

LOCAL AUTHORITY RESPONSE TO THE CONSULTATION ON A DRAFT REVISED AIR QUALITY PLAN FOR TACKLING NITROGEN DIOXIDE

1. PURPOSE OF THIS REPORT

- 1.1 This report seeks the approval of the Portfolio Holder for submission of the attached response (Appendix 1) to the draft revised UK Air Quality Plan produced by the Department for Environment, Food and Rural Affairs in England (DEFRA). The consultation document can be found at <https://consult.defra.gov.uk/airquality/air-quality-plan-for-tackling-nitrogen-dioxide/>.

2. THE AIR QUALITY CONSULTATION

- 2.1 On 5 May 2017, the draft UK Air Quality Plan was released which explains the issues with NO₂, and names Local Authorities (NFDC is one of 40 Local Authorities) where improvements need to be made.
- 2.2 Poor air quality has been identified as the largest environmental risk to public health in the UK with NO₂ emissions known to cause and exacerbate a number of health conditions, particularly in the elderly and young. Government has to address the fact that EU limit values for NO₂ are being breached in the UK and reductions in NO₂ emissions have to be undertaken as quickly as possible.
- 2.3 The recognition of the urgent requirement to improve air quality in the UK has resulted in an opportunity for Local Authorities to extend their role and remit in improving air quality for local communities and across the region. This consultation enables Local Authorities to use their knowledge of local air quality to comment on the draft UK Air Quality Plan.

3. FINANCIAL IMPLICATIONS

- 3.1 Not currently known and will depend on the requirements in the final document which will be released by 31 July 2017.

4. ENVIRONMENTAL IMPLICATIONS

- 4.1 As above

5. RECOMMENDATION

- 5.1 That the Portfolio Holder approves the response to the consultation for the Authority to submit by 15 June 2017.

PORTFOLIO HOLDER DECISION

I endorse the recommendation set out in paragraph 5.1 of this report:

Signed CLLR E J HERON

Dated 13 JUNE 2017

E J HERON

Portfolio Holder (Planning and Transportation)

Date on which notice given of this Decision – 13 June 2017

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Appendix 1

NFDC Response to the Consultation on a Draft UK Air Quality Plan for Tackling Nitrogen Dioxide

1. How satisfied are you that the proposed measures set out in this consultation will address the problem of nitrogen dioxide as quickly as possible?

As stated in the Draft Air Quality Plan, emissions from diesel vehicles are the dominant source of nitrogen dioxide in the UK (Figures 3 and 4). As such, the quickest way to address the problem of nitrogen dioxide is to reduce emissions from diesel vehicles by reducing the number of diesel vehicles on the UK roads and / or improving vehicle technology.

The measures listed within the Plan (with the exception of a charging zone) have been considered (and implemented) by Local Authorities for many years as part of the ongoing Local Air Quality Management (LAQM) regime, without the required success to address the current air quality issues in the UK. As such the measures provided within the Draft Air Quality Plan should already be mandatory considerations for Local Authorities working collaboratively to improve air quality in general across their districts and are not considered to be robust enough to address nitrogen dioxide levels in those areas identified as failing to meet the EU limit values for nitrogen dioxide.

The Plan also fails to provide additional powers to implement measures for Local Authorities not within Clean Air Zones (CAZ) and does not place any obligation on County Councils (the traffic regulator in the majority of areas) to address the issue. If the UK is committed to reduce nitrogen dioxide emissions, then all Local Authorities and County Councils should have the incentive and resources to take proportionate action in their areas.

2. What do you consider to be the most appropriate way for local authorities in England to determine the arrangements for a Clean Air Zone, and the measures that should apply within it?

Local Authorities need to be clear why they may have a CAZ. It is noted that those Authorities listed in the Plan may not all require a CAZ and as such the justification behind the implementation of a CAZ needs to be clear from Defra. This should be in the form of centralised guidance which enables determination of a CAZ and how a CAZ can be put into place.

Within CAZ's, Local Authorities need to work collaboratively with stakeholders to determine the baseline conditions, reduction of emissions required and source apportionment. This will assist in the determination of which measures should and could be implemented to obtain the required improvements, using detailed modelling to support the decision making process. Again, this process needs to be supported by clear guidance from Defra which would also deliver consistency across the declared CAZ's.

What factors should local authorities consider when assessing impacts on businesses?

Local Authorities need to work collaboratively with businesses to determine how they use transport into a CAZ and the potential impact of the CAZ on their business. For example, will their workforce be able to access their place of work, how will their

customers access their business, how will they move their products? Ultimately Local Authorities will want to ensure businesses do not lose trade or move out of an area due to the CAZ therefore alternatives need to be in place to assist businesses. Examples include, the ability to retrofit diesel vehicles, the use of cheap public transport for staff, car share schemes, the use of technology to reduce vehicle trips into the CAZ etc.

3. How can Government best target any funding to support local communities to cut air pollution? What options should the Government consider further, and what criteria should it use to assess them?

Through the LAQM regime, Government has been funding projects to reduce air pollution for many years. Therefore, Government should have substantial experience in how to best target funding and the criteria used to assess funding.

As a suggestion, Government should consider reducing the complexity for Local Authorities to obtain funding to implement measures, which often puts Local Authorities off from applying for funding and also reduce the need for Local Authorities to bid against each other. Government should also enable Local Authorities to discuss potential schemes with Defra who should be open to all types of measures which could improve air pollution.

Are there other measures which could be implemented at a local level, represent value for money, and that could have a direct and rapid impact on air quality? Examples could include targeted investment in local infrastructure projects.

Considering the majority of nitrogen dioxide emissions are from vehicles, Local Authorities need to work collaboratively with transport planners and regulators to consider all available transport schemes, undertake joint funding bids and deliver appropriate schemes. Therefore transport colleagues need to have air quality on their agenda and the skills to deliver measures.

An example used at New Forest District Council was a scheme to reduce nitrogen dioxide emissions by improving congestion through a street canyon. A Low Emission Zone was not considered appropriate however County Transport Planners considered all transport options and a microprocessor optimised vehicle actuation (MOVA) system was installed enabling traffic to filter through the street canyon at all appropriate opportunities, resulting in a significant decrease in nitrogen dioxide concentrations.

How can Government best target any funding to mitigate the impact of certain measures to improve air quality, on local businesses, residents and those travelling into towns and cities to work? Examples could include targeted scrappage schemes, for both cars and vans, as well as support for retrofitting initiatives.

If the Government is supporting a shift from polluting diesel vehicles, it needs to provide the public and businesses with cost and time effective alternatives. For example, ensuring infrastructure is in place for charging points, support for appropriate retrofitting of HDV's and buses, investment in good public transport with short term subsidies to encourage the public and workforce to use public transport making public transport a cheap and easily accessible alternative.

A scrappage scheme in principle is a good idea, but according to real world driving figures reported in the Plan (Figure 2), Euro Classes 3-5 have similar emission figures resulting in thousands of vehicles potentially falling into the more polluting category. Therefore, there would need to be careful consideration of how a scrappage scheme would work. Would the lower Euro class vehicles be considered first, for residents living within a CAZ and / or businesses operating within the CAZ? Would a scrappage scheme also support individuals purchasing a cleaner vehicle particularly for those in poverty?

4. How best can governments work with local communities to monitor local interventions and evaluate their impact?

Considering the main issues are vehicle related, Government can ensure transport regulators and planners understand the issues and support colleagues in delivering workable solutions. As such, infrastructures should be in place to enable detailed vehicle count and vehicle destination information can be obtained, to determine changes in traffic dynamics and vehicle flows.

It is understood that the vehicle emission data has been updated from Copert 4 to Copert 5 to take into account the differences in laboratory and real world driving conditions. However these emission updates have not been filtered into the emission toolkits used by air quality modellers to predict and assess local air quality. Without this up to date emission data, any modelling work to determine pollutant impacts are not accurate and therefore worthless.

Air quality monitoring provides the most appropriate information concerning changes in pollutant concentrations however Local Authorities have cut real time monitoring sites to save costs over recent years. As such, Government could procure mobile monitoring units for Local Authorities to lease and assess any real time monitoring trends in locations identified as having air quality issues.

5. Which vehicles should be prioritised for government-funded retrofit schemes?

Retrofitting vehicles can be a cost effective method to reduce emissions from diesel vehicles compared to vehicle replacement. However, Government should be considering replacement of polluting vehicles as a more sustainable long-term objective, and therefore be fully supporting and funding new technology and innovation to produce lower cost ultralow emission vehicles and reduced emission engines as a higher priority to retro-fitting vehicles.

If retrofitting was being considered both businesses and public transport could benefit from any Government-funded schemes, and the priority may be determined by local situations, for example the Ports along the South coast are heavily serviced by HGV's transporting freight in addition to tourists accessing the area using buses and coaches.

6. What type of environmental and other information should be made available to help consumers choose which cars to buy?

Cost is the biggest factor for the majority of consumers when they are considering purchasing a vehicle, and environmental factors are likely to be a lower consideration. As such, less polluting vehicles need to be a more attractive price to consumers. It is appreciated that this would require huge changes throughout the car sales industry, but one which shows the importance of changing the current vehicle fleet throughout the UK to less polluting vehicles.

With regards to other information, consumers should be made aware of vehicle emission data when purchasing vehicles (including second hand vehicles from dealerships). This should include data for the individual pollutants for example NO_x, PM and CO₂ and an overall emission rating similar to those used for energy ratings for white goods. The emission data should be based on real world driving figures rather than laboratory testing so individuals are aware of the actual emission figures.

It is understood that the potential charges within CAZ's will be determined by each Local Authority, which removes the consistency throughout the UK and results in potential confusion for businesses and individuals entering different CAZ's. If there was consistency with regards to CAZ charging, the emissions information made available for consumers when purchasing vehicles could include which emission ratings (for example bands C-E) would result in charging within a CAZ which may influence their decision of which vehicle to purchase.

There are currently websites which enable users to compare vehicle specifications for example MPG. Therefore the emission information and potential for charging within CAZ's could also be included in such comparison websites.

Finally, there are journey planning websites, for example, Transport for London, which enable users to plan their journeys using a variety of transport modes. This could be extended to a nationwide system which could advise of CAZ charges based on your vehicle and alternative modes of transport, including cost of public transport, park and ride schemes and electric vehicle charging points. This could assist both the public and business in planning their journeys and easily accessing information on alternatives transport modes.

7. How could the Government further support innovative technological solutions and localised measures to improve air quality?

- Support research and development into clean vehicle technology, including within Universities.
- Work with vehicle manufacturers to improve technology, including funding if required
- Assist consumers in making the cleaner choices, for example by using incentives to buy cleaner vehicles, scrappage schemes for more polluting vehicles, electric charging infrastructure, planning policy to support good development design including access to good public transport networks, electric charge points on all new properties.
- Raise fuel duty on diesel fuel
- Reduce the complexity to obtain Government funding, particularly for lower cost, smaller projects (for example less than £25,000)
- Enable Local Authorities to obtain funding for small innovative schemes to improve air quality for example educational programmes, implementation of clean air neighbourhoods (to get communities to work towards improving local air quality when low emission zones and CAZ's are not appropriate)
- To centralise Local Authority schemes to reduce nitrogen dioxide emissions so innovative workable schemes can be shared, including contact details of officers delivering the scheme
- Produce relevant guidance to address local air quality issues, such as the assessment of Short Term Operating Reserves (STOR's) which requires clarity on the assessment of short term but large NO_x emissions.

8. Do you have any other comments on the draft UK Air Quality Plan for tackling nitrogen dioxide?

The model used to identify potential areas of EU limit value exceedances is not fit for purpose. The resolution of the model is too large and not detailed enough for Local Authorities to clearly specify areas of potential issues.

The draft UK Air Quality Plan for tackling nitrogen dioxide is focused on reducing transport emission and should be renamed to reflect this fact. An example could be the Transport Emission Reduction Plan.

The Plan lacks detail and firm proposals to reduce nitrogen dioxide emissions. For example, whilst a number of additional Local Authorities have been named as having one or more roads which are predicted as persistently exceeding the EU limit value, there are no details included of the roads of concern. This has led to incorrect presumptions of the roads of concern within Local Authorities.

The Plan places more responsibility onto the Local Authorities identified as exceeding the EU limit values for nitrogen dioxide to deliver the reductions in emissions. This responsibility includes delivering the reductions in emissions as quickly as possible, however charging zones (potentially the most effective measure) should only be considered after all other measures such as increasing use of public transport have been considered or implemented. If charging zones are determined as being the only effective method to quickly reduce nitrogen dioxide emissions to protect public health, then Government needs to support the implementation of such measures before the implementation of the 'softer' options.

The Plan ignores the work currently undertaken by Local Authorities under the Local Air Quality Management (LAQM) regime and the declared Air Quality Management Areas (AQMA's). In the case of nitrogen dioxide, AQMA's are identified areas of exceedances of UK Air Quality Objectives and therefore EU limit values and should not be ignored. Indeed at a local level, it is often the AQMA's which are of a higher priority to Local Authorities due to these areas being located where the public live, rather than locations adjacent to roads. As such the through the Plan, Local Authorities are being instructed to prioritise reducing emissions along a footpath over residential locations.

It is understood that Local Authorities are struggling to obtain Government funding for LAQM regime projects, whereas funding for CAZ's is forthcoming. This will lead to a stagnation of the work being undertaken under the LAQM regime. Therefore the Government, through the Plan needs to acknowledge the importance of work being undertaken under the LAQM regime and ensure the two regimes are working together and are funded to reduce nitrogen dioxide emissions including continued support to deliver LAQM.

The Plan should ensure any implementation of CAZ's does not displace an air quality issue into other regions, for example, by pushing more polluting vehicles into the non-CAZ's which could result in the declaration of more AQMA's. As such Government has to look to action that will result in changes to fleet configuration to cleaner vehicles, rather than the moving polluting vehicles into areas of 'cleaner' air quality.

As the draft UK Air Quality Plan for tackling nitrogen dioxide states, the impact of current nitrogen dioxide concentrations in the UK is the largest environmental risk to public health and the main source of nitrogen dioxide is from diesel vehicles. There

needs to be a complete shift in how the public and business understand emissions and how vehicles are used. This can only be achieved by the availability of alternative transport modes and vehicle types which are affordable for all and a robust nationwide infrastructure. Whilst Local Authorities are committed to reducing emissions and working to implement appropriate, workable schemes, the lead has to come from Government and vehicle manufacturers delivering a joined up plan of action to show their commitment to addressing this continuing issue of exceedance of pollution limit values to improve public health across the UK.