



House of Commons
Environmental Audit
Committee

Air quality: A follow-up report: Government Response to the Committee's Ninth Report of Session 2010–12.

**Seventh Special Report of Session
2010–12**

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Environmental Audit Committee

The Environmental Audit Committee is appointed by the House of Commons to consider to what extent the policies and programmes of government departments and non-departmental public bodies contribute to environmental protection and sustainable development; to audit their performance against such targets as may be set for them by Her Majesty's Ministers; and to report thereon to the House.

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Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the internet at www.parliament.uk/eacom. A list of Reports of the Committee in the present Parliament is at the back of this volume.

The Reports of the Committee, the formal minutes relating to that report, oral evidence taken and some or all written evidence are available in a printed volume.

Additional written evidence may be published on the internet only.

Committee staff

The current staff of the Committee are Simon Fiander (Clerk), Edward White (Second Clerk), Lee Nicholson (Committee Specialist), Andrew Wallace (Senior Committee Assistant), Anna Browning (Committee Assistant), Ed Bolton (Committee Support Assistant) and Nicholas Davies (Media Officer).

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Seventh Special Report

The Environmental Audit Committee reported to the House on *Air Quality: a follow up report* in its Ninth Report of Session 2010–12, published on 14 November 2011 (HC1024). The Government response to the Committee's Report was received on 31 January 2012 and is appended below.

Appendix—Government response

Summary

1. The Government welcomes this further report on air quality from the Environmental Audit Committee and is pleased to respond to the Committee's recommendations.
2. The Government fully acknowledges the significant health and environmental benefits from reducing air pollution, which have been translated into substantial quantified economic benefits. Given these, it agrees with the Committee about the importance of securing further improvements. However the Government does not accept the Committee's view that it has failed to get to grips with the issue of air pollution. The Government has made a commitment to work towards full compliance with EU air quality standards and these, together with the significant public health and environmental benefits, are the central drivers for policy in this area.
3. The Government published its response to the EAC's March 2010 report on air quality in November 2010. Since then there have been significant developments in air quality policy both in terms of our understanding of the health impacts and in our understanding of the scale of challenge in achieving further improvements, especially in the short term.
4. Significant reductions have been achieved in emissions of lead, sulphur dioxide, particulate matter and oxides of nitrogen over many years. As a result, the UK now meets EU limit values for nearly all pollutants. The European Commission granted the UK additional time to meet the PM₁₀ limit value in London until June 2011, and we will report on 2011 compliance for this pollutant in September 2012. The London Mayor's air quality strategy sets out a range of measures to reduce pollution in this area. For NO₂ the position is much more challenging and accelerating expected reductions especially in transport emissions is proving to be very difficult. This is not just the case for the UK—most Member States in the European Union reported some level of non-compliance in 2010.
5. The UK published in September 2011 air quality plans for achieving NO₂ limit values. These identified the most significant contributor to the current scale of exceedences of the limit values as being the failure of EU vehicle emission standards for oxides of nitrogen (NO_x) to achieve the reductions intended for this pollutant. At the same time there had been increased dieselisation of the vehicle fleet and increased van and bus activity in urban areas. The combined effect of these factors has, meant that roadside levels of NO₂ had not

decreased as expected and, in places, had increased leading to more NO₂ exceedences and declarations of air quality management areas at local level. Moreover, as has been acknowledged by the EAC, the underperformance of these technologies means that measures to accelerate the uptake of newer emission standards through low emission zones or in other ways must be scrutinised carefully to ensure money is targeted in a way that can be relied upon to deliver intended outcomes.

6. Securing further improvements in air quality cannot be considered in isolation from the precise policy measures available. Because of the significance of transport emission sources to air pollution, the choice of transport policy measures is especially important. The Committee did not in its report recommend any specific policy measures other than that the Government should establish a national framework for low emission zones, which we are already investigating (see below our response to recommendation 10). There are, however, difficult choices to be made for both national and local government in the selection of policy measures and a number of factors that need to be considered by local government in relation to implementing low emission zones. This is because low emission zones affect transport choices and priorities, as well as having implications for economic growth including at the local level. The pace at which we can achieve further reductions in NO₂ must be realistic and sustainable, and be balanced against the pace of economic growth and resources available.

7. Local action is important in improving air quality in local 'hotspots' and working with local industry and other authorities to manage air quality. The Localism Act (given Royal Assent in November 2011) puts greater power in the hands of local government and local communities to influence decisions in their area and to support sustainable growth and development. These decisions can significantly affect local air quality; and local authorities have continuing responsibilities to assess and improve air quality where national objectives or limit values are at risk. The powers in Part 2 of the Localism Act to pass on infraction fines are intended to encourage local authorities to meet their European obligations and act responsibly. Part 2 of the Act will only be used in exceptional circumstances, after all the UK has never been fined for an infraction.

8. The Government is supporting action by local authorities to investigate measures to improve local air quality, and in 2011 allocated £3m towards local action. More widely, hundreds of millions of pounds have been allocated towards measures to support local sustainable transport, carbon reduction and economic growth; and many of these projects have potential to improve air quality in addition to meeting their primary objectives. The Government will continue to work with local authorities to deliver improvements and to encourage local authority decision makers to consider and, where practicable, to take measures within their powers to improve air quality.

9. The Government sees public awareness as central to achieving its goals on improving air quality; and a top priority is ensuring businesses and the public understand both the health impacts, and the actions that can be effective in reducing those health impacts. Since the Government's response to the Committee's first inquiry, substantial progress has been made regarding our understanding of the health impacts of air pollution and how this can be used in public communication.

10. The Government is proposing a new emphasis on air pollution in public health policy through the recently published Public Health Outcomes Framework. (see response to Recommendation 9 below). In preparation for this, it consulted widely on proposals for a

new strategic outcomes framework for public health outcome indicators. Based on the significant public health impact of particulate air pollution, we have included an air pollution indicator in the published framework. This indicator is based on the mortality effect of man-made particulate air pollution, measured as fine particulate matter, PM_{2.5}. This is intended to raise awareness of air quality as a public health issue with local authorities, in their capacity of having oversight for public health in their areas, as well as with GPs and Directors of Public Health at the local level.

11. We strongly welcome the engagement of the public and public campaigns in air quality especially the Healthy Air Campaign initiated by Environmental Protection UK and now supported by other sponsors. Only through better understanding can we hope to have a measured debate about air quality and the available measures to improve air quality and public health. Defra supports local action to raise public awareness on air quality, and is in discussion with the Healthy Air Campaign on opportunities for joint working. We would like to see a wider range of bodies supporting this and other campaigns.

Response to Recommendations

Particulate Matter

1. There is still much to be done to resolve the situation in London. The Olympics Delivery Authority has made a commitment to holding the greenest Olympics ever, but we note that it is proving difficult to for the Mayor to make the required policy trade-offs and achieve acceptable levels of air quality. We welcome Defra's consultation to invite views on the short-term measures that have been adopted in London, but the fact that these measures have had to be used clearly indicates that air quality is not being addressed in the long-term. Further measures must address the causes of air pollution and must be more credible than spraying the roads with adhesive. (Paragraph 16)

12. London is the largest city in the European Union and one of the most vibrant and diverse in its economy. This represents particular challenges for the UK Government, the Mayor and London Boroughs to enable sustainable growth and to support improvements in air quality. We expect to have met PM₁₀ limit values in London in 2011—a notable achievement given the difficulties many other European cities are having complying with the standards for this pollutant. We agree that there is further work to do to reduce NO₂ levels in London (and elsewhere) and to achieve further reductions in particulate matter including fine particulate matter (PM_{2.5}) and black carbon. However the EAC is wrong to say that air quality in London is not being addressed in the long term. Indeed a number of important measures have been taken by the current Mayor to improve air quality in London including over the longer term, with significant support from the UK Government.

13. In April 2011, following a detailed technical assessment, the European Commission published their Decision, confirming that the air quality plan for Greater London showed that the daily limit value for PM₁₀ was expected to be met by 11 June 2011. The extension of the compliance deadline to that date was on condition that the air quality plan was updated

to detail measures to minimise the risk of exceedences to the limit value after this deadline. The UK Government went on to allocate an additional £5 million to the Mayor to further support the various local measures being taken to improve air quality. An update on delivery of these measures, which were set out in the Mayor's Air Quality Strategy, was submitted to the European Commission, who have now confirmed that the conditions of their Decision have been met. In response to stakeholder interest in these local measures, the Government invited comments on the update; and the deadline for response was 6 January 2012. A small number of responses have been received; and these will be taken into consideration in ongoing discussions with the Mayor and the GLA to improve air quality in London.

14. The Mayor of London published his Air Quality Strategy for London on 14 December 2010. This set out both the short and long term measures the Mayor would take to improve air quality in London with respect to particulate matter and nitrogen dioxide. London has the world's largest Low Emission Zone introduced in 2008. In January 2012 the standards for heavy duty vehicles operating in the zone were tightened to at least Euro IV emission standards for particulate matter; and also to include vans and minibuses for the first time, reducing emissions from 150,000 commercial vehicles operating in London (light duty vehicles are now expected to meet at least Euro III standards for particulate matter).

15. Other long term measures set out in the Mayor's Air Quality Strategy include measures to introduce age based limits for taxis and private hire vehicles, promoting smarter travel options including record investment in cycling, and further improvements to the London bus fleet. The strategy also contains measures to reduce emissions from homes, businesses and industrial sources, including retrofitting up to 1.2m homes with more efficient energy systems. These measures are expected to deliver significant long term reductions in air pollutant emissions, and consequential improvements in London's air quality, and build on a number of initiatives implemented in previous years. The measures in the Mayor's Strategy, along with natural fleet turnover, are expected to reduce PM₁₀ and NO_x emissions by a third by 2015. For NO_x the measures in the Mayor's Air Quality Strategy and natural fleet turnover should reduce emissions in Greater London by 20,000 tonnes in 2015.¹

16. In April 2011 the Government allocated to the Mayor of London a further £5 million to help extend his programme of local measures including a range of targeted hotspot measures to improve air quality in those areas most at risk from exceeding EU limit values. This "Clean Air Fund" included support for:

- Targeted cleaning at priority locations and increased application of dust suppressants;
- Reducing idling at priority locations, including marshalling and taxi management at rail stations and "no-idling" awareness raising;
- Installing Diesel Particulate Filters (DPFs) on older buses;
- Installing green infrastructure, such as trees, green walls and green screens; and
- Working with businesses to reduce their air quality footprint, for example, by sharing deliveries with other businesses or encouraging their staff to walk to meetings rather than take a taxi.

¹ <http://www.london.gov.uk/sites/default/files/MAQS%20Executive%20Summary%20FINAL.pdf>

17. This programme represents a mix both of well established measures to reduce air pollution from transport and of others which are more innovative in their approach. TfL is monitoring their effectiveness. TfL published a report on “Targeted Application of Calcium Magnesium Acetate (CMA)” in August 2011. This report showed that repeated applications of dust suppressants were effective at reducing particulates by around 10 per cent over 24-hour periods². The bulk of the Mayor’s Air Quality Strategy consists of long term measures intended to achieve on-going reductions in emissions of PM₁₀ and NO_x. Most recently the Government has awarded a further £5m of funding to the Mayor expressly to support the retrofit of NO_x abatement technology to older London buses, to be match-funded by another £5m from TfL. This is a major investment for cleaner air in the capital, and will reduce harmful emissions from nearly 1,000 London buses. This is anticipated to result in a 400 tonne reduction in NO_x emissions and represents an important contribution to reducing NO₂ concentrations.

18. The measures in the Mayor’s air quality strategy will contribute to reductions in emissions in the run up to the London Olympics in summer 2012 as well as beyond. During the Games TfL will also be working with businesses to consider alternative ways of working and travelling, including home and flexible working, travelling into work at different times and encouraging staff to walk or cycle into work. London 2012 will be a “public transport Games” with spectators travelling to London venues by public transport, cycling or on foot. To help achieve this, ticketed spectators for London events will receive a Games Travelcard for London’s public transport system on that day. There will be no private car parking for spectators at any venue, except for limited Blue Badge parking.

19. The most likely health risk arising from air pollution during the Olympic Games is from an ozone event (i.e. short-term effects of elevated levels) where the combination of air masses from continental Europe and warm weather with prolonged sunshine lead to elevated levels. Scope for local action in these circumstances is extremely limited, as such events are meteorologically driven and need long term international commitments to reduce emissions of precursor pollutants. Measures are in place to ensure regular advice is provided through LOCOG to the IOC on air quality at Games venues and also to the public.

Nitrogen Dioxide

2. We can see no circumstances in which a delay in achieving [EU limit value] targets or a lessening of these targets would be acceptable. Any delay or lessening would simply put more lives at risk. We see a case for arguing that fines would not be appropriate if the means for delivering them is not available, but this case has not yet been adequately made. The Government must set out how it intends to achieve EU targets. It must say, in its response to this report, whether or not it intends to push for less stringent targets when air quality legislation is reviewed in 2013. Its apparent tactic of avoiding EU fines by applying for extensions to limit value targets, with an expectation that target values will be diluted in the near future, is putting the health of UK residents at risk. (Paragraph 20)

3. Applications for compliance extensions which lack sufficient policy measures to back them up could result in unlimited fines from the European Commission. The

² <http://www.tfl.gov.uk/assets/downloads/corporate/dust-suppressant-results.pdf>

**Government must now embark on a strategy that aims to achieve air quality targets.
(Paragraph 21)**

20. The most compelling evidence about health impacts of air pollution remains around particulate matter. The Government is committed to working towards compliance with EU air quality standards; but it will be important to ensure that a focus on reducing NO₂ concentrations does not distract from efforts to reduce particulate pollution for which there is greatest confidence in the health benefits that will result.

21. Compliance deadlines in EU legislation have generally taken account of what planned measures are expected to achieve. In the case of NO₂, the underperformance of vehicle abatement technologies across the EU has meant that whilst compliance has been achieved across large parts of the UK, progress towards compliance along a significant proportion of our roads, especially in urban areas, is much slower than anticipated.

22. The Government has published air quality plans setting out both the national and local measures that will help to reduce NO₂ concentrations and how quickly compliance with the limit values for NO₂ can be achieved. These plans illustrate the significant challenge there is in identifying reasonable and proportionate measures that will provide further acceleration in progress towards the NO₂ limit values in our urban areas. They also show the uncertainties regarding the effectiveness of some Euro standards in reducing NO_x emissions which in turn affects the availability of measures. Given that the procedure for seeking time extensions and submitting air quality plans is explicitly laid down in the Directive, the Government does not agree with the implication of the Committee's recommendation that to invoke these provisions would be unacceptable. However, since the Directive was adopted, it has become clear that even the extended compliance date of January 2015 is inadequate, not just for parts of the UK, but also for parts of many other EU countries.

23. The Government stated in its response to the European Commission's informal consultation on its review of air quality legislation that it supports further EU ambitions to reduce health and environmental impacts of air pollution. This further ambition would need to reflect wider environmental and economic goals to promote sustainable economic growth. These actions should be linked especially with climate change targets in the long term. However, there was never an intention for any of the deadlines to force measures that would impose disproportionate costs on society. Deadlines for attainment of limit values must reflect both the availability of measures and the affordability of implementation relative to the benefits.

24. The Committee is not correct to say that Government has no measures in place to achieve NO₂ limit values. The Government's air quality plans describe a significant number of measures that will contribute to reductions in emissions in air pollutants. For transport these initiatives include:

- over £400m for measures to promote the uptake of ultra-low carbon vehicle technologies;
- a £560m Local Sustainable Transport Fund to provide funding for local authorities to support sustainable travel;

- a £47m Green Bus Fund which has enabled bus operators and local authorities in England to purchase around 540 new low carbon emission buses which will be in operation by March 2012;
- Building air quality requirements into rail franchise specifications; and supporting a rail electrification programme which will see diesel trains replaced with zero emission electric trains on the Great Western Main Line, various lines in the North West of England, and the Manchester–Leeds–York TransPennine route;
- Using taxes to encourage uptake of cleaner vehicles, including reduced pollution certificate discounts for buying heavy duty vehicles meeting Euro standards that are not yet mandatory;
- Sustained investment in public transport including national and local support for bus operators, making them a viable alternative to car travel (around £2.5bn in 2010);
- Sustained investment to promote cycling, walking and other sustainable transport including improving traffic flow on strategic roads through active management of sections of the motorway network at busy times;
- Arguing internationally for tighter NO_x limits for aircraft beyond those agreed in 2010, to require new aircraft engine types from 2014 to be cleaner and phasing out the build of older, less clean types by 2012.

25. The Government recently announced further funding to support emissions reductions from public transport, including £20m for a third Green Bus Fund and £5m for retrofitment of older buses with NO_x abatement equipment in London. The Government has also made significant efforts to tackle both carbon and air quality impacts through, for example, long term investment in measures to reduce the carbon impacts of energy production and domestic and commercial heating. These projects represent many billions of pounds worth of investment and should lead to substantial improvements in air quality over the next 20 to 30 years.

26. The Government continues to investigate measures to improve air quality including the feasibility and effectiveness of Low Emission Zones (see response to recommendation 10).

4. In the event of a third runway being developed at Heathrow, compliance with NO₂ limits would be impossible. However, for the Government to make the case that compliance with EU air quality limits throughout Greater London will be maintained beyond 2015, their application for an extension to meet EU limit values, the forthcoming Sustainable Framework for UK Aviation and the forthcoming Aviation National Policy Statement must contain an explicit prohibition of a third runway at Heathrow. (Paragraph 22)

27. As the Committee's report notes, the Coalition Government stated in its Programme for Government that it would cancel the third runway at Heathrow. The National Infrastructure Plan (NIP), published on 29 November 2011, made a commitment that the draft aviation policy framework would "explore all the options for maintaining the UK's aviation hub status, **with the exception of a third runway at Heathrow**" (emphasis added). The Government has therefore made absolutely clear its opposition to a third runway at Heathrow.

The priority given by Defra

5. Defra must include progress towards achieving EU air quality targets for particulate matter and nitrogen dioxide in its business plan at the next update. If these targets are not included, we expect the Minister for Government Policy to report on why this is the case and what discussions he has had with Defra on this during his review of their business plan. (Paragraph 26)

28. As has already been stated in Defra's evidence to the Committee, the fact that air quality is not explicitly mentioned in the Defra Business Plan, published in May 2011, does not in any way reflect a lack of importance attached to air quality nor to its significance as a cross government issue. Departmental Business Plans are intended to set out structural reforms, rather than every policy responsibility or work programme led by the Department. Interest and responsibility for air quality and its public health impacts spans several Government Departments, including the departments of Transport, Communities, Health, and Energy and Climate Change. However, we will give further consideration to the Committee's recommendation as part of the review of our Business Plan during 2012.

Joined up policy

6. The Government should produce an action plan setting out how air quality is to be considered in policy development across Government, to encourage co-benefits with other policies, to discourage policy conflicts and to assess the impacts of consolidating air quality regulations. It should establish a ministerial group to oversee and ensure adherence to the action plan. The Cabinet Office, because of its role in directing policy across departments, should take the lead in implementing this. (Paragraph 30)

29. Defra leads a cross departmental programme board with officials from Departments with an interest in air quality. Departments that have been represented to date include the Department for Transport, the Department for Communities and Local Government, the Department for Health, the Department for Energy and Climate Change, the Department for Business Innovation and Skills, and Cabinet Office. This Board meets several times a year and covers policy delivery on air quality, industrial pollution, noise and nuisance, and local environmental quality. Minutes of the Board meetings are made available to interested stakeholders. The Board provides advice on air quality strategy and cross cutting issues. The Board considers co-benefits with other policies and seeks to minimise or mitigate policy conflicts. Defra also works very closely with other Government Departments to maximise the benefits of those departments' policies where these can impact upon air quality, including transport, energy and climate change and planning policy.

30. The Government assesses the impacts of policy measures on air quality in line with the Treasury Green Book guidance on economic appraisal. Supplementary guidance on appraising air quality impacts prepared by the interdepartmental group on costs and benefits led by Defra is also applied, where feasible, when assessing the impact of policy proposals for their effect on air quality.

31. Defra leads on the coordination and delivery of air quality strategy and has the necessary policy and scientific expertise to oversee this. Defra Ministers work closely with Ministers in other Departments to resolve policy conflicts and to ensure policy measures

are aligned to benefit air quality and other environmental priorities. Ministerial decisions affecting air quality are taken into account through the Home Affairs Cabinet Committee. The Government is not convinced by the Committee's recommendation that it is necessary for Cabinet Office to lead on implementation. This would only lead to additional layers of bureaucracy given the existing mechanisms for coordination between departments.

Support for local authorities

7. The Government must engage with local authority leaders to set out clearly the risks of failing to act on improving air quality. It must help local authorities to join up thinking across their departments to help identify where conflicts arise and where improvements can be made. This needs to be done in a way that influences decisions taken by local enterprise partnerships and planning authorities and takes account of new public health reforms. Government engagement with local authorities also needs to address establishing a national framework for low emissions zones and a public awareness campaign. (Paragraph 37)

32. Defra works very closely with local authorities to provide advice on how they can improve local air quality and what measures are likely to be most effective. Defra publishes substantive guidance on the duties local authorities have with respect to local air quality management and in particular on action planning and measures to improve air quality. There are many examples of local authority best practice in air quality and of local authorities working across responsibilities and tiers of local government. Defra is working to ensure these examples are promulgated widely, so that other authorities can learn from these and adapt them for their own areas. There is scope for further improving delivery; and Defra has commissioned research into the effectiveness of local authority action planning, with a view to consulting in 2012 on improvements to the delivery of air quality action plans and air quality measures. We will also consult on changes to regulations on air quality, so that national objectives and EU limit values are properly aligned and local authorities have clarity on their obligations.

33. During 2011 Government allocated just over £3m of air quality grant funding to English local authorities to support measure to improve air quality. This included funding to investigate the feasibility of low emission zones; to support the implementation of low emission strategies; to support awareness raising; and to support other air quality measures.

34. We agree with the Committee that it is important local authorities are actively engaged in the delivery of public health reforms and in raising public awareness on air quality. There are several examples of local authorities that have introduced public awareness campaigns on air quality; many of these have benefited from Defra Air Quality Grant support. Defra and DfT have also worked closely with local authorities to understand their appetite for further action on low emission zones and to provide advice and support on feasibility studies. More is said of this in response to recommendation 10 on a national framework for low emission zones.

8. A blanket approach of transferring EU fines to those local authorities failing to meet air quality targets would be unfair. The causes of poor air quality are often beyond an individual authority's control. ... Transferring EU fines to local authorities might help to deliver air quality improvements but, if it pursues this, the Government must

establish a mechanism where it only passes on a share of fines proportionate to a local authority's ability to influence local air quality. Many of the causes of poor air quality arise from policies for which central Government is responsible. Otherwise, the process is likely to result in lengthy and costly legal battles, and risks being seen simply as cutting local government financial support. Before it does this, the Government needs to assess the resource requirements of individual local authorities, depending on their circumstances, to be able to deal efficiently with the air quality challenge at a time of squeezed budgets. (Paragraph 39)

35. The Localism Act 2011 gained Royal Assent on 15 November 2011 and provides a substantial and lasting shift in power away from central government and towards local people. The Government has given public authorities more powers and freedoms to conduct their business and deliver services to the public. This includes a major reduction in the “oversight” role of central government. Given this increased flexibility, public authorities must, therefore, accept responsibility for the consequences of their actions or inaction.

36. Part 2 of the Localism Act introduces a discretionary power for a Minister of the Crown to require a public authority to pay some, or all, of a Court of Justice for the European Union financial sanction, where the public authority has demonstrably caused or contributed to that sanction. This corrects a previous misalignment in accountability, and provides an incentive for public authorities to meet their obligations and avoid any financial sanctions falling on UK taxpayers. The expectation is that the risk of fines on the UK (and therefore the risk to public authorities) will be significantly reduced as a result.

37. The Government agrees that a blanket approach to the handling of infraction fines (should any arise) is unfair and it does not support such an approach. Costs would only be incurred by those public authorities that had responsibility to comply, had demonstrably caused or contributed to the financial sanction, and had previously been designated under section 52 of the Localism Act for the infraction case in question. Only actions or omissions after designation can be taken into account.

38. In the unprecedented situation that the UK is fined in relation to an infraction, that an authority has been previously designated for the infraction case and that the Minister wishes to use the powers in Part 2, then an independent advisory panel must be formed to provide advice on fair apportionment of responsibility and costs (Section 53 of the Localism Act). The Minister must have regard to an authority's ability to pay (Section 55).

39. The Act also includes a duty for the Secretary of State to consult upon and publish a policy statement setting out the arrangements for the application of powers relating to EU financial sanctions. The Department of Communities and Local Government is consulting on a draft policy statement which includes key principles of transparency in decision-making and of no surprises should the powers be used³.

40. In principle, the provisions in the Localism Act could be used to pass on to local authorities fines handed down to the UK in respect of breaches of air quality legislation. However, the UK would want to work closely with relevant local authorities to ensure appropriate action is taken where this is necessary and to avoid infraction fines occurring in the first place. The powers in the Localism Act are intended to encourage the avoidance

³ <http://www.communities.gov.uk/publications/localgovernment/part2localismact>

of any fines and the UK Government intends to work not to be in a position where it would have to consider their use.

Health reforms

9. The Government must take full advantage of public health reforms to improve local authorities' abilities to improve air quality. In particular the Government should introduce indicators to measure public health improvements from better air quality in its public health reforms. (Paragraph 41)

41. The Government set out its proposals for a radical new approach to public health in the White Paper, "Healthy Lives, Healthy People", published at the end of 2010. This outlined the Government's commitment to protecting the population from serious health threats; helping people live longer, healthier and more fulfilling lives; and improving the health of the poorest, fastest.

42. At a national level, it is proposed that, subject to passage of the Health and Social Care Bill, a new dedicated public health service, Public Health England, will be set up as an Executive Agency of the Department of Health (incorporating the functions of, among other public health bodies, the Health Protection Agency). This will strengthen the national response on emergency preparedness and health protection, and provide a strong hub for evidence, information and evaluation, supporting local efforts. The proposals also set out a new strategic outcomes framework for public health at national and local levels, based on the evidence of where the biggest challenges are for health and wellbeing, and the wider factors that drive them. Based on the significant public health impact from particulate air pollution, the consultation on the outcomes framework proposed that life years lost from particulate air pollution, as measured by fine particulate matter (PM_{2.5}), be considered as an outcome indicator in the framework.

43. Defra has a strong interest in the outcomes framework given the shared priorities and in particular the focus on action that best reflect the 'causes of the causes' of health and inequalities in health. Defra officials have worked closely with DH and have influenced the development of the White Paper and the indicators. The Government published the Public Health Outcomes Framework on 23 January 2012. This framework includes an indicator for air quality relating to the mortality effect of man-made particulate air pollution measured as fine particulate matter, PM_{2.5}. This is likely to be of considerable value in promoting air quality at local level and to supporting local authority action to improve air quality and public health. Inclusion of this indicator will enable Directors of Public Health to prioritise action on air quality in their local area to help reduce the health burden from air pollution. Defra is working with DH to ensure the benefits from this indicator are realised by local authorities. This includes working with local authorities to ensure they are able to articulate locally the impacts of air quality in ways that are meaningful to the public. We expect this framework both to help raise awareness of the importance of air quality in public health locally and to support local authority action to improve air quality.

Low emission zones

10. As a matter of urgency, the Government must set up a national framework for low emission zones to establish a recognised standard for emissions and vehicle

identification, supported by a national certification scheme of retrofit technologies. (Paragraph 46)

44. The Government is investigating the feasibility and effectiveness of a national framework to support low emission zones and a national certification scheme of retrofit technologies. As the Committee acknowledges, a number of Euro standards for different vehicle types have failed to deliver the anticipated emissions reductions for NO_x, although they remain effective for particulate matter. Low emission zones are aimed at seeking reduced emissions through a combination of increased uptake of newer vehicles (with lower emissions), and through encouraging operators to retrofit pollution abatement equipment to older vehicles. It is therefore essential that lessons are learnt from this and current best practice in implementation of LEZs so that any measures introduced can be relied upon to have desired outcomes.

45. In its air quality plans for NO₂, submitted in September 2011, Defra set out modelled scenarios for low emission zones in London and other major towns and cities in England. These assumed that all heavy duty vehicles (ie HGVs and buses) would have to meet at least Euro IV standards in order to enter the authorities concerned. Due to emerging evidence on the performance of some Euro standards with respect to real world NO_x reductions, there are some uncertainties in our assessment of the absolute emission reductions some Euro standards would bring, as well as of future NO₂ concentrations. This particularly applies to the effectiveness of, Euro V standards in urban areas. Defra is therefore working quickly to update the assumptions on emissions to reduce the uncertainty in our analysis. However, these hypothetical scenarios did suggest that, on the basis of existing emissions assumptions, the introduction of low emission zones could bring four additional air quality zones or agglomerations into compliance by 2015 (on top of the 17 already expected to come into compliance by 2015) and significantly reduce the gap to compliance in other zones where it was applied.

46. Euro standards have in general been effective at reducing emissions of regulated air pollutants from road vehicles, and technological advances have enabled their tightening over time. The Euro 5 emissions standard, which is now mandatory for new cars and vans, delivers a major step change in diesel exhaust particle emissions, by setting a limit on the number of solid particles emitted. This will reduce emissions by 99% relative to previous diesel vehicles. The forthcoming Euro VI standard will deliver similar improvements in exhaust particle emissions from diesel buses and lorries. NO_x emissions from diesel vehicles in both urban and extra-urban conditions have not, however, reduced significantly as a result of the Euro standards to date. In addition to tightening diesel NO_x limits significantly, the Euro VI standard for lorries and buses includes specific measures to ensure that NO_x emissions are controlled across the range of operating conditions. Similar provisions for cars and vans are being developed for implementation through Euro 6. International standards for the certification of retrofit emissions control systems are also being developed. It is important that retrofit systems are effective in real-world operation and also that development and approval costs do not prevent emissions control suppliers bringing such systems to market. The adoption of international standards will help deliver these objectives. The Government is supportive of, and fully engaged in, the continued development of Euro standards and international standards for approval of retrofit systems.

47. In order to support our investigation of the feasibility of a national framework to support low emission zones Defra commissioned research to investigate the feasibility of developing a certification scheme for technology retrofitted to heavy duty vehicles to abate NO_x emissions. This work was conducted in collaboration with a number of stakeholders including the Environmental Industries Commission, the Freight Transport Association, the Road Haulage Association, local authorities (including the GLA and TfL) and the Department for Transport. The purpose of this research was to fill evidence gaps on the abatement equipment available to control vehicle NO_x emissions and on the arrangements necessary for administration and enforcement of any scheme to support low emission zones nationally. The results of this research were published in November 2011⁴. The work will be used to inform decisions on establishing a national certification scheme for retrofit technologies to support local authorities wishing to introduce low emission zones or similar measures to control transport pollution.

48. As stated in our response to the previous EAC report on Air Quality, decisions on the introduction of low emission zones must be made at local level by local authorities. They have the appropriate powers to introduce low emission zones and are best placed to determine the extent and target of such measures in terms of the areas and vehicles affected. Defra has met with or consulted local authorities modelled in the hypothetical scenarios set out in its air quality plans for NO₂, to review the local appetite for low emission zones and similar measures. These preliminary discussions indicated that whilst there was some interest in low emission zones there were also a number of reservations and concerns from local authorities.

49. They particularly recognised that LEZs were not a panacea and had to be seen in the context of what was needed to support the local economy and amenity of an area and as part of a suite of measures to improve air quality and public health. The main concerns cited by local authorities during consultations have been:

- Availability of funding to cover costs of implementation and enforcement, especially if a scheme such as in London was considered;
- Uncertain or limited local political support and public buy-in to measures which might appear to be road charging or congestion charging even if they do not affect private car users;
- The effectiveness of LEZs at reducing levels of NO₂ (most local authority Air Quality Management Areas have been declared for this pollutant);
- Concerns over economic impact or loss of business—over whether shoppers or freight would go to another nearby town or city where they are not penalised for having more polluting vehicles;
- Impacts on small firms and local hauliers compared to national carriers;
- Concerns over implications for local bus operators who might find the cost of compliance too expensive and leave the market.

Despite these concerns local authorities also recognised advantages in a national framework and certification scheme if they were to introduce LEZs. Some local authorities that were consulted thought that it would create a level playing field and make

⁴ http://uk-air.defra.gov.uk/reports/cat09/1111241413_29600_DeNOx_Final_Report_i4.pdf

implementation easier locally. They also thought it would also help raise the profile of air quality and the health impacts so as to encourage support for low emission zones and other actions to improve air quality.

50. As part of its air quality grant programme for 2011–12 Defra has committed over £500,000 to support a number of local authorities to carry out feasibility studies or investigations into low emission zones. We are actively working with these local authorities to support their investigations. As well as being of value for local decisions on air quality the findings will be helpful to further inform work on a national framework.

51. As indicated above, low emission zones have the potential to improve air quality but also can represent significant cost burdens to local authorities, government agencies and most importantly vehicle operators. An impact assessment carried out in 2011 suggested that whilst these measures may represent the most cost effective approach to reducing NO_x emissions (noting the uncertainties in emission factors), the cost to industry were still significant. Decisions on introducing these measures cannot therefore be taken lightly and must be considered on the basis of sufficient evidence regarding effectiveness and local appetite. Defra and DfT will continue this work in 2012 to identify the best way forward.

Increase public awareness

11. The costs to society from poor air quality are on a par with those from smoking and obesity. A public awareness campaign would be the single most important tool in improving air quality. It should be used to inform people about the positive action they could take to reduce emissions and their exposure. It should also be used to provide an impetus for action in local authorities to deliver more joined up thinking on achieving air quality targets. The Government should provide Defra with the means to launch such a campaign. This could be done in collaboration with existing campaigning groups, to ensure maximum cost effectiveness and coverage. (Paragraph 52)

52. The Government agrees that the costs of poor air quality on long term health and mortality are significant. Substantial progress regarding our understanding of the health impacts of air pollution has been made since the Committee's first report in 2010 and the Government's response in November 2010.

53. In December 2010, the Committee on the Medical Effects of Air Pollution (COMEAP) published a report which provided estimates of the effects of particulate pollution (measured as PM_{2.5}) on mortality in the UK⁵. This report has been particularly important in developing a means of expressing these effects. It estimated that in 2008 particulate pollution (as PM_{2.5}) had an effect on mortality in the UK equivalent to 29,000 deaths associated with a loss to the population of 340,000 years of life. However, COMEAP considered it very unlikely that this represented the actual number of individuals affected. Nor did it think it likely that all deaths in 2008 were affected by air pollution. The major mortality effect of air pollution is on deaths from cardiovascular disease; and it is likely that air pollution acts as a contributory factor—along with many others—in affecting mortality. COMEAP therefore speculated that the number of cardiovascular deaths in 2008 (approximately 200,000) is more likely to be the maximum number of early deaths to which air pollution contributed a part. COMEAP also estimated that a reduction of 1µg/m³

⁵ <http://www.comeap.org.uk/documents/reports/128-the-mortality-effects-of-long-term-exposure-to-particulate-air-pollution-in-the-uk.html>

in the annual average population-weighted concentration of fine particulates would result in a saving of approximately 4 million life-years over the following 106 years, associated with an increase in average life-expectancy from birth of around 20 days.

54. COMEAP published in November 2010 a statement on the extent to which air pollution might play a part in the causation of asthma. This was underpinned by detailed reviews of the evidence base bearing on the topic.⁶

55. During the Committee's follow-up inquiry, COMEAP published its 'Review of the UK Air Quality Index',⁷ <http://www.comeap.org.uk/documents/reports/130-review-of-the-uk-air-quality-index.html> in which several recommendations were made proposing changes to the air quality index to reflect current evidence. In December 2011 Defra provided notification of changes to the Index, which were implemented in January 2012⁸. COMEAP's review and the revised bandings have enabled Defra to provide the public both with appropriate guidance on daily levels of air pollution, and with information on actions individuals can take to reduce the impacts on their health.

56. In addition to the above work by COMEAP, the Department of Health (DH) funded the Health Protection Agency to host a workshop to consider the available evidence on the possible effects on health of ambient levels of NO₂ and to develop research recommendations to enable a better understanding of the effects of this pollutant on health. The workshop brought together leading experts from the UK and mainland Europe (including the European Commission and the World Health Organisation) with officials from relevant Government Departments with policy or advisory responsibility in this area. The report of the workshop was published on 12 September 2012.⁹ This workshop confirmed the many difficulties that remain in understanding the extent to which NO₂ contributes to the adverse health effects of mixtures of air pollutants, and put forward ideas for research that would help address this question. The work of COMEAP has significantly contributed to our understanding of the health impacts of air pollution and also their effective communication.

57. The Government strongly supports and welcomes campaigns to improve understanding of the public health impact of air pollution at local level and agrees that better public awareness is vital. There are already many locally-led campaigns to improve understanding and to encourage positive action to reduce emissions and exposure. Defra air quality grant funding has been used to support local authorities in such campaigns. For example the CityAir campaign led by the Corporation of London works with business in the Square Mile to raise awareness and encourage behaviour change to improve air quality. Another example of a local campaign targeted at a measure where individuals can take action to improve air pollution is that launched by the GLA in January 2012, aimed at encouraging drivers not to leave their vehicle engines idling while stationary. The Government has supported similar campaigns elsewhere in the UK and would like to see a wider range of organisations taking part in this activity and so raising public awareness of what individuals, businesses and public authorities can do themselves to improve air quality and to reduce their own impact. It is also essential to raise understanding of the

⁶ <http://www.comeap.org.uk/documents/statements/118-asthma-statement.html>

⁷ <http://www.comeap.org.uk/documents/reports/130-review-of-the-uk-air-quality-index.html>

⁸ <http://uk-air.defra.gov.uk/news?view=158>

⁹ <http://www.hpa.org.uk/Publications/Radiation/CRCEScientificAndTechnicalReportSeries/HPACRCE026/>

measures and choices that must be made if we are to achieve improvements over the long term.

58. The Government has welcomed the Healthy Air Campaign and its goals to raise awareness both of the health impacts of air quality and of what individuals can do to improve air quality or to reduce their exposure. Defra officials have met with the campaign organisers and invited them to put forward proposals on how we could work together. We are keen to work with the Healthy Air Campaign and with others to raise awareness and will continue to support action in this area. We will also, as noted above, be working closely with local directors of public health to encourage more account to be taken of air pollution in raising local public health awareness.