

London Assembly – response to national Air Quality Plan consultation

This response has been compiled by the London Assembly Environment Committee on behalf of the Assembly. It is the view of a majority of the Committee¹ and is agreed by the Chair under delegated authority in consultation with all Party Groups.

The London Assembly notes that the UK Government is legally obliged to comply with the EU limit values for toxic air pollutants, including to comply as soon as possible with the NO₂ limit values which came into force in 2010. The Assembly considers that previous plans, which would have seen London still in breach of these limits in at least 2030, as well as the plans in the current consultation, which envisage compliance by 2025, lack ambition and initiative and seem unlikely to fulfil the statutory requirements. While a rigorous determination of how quickly compliance can be achieved will not necessarily result in a projected achievement date at a round five years, the Committee considers that compliance should be achieved around 2020 rather than around 2025.

The UK Supreme Court has ruled that all feasible, effective and proportionate measures must be considered, and a plan put in place to achieve compliance as soon as possible. Therefore a valid plan must proactively identify and evaluate a full range of options, and demonstrate why rejected options would not be feasible, effective or proportionate, as well as setting out new actions that are and how they will be urgently taken forward.

As well as the EU limit values, it must be remembered that the real factor behind the drive to reduce pollution is the increased illness, impaired development and death that pollution brings about. With the mortality estimates now available for NO₂ as well as particulate matter, this point is all the more pressing. Health impacts are estimated to rise and fall with the level of pollution, both above and below the EU limits, so there is a strong case for pollution reductions towards, past and beyond those limit values.

That is the general context within which to read the following responses to specific questions in the consultation document.

Q1 Do you consider that the proposed plan set out in the overview document strikes the right balance between national and local roles?

The overview document says 'As the UK moves towards full compliance, air quality hotspots are going to become even more localised and the importance of local authority action will increase.'

This underplays both the importance of reducing air pollution across the board, and the importance of national action, and national support for local action, in removing local problems.

It is important to reduce air pollution across the board. The main problem with air pollution is its effect on human health, which reduces as pollution falls, at all levels. Therefore there is a benefit from reducing air pollution, even where it is already below the EU limit values. We therefore reject the implication that air pollution is only a problem, and action is only necessary, where limit values are exceeded.

National action, and national support for local action, is needed to reduce air pollution in localities. Local authorities have neither the powers nor the resources necessary to bear the main burden of the nation's air pollution efforts. There are many policies that could be

¹ Agreed by the Green, Labour and Liberal Democrat Groups, with the Conservative Group dissenting

implemented at a national level that would reduce air pollution either nationwide or in pollution hotspots across the country. Several have been called for by the Mayor of London, including those noted under question 5.

Q4 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?

A consistent framework for Clean Air Zones may be of some benefit, but must not undermine the effectiveness of local plans for similar zones, in particular in London where both limit value breaches and harm to health are concentrated.

The criteria set out for emissions limits correspond to Euro VI or Euro 6 standards for diesel vehicles, or approximately to Euro 4 for petrol. This is close to the criteria for London's Ultra Low Emission Zone as already ordered for 2020. However, it is less strict than the near-zero emissions standard in central London that the Mayor of London considers will be necessary to deliver NO₂ compliance by 2025.² It does not seem to allow Clean Air Zones to incentivise technologies cleaner than the given standard, such as electric, hybrid, hydrogen or even Euro 6 petrol. It would enshrine ordinary 2015 emission standards in a framework intended still to be driving down emissions to at least 2025. Simply 'allowing ULEVs free access to the area' on an equal basis with conventional vehicles does not 'send a strong signal of support' in the way that it would to admit ULEVs while excluding or charging conventional vehicles, and does not support the stated long-term goal of electrification of the vehicle fleet.

The framework proposed for Clean Air Zone criteria seems to be inflexible, overly prescriptive and lacking ambition. It should include additional tiers of tighter emissions limits that can be applied to zones where necessary, up to a zero or near-zero emissions standard suitable for incentivising genuinely ultra-low-emission vehicles.

The plan also seems not to question the real emissions of Euro 6 diesel vehicles. Setting the emissions criterion equal to the on-paper emissions of a Euro 6 vehicle implies that models certified as compliant with Euro 6 should be admitted to Clean Air Zones under the framework. However it is already well-known that many Euro 6 models in practice emit several times this level, especially in urban driving.³ This point must be addressed effectively in the final plan.

Q5 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?

The barriers to local implementation of the measures (which include work on cleaner vehicles and greener travel, planning policies and building energy efficiency as well as Clean Air Zones) include funding and incentives. The plan as drafted leaves local (and regional) authorities to decide what to do in their areas, in a funding situation where there is barely enough to fulfil their minimum statutory duties. There is therefore a considerable risk that local authorities will not see it as a viable choice to take more than minimal action on air pollution.

The final plan should develop much more fully the support and incentives for local implementation, rather than leave this for future consideration. Unless it shows how local

² *Transport Emissions Road Map*, 2014, page 37 <http://content.tfl.gov.uk/transport-emissions-roadmap.pdf>

³ *Driving Away from Diesel*, London Assembly Environment Committee 2015 <http://www.london.gov.uk/mayor-assembly/london-assembly/publications/driving-away-from-diesel-reducing-air-pollution-from-diesel>

authorities can, and why they would, implement the measures envisaged, the plan lacks credibility.

London needs particular attention. In London it is an understatement to 'recognise that poor air quality often extends beyond a single road'. London has over 1000km of road exceeding the NO₂ limit value in the 2013 baseline: more than five times as much as the next agglomeration and 43 per cent of the entire UK total. It also has wide areas where background pollution, away from the roadside, exceeds the limits.⁴ Exceptionally strong measures are required on a regional basis, participated in fully by national government in pursuit of its national obligation to reduce air pollution everywhere in England.

The present revision of the national air quality plan must engage fully with proposals that have come from the Mayor of London and Transport for London to tackle air pollution to 2025, including:

- a diesel scrappage scheme and further incentives for ultra-low emission vehicles
- reform to fiscal incentives including Vehicle Excise Duty and fuel tax and a new system of road pricing taking into account vehicle emissions and local pollution levels
- a central zone incentivising near-zero emission vehicles.

These are measures which the Mayor considers are required to get close to achieving the NO₂ limit values across London in 2025, as set out in his Transport Emissions Road Map. Other important measures, supported in the Mayor's joint bid to OLEV's 'Go Ultra Low City Scheme' include:

- additional investment in charging, power or alternative fuel infrastructure for zero and ultra-low emission vehicles
- government investment in developing zero and ultra-low emission technology, especially for vans, HGVs and buses where alternatives to diesel are not currently widely available.

The national plan (and substantive Government policy, budgets and action) should support these measures. If they are not to be taken forward they should at least be reported in the plan and evaluated against the statutory criteria, to show that they have been considered.

The national plan should then go beyond these proposals and seek to encourage and enable further measures. To adequately demonstrate that all feasible, effective and proportionate measures have been considered and that limit values are being complied with as soon as possible will require specific national and local measures, with incentives and funding. It will also require analysis of measures not taken forward, with evidence that they are not feasible, effective, or proportionate.

The flexibility for London in the existing Local Air Quality Management framework, under which the Mayor has consulted on a London LAQM, is welcome and is a good example of a national approach supportive of local action.

The Government's support for ultra-low emission vehicles is welcome as far as it goes, but it has not yet had a significant impact on the predominance of the internal combustion engine and there seem limited grounds for confidence that it will transform the fleet in the timescale of the

⁴ 2013 progress report on the delivery of the Mayor's Air Quality Strategy, page 5
<http://www.london.gov.uk/sites/default/files/MAQS%20Progress%20Report%20-%20July%202013.pdf>

next five to ten years. More incentives for ultra-low emission vehicles are required. They should be supported and incentivised by national government and targeted on the areas with the greatest human exposure to the greatest pollution.

As this Committee and the Assembly as a whole have already said, the Government should reject the Airport Commission's recommendation for Heathrow expansion, on a number of grounds including air pollution.⁵ The flawed argument that 2030 limit value breaches on roads near Heathrow are tolerable as long as there is a worse breach at Marylebone Road is only weakened further by emerging local measures that will reduce pollution in central London over the next 15 years. Also, there appears to have been no re-evaluation of the business case for expansion in the light of the proposal that aviation capacity should only be released to the extent compatible with the pollution limit values. Taking this condition seriously would seem likely to discourage investment in the project and, if overall permission were given and investment made, the condition would need to be rigorously enforced against likely pressure from the airport seeking to maximise return on its investment.

The Government could also provide greater support to local planning policies on air quality, including the 'air quality neutral' provisions in the London Plan. Recent changes to planning policy have made these existing provisions harder to apply effectively.

There is an urgent need for an effective replacement for the Green Deal, and enhancements to other programmes to improve energy efficiency and reduce emissions from homes, both of local toxic pollutants and of CO₂. Even before this year's announcements, progress in London on workplace and domestic energy efficiency was not fast enough.⁶

The Mayor's measures on Non-Road Mobile Machinery are a welcome step, but the Government should consult with the Mayor on the powers required for stronger action.

In reviewing the Clean Air Act and similar legislation, the Government may wish to consider how to handle engines and appliances on inland water craft. There are places in London suffering persistent air pollution from craft moored at popular spots.⁷

⁵ Assembly motion 8 September 2015 <http://www.london.gov.uk/media/assembly-press-releases/2015/09/an-absolute-no-to-heathrow>

Environment Committee response to Airports Commission final report

http://www.london.gov.uk/sites/default/files/Environment%20Committee%20response%20to%20Airports%20Commission%20final%20report_01-06-2015.pdf

Environment Committee comments on Airports Commission air quality analysis

<http://www.london.gov.uk/sites/default/files/01%20Airports%20Commission%20air%20pollution%20FINAL.pdf>

⁶ *Could Do Better*, London Assembly Environment Committee 2014

<http://www.london.gov.uk/sites/default/files/Carbon%20targets%20report-Could%20Do%20Better.pdf>

⁷ *Moor or Less*, London Assembly Environment Committee 2013 <http://www.london.gov.uk/mayor-assembly/london-assembly/publications/moor-or-less-moorings-on-london-s-waterways>

Q2 Are you aware of any other action happening in your area which will improve air quality and should be included in the plan?

Q3 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?

Q6 Are you aware of any additional action on non-transport sources to improve air quality that should be included in the plans?

The Assembly wishes to see greater leadership and initiative from national government in this plan, rather than excessive reliance on reporting the scatter of local initiatives characteristic of the UK's current approach, which sees the UK in persistent breach of limits already five years old, and suffering tens of thousands of early deaths every year because of air pollution.