as traffic on these roads plays no small part in contributing to the emissions and pollutant concentrations found in many city centres.

We believe the plans do not address many of the latest recommendations of the Environmental Audit Committee (listed at the end of this document). In particular we feel it is important to consider what can be done for those adopted for prioritisation by the Clean Air Alliance:

- Developing and promoting a national framework for low emission zones;
- Promoting low emission and electric vehicles;
- Implementation of emission controls for non-road mobile machinery;
- Promoting public awareness (for example, CAAUK is planning to launch an annual air quality action week);
- Promoting guidance for reducing air pollution through the planning system and development control (in May this year, EPUK published revised guidance, with IAQM);
- Ensuring the continued availability of high resolution clean air data.

**Question 2: Are you aware of any other action happening in your area which will improve air quality and should be included in the plan? If yes, please identify as far as you are able:**

**a. What the additional actions are;**

**b. The zone(s) in which they are being taken; and**

**c. What the impact of those actions might be (quantified impacts would be particularly useful).**

The local plans include extensive lists of the measures taken to address air quality, drawn from local Air Quality Action Plans. However, many of these are already obsolete, or have very little impact on air quality.

The lack of political will, adequate funding, and weak links between the Local Air Quality Management system and the control over key sources, such as transport and land use, has meant that many Action Plans are weak and ineffective. There is an opportunity to strengthen this, and we would welcome a much stronger and more effective Local Air Quality Management system. It is essential that the next consultation on this addresses these issues, and that this strengthened system is reinvigorated with new Action Plans with stronger local measures.

The local plans lack information on non-air quality schemes which have an impact on air quality, such as planning, energy efficiency and traffic management schemes, and others which address climate change, congestion, and active travel. If even some of these schemes were optimised for air quality (and focused on non-compliant areas), they would have significant benefits (and avoid unwanted increases in pollution).

Given the age of many local authority Air Quality Action Plans, there are a significant number of projects which will have no impacts in the future and will not help achieve compliance by 2020. The National Plan needs to include further information on more forward facing schemes, and on how

national government will support their development and implementation, especially in a time of austerity with many local authority air quality teams under increasing pressure and threat.

We have seen examples where local authorities have been modelled as part of a neighbouring agglomeration, even though they have no political and financial association with that set of authorities. For example Gravesham has been modelled as part of the Greater London region, despite being outside the Greater London boundary. This means the modelling for the zone of the authorities they are associated with and the plan which contains their proposed measures, do not reflect their levels of air quality, nor are they necessarily eligible for any regional funding.

The plan for Bristol has been considered, as a snap sample, as local authorities have raised concerns about how realistic the other plans are.

- The Air Quality Plan (AQP) relies entirely on data from the AURN Urban Background site, Bristol St. Pauls, and modelling although references are made to the now discontinued AURN site Bristol Centre and affiliate site Bristol Old Market. No account appears to have been taken of the extensive amount of monitored data from the City Council's own network. This comprises both continuous and diffusion tube data and whilst the QA/QC procedures do not fully meet the requirements of the Directive they are sufficient to provide strong indications of concentrations of NO<sub>2</sub> across the area.
- The AQP states that one the main aims of the Joint Local Transport Plan (JLTP) is to improve air quality. This is a gross overstatement. The current JLTP does mention air quality but, unlike its predecessor, it is by no means a priority at least in part because two of the unitary authorities have not identified any AQMAs.
- The summary of measures being taken by Bristol City Council is reasonably accurate but does not reflect obstacles that have been placed in the way of these by the surrounding councils in the past. Equally it does not reflect the chorus of public opposition to some of the proposed measures. One of these is the introduction of a 20 mph speed limit throughout the AQMA and, possibly, in other parts of the city. It is questionable whether this will have any real benefits in AQ terms unless it results in smoother traffic flows. It is also notable that one of the councils that developed the JLTP (North Somerset) is not mentioned anywhere in Table 3, Relevant Local Authority measures within Bristol Urban Area (UK0009). As a considerable proportion of Bristol's commuter traffic originates in this council's area this is a grave omission. Apart from traffic management measures to address this, one scheme that has been flagged up in the past and which could have considerable benefits is totally ignored. This is the reinstatement for passenger use of the Portishead to Bristol rail link which is currently used for freight only.

**Question 3: Within the zone plans there are a number of measures where we are unable to quantify the impact. They are included in the tables of measures. Do you have any evidence for the impact of these types of measures?**

No, generally this isn't the level of information we keep or are made aware of.

Some quantification of the impact of measures has been carried out during the development of the London Local Air Quality Management process, and during development of Transport for London initiatives in their Transport Emissions Roadmap, such as Low Emission Neighbourhoods.

In many local authorities, air quality monitoring is focused towards the Air Quality Management Areas and other areas of concern under the Local Air Quality Management process rather than potential EU Directive exceedances. This limits the ability to assess how individual measures to target reductions in emissions in the areas identified by the PCM model might deliver pollution concentration reductions. Many of the measures identified in the zone plans have been targeted at

specific hotspots, and any effect on pollution concentrations is difficult to predict for those immediate areas, and even harder for a wider modelled area.

**Question 4: Do you agree that a consistent framework for Clean Air Zones, outlined in section 4.3.6 of the UK overview document, is necessary? If so, do you think the criteria set out are appropriate?**

Yes. However criteria need to have some flexibility and the government needs to consider and recommend the implementation mechanisms, including identifying adequate funding, political will and providing the necessary data, infrastructure and support.

The key pillar to a Clean Air Zone appears to be a Low Emission Zone. But there are a number of important questions which have not been answered in the consultation documents. We have serious concerns that there are too many barriers that will stop CAZs being implemented, and that most CAZ will be too little too late to achieve compliance by 2020.

- Is a CAZ workable?
- Is it the best form for local authorities to address air pollution and health?
- What are others doing on this, including the Scottish government's work on a national LEZ framework, and other examples in Europe?
- Will government support and encouragement for CAZ be sufficient to overcome the substantial barriers around political will, government funding and technical feasibility?

We understand that a CAZ is wider in scope than a LEZ, but there is very little information on how, and what other measures might be included in a CAZ. If we are talking about a LEZ element, please refer to it as a LEZ to avoid confusion. This term is already familiar to many transport operators, business and the public. The term Clean Air Zone could also be seen as misleading, as they will be in some of the most polluted areas of the country.

The recent alleged VW emissions scandal questions the effectiveness of light touch regulation (and processes such as self-certification and targeted enforcement). Light touch regulation must not be ineffective regulation. It costs other members of society too much. Businesses are allowed to operate processes, such as large combustion plants or power stations, or sell products like motor cars or refrigerators, on the understanding that their construction, design, maintenance and use is fully regulated. If particular industries do not keep their end of the bargain then public confidence is lost and more rigorous regulation is required. Government and industry must now show that it is ahead of the curve on this issue.

Implementing a LEZ (or CAZ) takes a lot of time and resource. We have major concerns that any CAZ that are implemented would not be operational by 2020, taking into account the fact that the national framework for CAZ and the "appropriate incentives" are yet to be announced, the need for local assessment, development of a specific scheme, legal adoption, stakeholder and community engagement, and lead in time to allow vehicle operators to take measures to comply.

Standards

Any LEZ should also take into account other pollutants, especially particulates, primary nitrogen dioxide and carbon dioxide. To exclude these will increase the costs and decrease the health benefits in the long run.

We agree that it makes sense to have a national framework for CAZ and LEZ, to make it easier for Local Authorities to implement and to allow vehicle operators to manage their fleets.

We are keen that a national framework does not stop local authorities from going further and implementing more stringent targets where necessary. For example, the London Ultra Low Emission Zone requires all new taxis to be zero emission capable from 2018.

If a LEZ (or other CAZ elements) based on Euro Standards is to be effective, the Euro standards must be properly enforced. LEZ rely on emission standards to deliver real world urban emission reductions.

Correcting the 'emissions scandal' that has allegedly been caused by VW (and may potentially involve others) will take years to have any real effect on NO<sub>2</sub> levels, so some additional actions will also be needed in the short term.

People can look up their Euro class more easily than the associated emission rate, for example using the DVLA database. It would be better to use Euro classes rather than emission rates as standards, if the emission rates are based on the Euro standard test cycle.

The National Plan (paragraph 148) proposes various combinations of vehicle types. However these packages may not be the most practical and it may be useful for add flexibility here to allow Local authorities to tailor their CAZ to local circumstances. For example, package A includes buses, coaches and taxis, but some local authorities may prefer to address just buses or buses and taxis.

Different vehicle types can be controlled in different ways. For example buses and taxis are both operated under contract or licence to the local authority, and therefore emission standards can be enforced through licensing checks without need for external infrastructure such as on-street cameras.

We support the use of Euro VI for HDVs, as these have significantly lower real world emissions compared to older vehicles. There is much less benefit in using earlier standards.

Euro 6 has been used at the emission standard for light duty vehicles, including cars. However only 6c tests for real world emissions. If Euro 6c delivers its emission standards under real world urban conditions, this could be used as the basis for CAZ.

A national framework for CAZ, particularly the LEZ element, would require further major government work, which has not been mentioned in the consultation document. This includes:

- a national database on vehicles and their emission standards which would need to be freely available to local authorities,
- a national accreditation scheme for retrofitted emissions abatement technologies, so Local authorities can be confident that vehicles are compliant and operators can be confident that their vehicles meet the requirements of all schemes,
- a national agreement on which vehicles should be exempt and associated database; and
- a common system (which could be run by the local authorities, or centrally, with monies being passed to the local authorities) for registering and paying a daily charge for entering the zone (or whatever approach is agreed for occasional users).

Issues with LEZ in the past have included parts of the emission controls being removed or deactivated when not in the zone, or even just after initial approval has been given. This loophole must be addressed, either by regular checks by experts or reliable data on in-use performance. An example of this was used for SCR on London taxis, which included software to monitor the use of reagent, so it could be easily checked that the vehicle was never run without reagent and an active emission control system.

In order for retrofitted emissions abatement equipment to be effective, the vehicle must be in reasonable condition. In older and poorly maintained vehicles, an emission abatement device may not work. This would need to be addressed, if a CAZ affects a large number of vehicles.

In addition, any emissions abatement device, whether retrofitted or OEM, will need additional maintenance to ensure it performs adequately. Whether this maintenance had been carried out would need to be checked during a vehicle service, MOT or a focussed compliance regimes for CAZs (this would need central government directive, as well as guidance for local policing priorities).



There is no indication of how large the CAZ envisioned in the national plan needs to be, this type of approach will have very different impacts and issues for implementations depending on its geographical size, ranging from a few roads and junctions to entire metropolitan areas.

#### Other CAZ Elements

Several local authorities have raised concerns that the recommended vehicle types which could be covered by the CAZ, as set out in the consultation documents, would not adequately deal with the Directive exceedance in that zone. Other CAZ elements are therefore needed.

A CAZ should also address dust and emissions from construction and demolition sites, including non-road mobile machinery (NRMM), as these can have a significant impact on air quality both within and around the site. The London 'Planning Practice Guidance on the Control of Dust and Emissions from Construction and Demolition' includes best practice and emission standards for NRMM, and could be adopted as part of the CAZ.

The EPUK/IAQM guidance 'Land-Use Planning and Development Control: Planning for Air Quality', 2015, could also be used as an element of the CAZ framework. This sets out best practice for planning policy and in ensuring planning applications have adequately addressed air quality and exposure.

A CAZ could also usefully address small scale energy generation in urban areas, this includes biomass boilers and Short Term Operating Reserves (STOR) plants. These are hard to address or manage through the planning process and can significantly increase local NOx emissions.

The Low Emission Neighbourhood concept, as developed by Transport for London, contains some useful ideas for the non-LEZ transport elements of a CAZ. This is an area-based scheme that includes a package of measures focused on reducing emissions (and promoting sustainable living more generally).

Financial 'incentives' can play an important role. For example, Islington have imposed a significant surcharge for diesels when residents apply for a parking permit. This was initially unpopular, but following additional communication on the air quality benefits, this reaction appears reduced.

The LowCVP's recently published guide on Local Measures for Encouraging the Uptake of Low Emission Vehicles could assist Local authorities develop measures and incentives to encourage uptake of cleaner vehicles.

#### **Question 5: What do you consider to be the barriers that need to be overcome for local authorities to take up the measures set out in section 4 of the UK overview document? How might these be overcome? Are there alternative measures which avoid these barriers?**

There is not sufficient financial support or local political will. Air quality needs to be a higher priority for transport and development planners, upper tier local authorities, local Directors of Public Health, the associated government departments and their agencies, etc. Fiscal incentives that favour diesel-fuelled vehicles in congested urban environments need to be reversed.

It is not clear why Local Authorities would implement a LEZ now, when most have not done so during the last decade, despite support for feasibility studies and Low Emissions Zones being implemented in other European locations. Even when LEZ have been implemented (such as Oxford, Norwich and York), with the exception of London, these have been very restricted either in vehicle types (focussed exclusively on buses) or very small (one or two roads). LEZ are often seen as politically unacceptable and there is no discussion on this aspect or commitments for support.

It is also not clear how the government intends to support Local Authorities in implementing a CAZ. There appears to be no confirmed funding, or support beyond the air quality grant, which has been reduced again this year, and some local authorities have criticised it for being inaccessible.

Local authorities are under huge budget constraints so any Clean Air Zone would have to be fully funded by central government.

A framework for CAZ would not work without the supporting national data and infrastructure, such as national databases on vehicles and emissions, an accredited retrofit process and associated vehicle database, an exempt vehicle list, and a standard system for local authorities to use to register (and charge, if necessary) vehicles.

It is not clear what control, if any, central government has on the adoption of CAZ by local authorities. Will the Secretary of State consider the use of reserve powers, and how will this be balanced with ensure Local authorities have adequate expertise, staff and financial resources, training and other support? EPUK has previously provided training for Local authorities on Local Air Quality Management, on behalf of Defra, and would be willing to discuss options for supporting CAZ.

It is not clear whether a CAZ will be an option for any local authority to manage its air pollution if not identified in Defra's compliance modelling, as the national modelling does not identify all local hotspots of pollution. Local authorities may wish to further improve their air quality for public health benefits, even where not identified as non-compliant. One particular issue is whether local authorities would be supported where a CAZ would cover a number of local authority areas, for practical implementation reasons, but the area of non-compliance is confined to a small area of only one authority.

**Question 6: Are you aware of any additional action on non-transport sources to improve air quality that should be included in the plans?**

The consultation document outlines many of the policies, guidance, measures and activities carried out by DECC, DfT, OLEV, DCLG, HMT and others, which could actively contribute more to improving air quality.

There are many government initiatives which impact on air quality, and could be optimised to reduce air pollution emissions, and public exposure to air pollution. Most currently are not doing this, and this is a massive missed opportunity for the government. Some are even making harmful air pollution worse and therefore public health too. If these initiatives and programmes were optimised to deliver air quality benefits too (and focused on non-compliant areas), there would be major environmental and health benefits. At the very least, all government initiatives which could also influence air pollution or its sources should be properly assessed for air quality impacts. It is disappointing to note that this opportunity was not included in the National Plan.

These initiatives include (but are not limited to):

- DECC – energy and heat efficiency programmes (including insulation), renewable energy generation and associated STOR plants, future zero and low carbon homes initiatives, the Energy Saving Opportunity Scheme;
- DCLG – planning guidance and planning decisions (air quality needs to be more than a material consideration when limit values are/may be breached, development planners have a legal duty with respect to limit values that isn't currently being delivered); a stronger emphasis is needed on the National Planning Policy Framework (NPPF) and the appropriate paragraphs that point to the importance of planning policies in helping to deliver cleaner air (para 124 and 35 for sustainable transport); Building Regulations could be used to address air quality more effectively, measures which could be included are that all boilers should be low-NOx and all houses should have a vehicle electric charging point; the EPUK/IAQM planning guidance outlines best practice planning policies;

- DfT (& Highways England) – OLEV low emission vehicle schemes; Highways England motorway and major road schemes, especially urban roads (it is good to see Highways England finally identifying air quality money in their plans, but as yet few extra measures have been proposed); Local Transport Plans and their associated guidance need to have air quality as a major priority;
- HMT – diesel needs to be de incentivised immediately (the incentives to encourage dieselisation of the road transport fleet to reduce CO2 have contributed significantly to worsening air quality), low emissions vehicles (both air pollution and climate change) need to be incentivised; many of the other air quality measures need Treasury support to make them as effective as possible;
- DoH (&PHE) – air quality needs to be given a high priority for public health work, and directly for Directors of Public Health; limited public advice has been published or is given regularly to the public; notification systems such as AirText and airAlert have not been supported or promoted; these could be better linked to help people take action to improve both the health impacts and the local air quality;
- Others include regional authorities and county council programmes which influence transport, active travel or stationary sources, for example, local industrial boilers and residential gas heaters.

The cross party Environment Audit Committee held an inquiry into air pollution in 2014 and published a list of recommendations, available at <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmenvaud/212/21209.htm>. It was extremely disappointing that most of these were not included in the National Plan. The Environmental Audit Committee are designed to act as an impartial and authoritative adviser, following the abolishment of the Royal Commission on Environmental Protection. However, very few of the recommendations from the various inquiries into air quality over the past five years have been adopted. This is a missed opportunity.

The government needs to support and lobby for measures in Europe which will help achieve the air quality limit values, such as an immediate and robust test cycle. It was very disappointing that even during the period of drafting and consulting on this national plan, the UK government approved a derogation to allow some Euro 5 cars to be sold for an extra 12 months, thereby slowing the penetration of Euro 6 cars into the UK fleet, and are also lobbying for some of the flaws in the current NEDC test cycle to be included as flexibilities in the new proposed World Light Vehicles Test Procedure (WLTP), such as recharging or replacing batteries during the test, which could increase air pollution and climate change real world driving emissions. The recommendations from our statement on the alleged diesel emission scandal are included below.

It was disappointing to see that, given the focus on local action, the Local Air Quality Management system was not given a larger role and additional support. This system help Local authorities deliver air quality benefits but needs more support through enforcement of responsibilities at local authority, county (and unitary authority transport and planning departments), Highways England, Public Health England and others. It needs to be given higher political priority to ensure adequate staff, resources and influence are available at local authority level.

Swift measures need to be taken for compliance and legal reasons. However it is important that these actions do not compromise longer-term actions to decrease NO<sub>2</sub> and PM<sub>2.5</sub>. Much more emphasis is therefore needed on the other measures, especially active travel which has huge co-benefits. The National Plan should include some real and new commitments about Active Travel rather than just statements of existing policy and funding opportunities.

Scotland's low emissions strategies and Wales active travel initiatives should be exemplars to be adopted through the UK rather than just additional information in the document.

## **Additional Information**

### Environmental Audit Committee 2014 Recommendations

The Government must act urgently to:

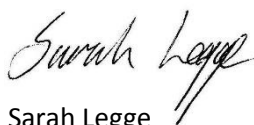
- Update the 2007 Air Quality Strategy, adopting a cross-Government approach with clear demarcation of responsibilities between departments and between central and local government;
- Meet EU nitrogen dioxide targets as soon as possible;
- Engage with local authorities to establish best practice in tackling air pollution across the UK;
- Introduce a national framework for low emission zones to help local authorities reduce air pollution;
- Adjust planning guidance to protect air quality in local planning and development;
- Build in air quality obligations to transport infrastructure;
- Examine fiscal and other measures to gradually encourage a move away from diesel vehicles towards low emission options;
- Close legal loopholes to end the practice of removing filter systems from existing vehicles;
- Apply pressure at European level to ensure effective EU legislation and emission standards backed up by a robust testing regime; and
- Institute a national public awareness campaign to increase understanding, publicising the UK-AIR forecast website and encourage measures to reduce air pollution.

### EPUK Recommendations from statement on alleged VW scandal

- EPUK demands a mandatory recall of all vehicles installed with 'defeat device' software and that VW devise a solution that achieves the NO<sub>x</sub> standard correctly and minimises CO<sub>2</sub> emissions.
- EPUK seeks a statement from the European Commission and the UK Department for Transport that software analysis will form part of the revised testing procedure and clarification on how they will ensure that test manipulation will not be possible and/or tolerated.
- EPUK recommends that, to achieve this, in addition to the type approval testing, spot-checks of 'in-use' vehicle emissions will be required.
- EPUK consider that there must be an independent investigation of all motor vehicle manufacturers to identify the extent of the use of 'defeat device' technology and whether the EU emission tests were subject to the same alleged falsification as in the US, or were simply too lenient.
- EPUK calls for a joined-up policy approach across government departments, which clearly recognises and actively communicates the public health AND climate change implications of diesel (and petrol) to enable consumers to make a rational and informed decision regarding fuel-type and, indeed, mobility choice.

Please do not hesitate to contact us if you would any further information on any of these points. We would be very happy to discuss this further.

Yours faithfully,



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