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Air Quality Plans Team  
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London, SW1P 3JR  
Email: [air.quality@defra.gsi.gov.uk](mailto:air.quality@defra.gsi.gov.uk)

6 November 2015

Dear Madam/Sir,

**Healthy Air Campaign consultation response: Draft plans to improve air quality in the UK – tackling nitrogen dioxide in our towns and cities**

The Healthy Air Campaign is a broad coalition of health, transport and environmental organisations that support the need for urgent action to improve air quality. This is a joint response representing shared concerns about the proposals contained in this consultation. Individual partners will make separate and detailed responses where appropriate.

Air pollution is an invisible public health crisis, contributing to the equivalent of tens of thousands of early deaths each year across the UK and reducing the quality of life for many more, in particular for children, older people and people made vulnerable by some chronic health conditions and is an inequality issue. It also has a damaging effect on ecosystems and wildlife. Taking action on air pollution will not only deliver numerous health and wellbeing benefits but can form part of a holistic strategy to tackle climate change due to the strong co-benefits for each from tackling the other.

The Committee on the Medical Effects of Air Pollution (COMEAP) has previously found that long-term exposure to particulate matter pollution (PM<sub>2.5</sub>) causes the equivalent of 29,000 early deaths across the UK each year.<sup>1</sup> COMEAP is now quantifying the health impacts from NO<sub>2</sub> but preliminary estimates suggest that it is causing the equivalent of 23,500 early deaths each year across the UK.<sup>2</sup> This highlights air pollution as the single biggest health risk after smoking in the UK. We welcome the fact that the UK Government has released these

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<sup>1</sup> [COMEAP, 2010, "The mortality effects of long-term exposure to particulate air pollution in the United Kingdom: A report by the Committee on the Medical Effects of Air Pollutants"](#)

<sup>2</sup> [Defra, September 2015, "Draft plans to improve air quality in the UK: Tackling nitrogen dioxide in our towns and cities. UK overview document"](#)

initial estimates. We hope that the UK Government prioritises the completion of the final COMEAP study and disseminates the findings as soon as possible.

We are, however, very concerned that other evidence and technical data for the draft plans has not been released. This makes it very difficult to assess, for example, the assumptions behind the new revised projections for compliance and the ability of the plans to deliver compliance with legal limits. The draft Technical Report that will have been produced as part of the process of revising the projections for compliance should have been released as part of the consultation. We call on Defra to explain why it was not.

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

We do not consider that the proposed plan strikes the right balance between national and local roles. The UK Government has the overall duty to ensure that the UK complies with legal limits of air pollution, including sole responsibility for meeting these limits in England that is devolved to the national administrations to meet. However, the plans fail to outline a proactive role for the UK Government which has some of the biggest policy levers for tackling air pollution.

Instead, the draft plans show the UK Government is passing down responsibility to local authorities. This is despite acknowledging that the failure to meet NO<sub>2</sub> legal limits has mainly been due to national and EU policy failures on diesel vehicles, over which local authorities have no influence. Whilst these national and EU policy failures remain, it would seem unfair to put the main responsibility on local government to solve what is clearly a national Government problem.

This passing down of responsibility is being proposed with little additional resource or powers for local authorities at a time when they are already suffering significant budget constraints. With the UK Government's Spending Review due after the consultation closes, we are concerned about the impacts that further budget cuts could have on the implementation of any plans or strategies to reduce air pollution. In terms of powers, local authorities in general do not have the devolved powers over their transport networks that exist in London, for example. Even in the case of London the incumbent Mayor has said that whilst he can address two-thirds of the city's air pollution problems, the remaining third will require national and EU solutions.

The Healthy Air Campaign has been calling for a cross-departmental national strategy to tackle air pollution to meet legal limits in the shortest time possible. However, with evidence showing adverse health impacts from air pollution even below current legal limits, the UK Government also needs to set a long-term strategy towards stricter national air quality objectives for all pollutants in line with World Health Organisation (WHO) guidelines

by 2030 or before. The current draft plan seeks only to comply with the bare legal requirement by focusing on the short-term need to tackle pollution hotspots for NO<sub>2</sub>.

Achieving acceptable levels of air quality will require concerted action at the local, national and EU level. This was highlighted by a recent Defra study, which estimated that around 50% of the PM<sub>2.5</sub> in the UK can be attributed to emissions from outside the UK.<sup>3</sup> We are therefore concerned by the UK's current position in the ongoing negotiations on the revision of the NEC Directive. The UK's opposition to binding pollution limits for 2025 and resistance to emissions targets for ammonia would delay the achievement of clean air in the UK and contribute to tens of thousands of additional premature deaths.

*Questions 2 and 3 will be addressed by partners in their own responses as appropriate.*

***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?***

The Healthy Air Campaign has been calling for a national network of Low Emission Zones to keep the most polluting diesel vehicles out of towns and cities and incentivise the take up of low- and zero-emission vehicles. This approach could also help improve public transport and create safer and healthier environments to facilitate an increase in walking and cycling. Whilst we welcome the UK Government's proposal to develop a national framework for Clean Air Zones (CAZs), this has not been sufficiently outlined or evidenced to evaluate its impact and arguably too much is still being left to local authorities.

If properly designed, CAZs could help deliver significant reductions in emissions from road transport but also from other sectors, such as construction. A national framework would help reduce the costs of developing, implementing and complying with emissions standards set by CAZs for local authorities, businesses, drivers and individuals. However, the UK Government's proposed voluntary approach relies on local authorities having the resources and political leadership to implement them. This will lead to an inconsistent approach across the UK and increases the potential for displacing air pollution problems from one area to another.

The implementation of CAZs cannot rely on current Euro Standards and their testing regime, which have failed to deliver emissions reductions under real world driving conditions. On 28 October 2015, EU member states agreed the long awaited Real Driving Emissions (RDE) testing package. This should have signalled a step change in ensuring that diesel vehicle manufacturers comply with emissions limits on our roads. However, agreed deadlines for applying the testing regime have been pushed back and the actual emissions limits have been increased to allow for more air pollution. This means that new vehicles will be allowed

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<sup>3</sup> [Defra Air Quality Expert Group, 2013, "Mitigation of United Kingdom PM<sub>2.5</sub> concentrations"](#)

to emit NO<sub>x</sub> levels 2.1 times above current Euro 6 standards until 2019, and from 2021 they will remain 1.5 times higher than current limits.<sup>4</sup> It is clear that Euro Standards are not going to deliver the reductions in air pollution that the UK Government is hoping for anytime soon. The draft plans will have to be revised to include measures for reducing air pollution without relying on ineffective Euro Standards, to prevent any delays in complying with legal limits in the UK. We would also urge the UK Government to continue to work with other member states to renegotiate the package to keep the current emissions limits for Euro 6 and introduce RDE testing in as short a time as possible.

Any action to restrict or discourage the use of motor vehicles needs to be supported by improvements in public transport, walking and cycling infrastructure. The UK Government, through the Infrastructure Act 2015, has a duty to publish a Cycling and Walking Investment Strategy in England. This strategy must be funded and ambitious to be meaningful and effective. Additionally, similar investment strategies must be developed to assist increased cycling and walking in devolved administrations. Increased levels of walking, cycling and public transport are widely accepted as a cost efficient way to achieve multiple benefits to society. We need ambitious targets, along with dedicated investment and practical measures, such as implementing 20mph limits in residential areas, which encourage walking and cycling.<sup>5</sup> These measures can achieve health benefits through improved air quality and increased levels of physical activity, as well as added benefits of reduced congestion and reduced climate change emissions.<sup>6</sup>

The issue of health inequalities also needs to be addressed in the design and implementation of CAZs. Air pollution has a disproportionate impact on children, older people, people with existing health conditions, people from deprived backgrounds and ethnic minorities. Measures that will impact on how people travel should also take into consideration the needs of individuals of restricted mobility.

The Healthy Air Campaign would like to see a firm commitment by the UK Government to delivering a network of CAZs covering the major urban centres across the UK in as shorter time as possible, in collaboration with the respective local authorities. The CAZs should address the urgent need to meet legal limits for NO<sub>2</sub> but also provide a path towards more ambitious national air quality objectives for all pollutants.

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<sup>4</sup> [European Commission press release, 28 October 2015, "Commission welcomes Member States' agreement on robust testing of air pollution emissions by cars"](#)

<sup>5</sup> 20mph limits are one measure that can help people feel safe to encourage them to walk and cycle. A study from the [Commission for Integrated Transport in 2001](#) found that where cities have 20mph speed limits covering between 65% and 85% of the street network, they are transformed "from being noisy, polluted places into vibrant, people-centred environments." 50% of respondents claimed their neighbourhoods were more pleasant places to live and 60% believed that more children played in the streets.

<sup>6</sup> [Sustrans, 2008, "Take Action on Active Travel"](#)

***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?***

Local authorities are currently operating under significant budget and resource constraints, which are predicted to get worse. The draft plans provide very little in the way of additional resource for local authorities and the consultation document caveats that the final plans are dependent on the outcomes of the Spending Review.

Lack of political will to take action on air pollution has been a major barrier at both a national and local level. The UK Government has been forced to come up with these new draft plans through legal pressure from ClientEarth. However, this will not overcome the challenges faced at a local level where placing restrictions on vehicle access, such as would be proposed through Clean Air Zones, can be politically unpopular.

The plans do not outline how national UK Government is going to monitor and ensure action by effective local authorities.<sup>7</sup> Overall, this approach with local authorities could potentially lead to inconsistency and delay in tackling air pollution.

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

As road transport is the main source of air pollution in our town and cities, the Healthy Air Campaign agrees that this should be the main focus for ensuring compliance with legal limits. However, in order to achieve compliance with air quality limits in the shortest time possible, the plans will also need to reduce emissions from all sectors. This is why we call for a cross-departmental approach to tackling air pollution. This needs, in particular, to give responsibility to the Department for Transport, Department of Energy and Climate Change, Department for Communities and Local Government, Department for Health and the Treasury for complying with legal limits in the immediate term, working towards WHO air quality guidelines in the longer term, and minimising the impact on human health in the interim. Substantial improvements to air quality could be delivered by optimising other government initiatives to deliver air quality benefits, and focusing these where most needed.

In order to drive a dramatic decrease in the use of diesel, the UK Government needs to address perverse fiscal measures through Vehicle Excise Duty, fuel duty and company car tax that encourage the use of diesel vehicles. Changes to consumer labelling can also be used to help consumers make more informed choices.

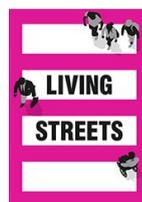
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<sup>7</sup> [COMEAP, 2010, "The mortality effects of long-term exposure to particulate air pollution in the United Kingdom: A report by the Committee on the Medical Effects of Air Pollutants"](#)

In addition to measures directly aimed at reducing emissions, there is a need to ensure the provision of better public information on air pollution, including a comprehensive warning system for pollution episodes teamed with clinical advice. Improved awareness and engagement of individuals and communities would allow people to reduce their exposure and change their behaviour to reduce their contribution to the problem. It would also build public support for the measures that are needed helping to accelerate improvements in air quality.

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 and look forward to your response.

Yours Sincerely,



Joint response by partners of the Healthy Air Campaign:

- Asthma UK
- British Heart Foundation
- British Lung Foundation
- Campaign for Better Transport
- Chartered Institute of Environmental Health
- Chartered Institution of Water and Environmental Management
- Clean Air in London
- ClientEarth
- CTC
- Environmental Protection UK
- Friends of the Earth
- Greenpeace UK
- Living Streets
- London Cycling Campaign
- London Sustainability Exchange
- Sustrans
- UK Health Forum

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