

# Summary of responses to the consultation on air quality plans to meet EU limit values for Nitrogen Dioxide (NO<sub>2</sub>) in England

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## Introduction

1. On 9 June 2011, Defra published a consultation on 30 updated air quality plans for England and associated documents. The plans set out the action being taken and planned at national, regional and local levels that will help meet the annual and hourly EU limit values for nitrogen dioxide (NO<sub>2</sub>) as set out in the Ambient Air Quality Directive 2008/50/EC. The consultation closed on 5 August 2011.
2. Similar consultations were carried out in parallel by the Devolved Administrations on updated air quality plans for a further 10 zones and agglomerations in Scotland, Wales and Northern Ireland. This document summarises responses to the England consultation only.
3. Further details of the England consultation can be found on the Defra website (<http://www.defra.gov.uk/consult/2011/06/09/air-quality/>).

## Consultation Response

4. 42 responses to the consultation were received. Half of the responses were from regional and local government. The remaining responses were from a variety of interested organisations and individuals. A full list of those who responded can be found in **Annex A** at the end of this document.
5. The table below summarises the main issues raised from the England consultation and the Government response. Some changes have been made to the air quality plans and associated documents in response to some of the issues raised and amendments proposed by consultation respondents.

## Next steps

6. The air quality plans for England, along with those from Scotland, Wales and Northern Ireland, will form the basis of a UK submission to the European Commission by the end of September 2011. For those plans where compliance by 2015 can be demonstrated we are seeking postponement for up to 5 years from January 2010 the compliance date for the NO<sub>2</sub> limit values. The Commission may take up to 9 months to assess air quality plans. In the meantime all possible actions to hasten progress towards full compliance in all zones are being explored.

Main issues raised in consultation responses and the UK Government response	
Main issue	Summary of responses and the Government response
<b>Fulfilling the requirements of a time extension under Article 22 of the Ambient Air Quality Directive</b>	<p>The majority of respondents commented that the plans in their current form do not meet the requirements for a time extension under Article 22 of the Ambient Air Quality Directive because some of the plans demonstrate compliance after the extended 2015 compliance date.</p> <p><b>Government response:</b> The Government is committed to working towards compliance with the limit values and the plans reflect the best efforts being made to reduce NO<sub>2</sub> concentrations at national, regional and local level. Work on additional actions is continuing including investigating a national framework for Low Emission Zones. This is very challenging especially in urban areas in light of the underperformance of EU diesel vehicle engine standards in relation to NO<sub>x</sub> emissions. This limits the available options for improvements between now and 2015 – and it is a common challenge across the EU.</p> <p>Article 22 of Directive 2008/50/EC allows postponement of the attainment date for NO<sub>2</sub> by up to 5 years from January 2010 where plans demonstrate compliance by then. The Introduction to the UK Overview document makes clear that the European Commission advised Member States to also submit air quality plans for zones where full compliance is projected after 2015. As set out in paragraph 1.1 of the UK Overview document, the UK will be submitting plans with a view to postponement of the compliance date to 2015 where attainment by this date is projected. Plans for zones where full compliance is currently expected after that date will also be submitted to the Commission under Article 23 on the basis that they set out actions to keep the exceedences period as short as possible.</p>
<b>Inclusion of old local air quality action plans in the zones plans</b>	<p>Many respondents, particularly local authorities, have highlighted that the most recent local air quality plans have not been included in the zone plans with some arguing that this underplays local efforts to date to meet the limits.</p> <p><b>Government response:</b> The technical work to gather information required for the air quality plans began at the beginning of 2009 with plans being collated through 2009. This means that it was not possible to include details of measures from some plans published later in 2009 and all plans published in 2010. This approach was necessary given the large volume of air quality action plans and annual progress reports available and in order to meet the</p>

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	<p>consultation timetable and enable submission to the European Commission by the September 2011 deadline.</p> <p>The practicalities of compiling such a large volume of information on measures for the whole of the UK needs to be taken into account. It must be recognised that the UK plans represent progress at the time that the information was gathered and that local air quality plans will be out of date as soon as updates to local authority action plans are published. The role and potential of local authority action planning is not to be underestimated and is not underplayed in the plans. The plans show the breadth, strength and importance of measures being implemented at local level right across the UK.</p>
<b>Local authority monitoring data was not used in the modelling work underpinning the plans</b>	<p>A significant number of respondents noted that the modelled exceedences, source apportionment and future projections in the plans differed from local air quality information, which was not included in the national modelling work. There was particular concern about the current 'two-tier' monitoring system for air quality, which was confusing and could potentially undermine local efforts to tackle air quality. There was also a call to consider local monitoring information in the development of plans and affiliate more local monitoring sites to the national network.</p> <p><b>Government response:</b> The air quality plans were developed using information from the UK's national air quality monitoring network (AURN) and the UK's national modelling techniques, which are used to assess compliance with EU limits. The assessment of compliance at national level is carried out in a streamlined approach to meet the requirements of the Ambient Air Quality Directive. Assessment of air quality at a national level must be undertaken in a consistent way across the country at a suitable spatial resolution to enable the assessment to be undertaken within the timeframes available. It is recognised that there will be differences in the assessment results at national and local level due to differences in technical methodologies, spatial resolution of modelling, locations of monitors and for other reasons too. However, the UK's approach at national level is fit for purpose and in line with the requirements of the Ambient Air Quality Directive.</p> <p>Local air quality management has an important role to play in assessing and tackling hot spot exceedences and this complements the national scale approach. The Government is currently reviewing the approach to Local Air Quality Management. Early proposals to help address some of the concerns raised in consultation include to:</p> <ul style="list-style-type: none"> <li>• better align national objectives and EU limit values including consideration of the role of LAs in control of PM<sub>2.5</sub>;</li> <li>• reduce reporting burdens and to allow greater focus on delivering air quality improvements;</li> <li>• help share best practice, so local authorities can identify effective measures to reduce air pollution and also address</li> </ul>

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	<p>other environmental goals such as carbon and noise.</p> <p>We will ensure that all local authorities have the opportunity to input into this review.</p>
<b>Road transport emission factors used in the modelling work</b>	<p>Some respondents stated that the road transport emissions factors used in the plans modelling work may mean that the plans show an over optimistic compliance picture in 2015.</p> <p><b><u>Government response:</u></b> As was made clear in the UK overview document and technical report accompanying the consultation, projections have been made using existing vehicle emissions factors from the UK National Atmospheric Emissions Inventory as these were the best data available for use at this time. Nevertheless, we are aware of uncertainties around the emissions factors and of wider issues with emissions inventory compilation, and are considering how best to proceed to improve these.</p>
<b>Representation of Heathrow in the London plan</b>	<p>Several respondents queried why the London plan appears to contain a separately modelled Heathrow scenario and a rest of London scenario.</p> <p><b><u>Government response:</u></b> There are not two separate modelling exercises for London. The approach taken follows Commission advice on preparing air quality plans which is to identify the most relevant exceedence situations for each zone. In London the source apportionment data suggested two distinct exceedence situations; one based around the airport, where aircraft emissions have an impact as well as road transport and the other for London more widely where road transport predominates. This approach allowed us to identify the specific measures information provided for the plans relevant to the exceedence situation around Heathrow and to distinguish it from the measures being taken forward for London more generally. In response to comments made, the text of the Heathrow section of the London plan has been updated.</p>
<b>Projected London compliance date</b>	<p>Many respondents commented on the projected London compliance date of 'before 2025', in particular citing the London Mayor's statement that compliance with the NO<sub>2</sub> limits could be achieved by 2015 if measures in the Mayor of London's Air Quality Strategy were introduced.</p> <p><b><u>Government response:</u></b> As previously mentioned, the plan development process was carried out over 2009 before a number of measures were either proposed or implemented including a number of measures in the London Mayor's Air Quality Strategy which was published in December 2010. The Government continues to work with the Mayor of London to investigate additional measures that have the potential to bring forward the NO<sub>2</sub> compliance date in London as quickly as possible. This includes consideration of measures set out in the Mayor's Air Quality Strategy.</p>

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<b>The Low Emission Zone (LEZ) Framework Measure</b>	<p>There was broad support for a national framework or lead and for more guidance and consistent standards for the implementation of LEZs with respondents noting that this was important to encourage LEZ uptake and in particular help ensure consistency in emission standards between LEZs. However, it is clear that challenges remain and a number of respondents pointed out that the implementation costs, the wider economic impacts of restricting vehicles and, in some cases, adverse public opinion remain barriers to LEZ take up. Others also queried whether LEZs may displace more polluting vehicles to towns without LEZs and questioned the effectiveness of a measure based on Euro standards that to date have not delivered the expected real world reduction in air pollutant emissions from road transport.</p> <p><b>Government response:</b> The Government welcomes this useful feedback on the LEZ framework measure and will be accounting for these issues as the work continues. Should this measure be developed further, there would be further public consultation on the specific details.</p>
<b>Other additional measures to achieve compliance with the NO<sub>2</sub> limits</b>	<p>Many respondents considered that more needed to be done to ensure compliance with the NO<sub>2</sub> limits was achieved by 2015. In addition to the LEZ framework measure, additional measures proposed included more support for cycling and walking, increased incentives for low emission vehicles and energy efficiency schemes, more scrappage and retrofit schemes, introduction of clean air zones for city centres, rail electrification and raising public awareness of air pollution more generally. There were also calls for measures targeting the strategic road network and measures aimed at reversing the progressive dieselisation of the UK vehicle fleet e.g. removing vehicle excise duty incentives for diesel.</p> <p><b>Government response:</b> The Government welcomes the comments on additional measures that could bring forward compliance with the NO<sub>2</sub> limits. We are actively investigating the feasibility of a national framework to support low emission zones and other measures will also be considered alongside this work where it is clear they have the potential to reduce emissions. It is important that the effectiveness of any additional measures are properly assessed and the measures introduced are not short term fixes at the expense of other measures delivering larger, longer term benefits to air quality.</p>
<b>Synergies and trade-offs with climate measures and other policies</b>	<p>Some respondents have highlighted the adverse impact current policies on biomass and combined heat and power may have on air quality in urban areas over the next decade.</p> <p><b>Government response:</b> The Government recognises both the synergies and trade-offs between air quality policies and other policies, notably on climate change. The March 2010 publication 'Air Pollution: Action in Changing Climate'<sup>1</sup> estimates that by optimising climate changes policies for air pollution, an additional £24 billion of</p>

<sup>1</sup> See: <http://www.defra.gov.uk/publications/files/pb13378-air-pollution.pdf>

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	<p>additional health benefits could be realised by 2050. Potential trade-offs with climate policies in the short term are also recognised and whilst these climate policies remain a key plank in the move towards renewable energy generation, the Government is committed to ensuring air quality and other environmental issues are fully taken into account. Thus it was announced in March 2011 that, from October 2012, eligibility for the Renewable Heat Incentive for biomass boilers will be subject to compliance with emission limits of 30g/GJ for particulate matter and 150 g/GJ for oxides of nitrogen. The practical arrangements to deliver this have already been developed in consultation with stakeholders and can be found at:</p> <p><a href="http://archive.defra.gov.uk/environment/quality/industrial/guidance/rhi-guidance.pdf">http://archive.defra.gov.uk/environment/quality/industrial/guidance/rhi-guidance.pdf</a></p>
<b>Assessing the impact of measures that effect air quality</b>	<p>Some respondents have noted that the UK and National Measures document did not always assess or quantify the measures listed.</p> <p><b><u>Government response:</u></b> The Government considers that the projections are the best current estimate of future air quality. Data were sought for all measures to enable the quantification of the impacts in terms of emissions and/or concentrations but often the measures had not been in place long enough for an evaluation of their impact to have been carried out. In other cases, particularly where air quality was not a specific policy goal, either the air quality impact was not possible to be quantified or the information not available.</p>

## **Annex A – List of respondents to the consultation**

- airTEXT consortium
- Association of Greater Manchester Authorities
- Barnsley Metropolitan Borough Council
- Bath and North East Somerset Council
- Brighton and Hove City Council
- Cambridge Environmental Research Consultants
- Campaign for Clean Air in London
- Canterbury 4 Clean Air
- City of Bradford Metropolitan District Council
- City of London
- David Davies
- East End Quality of Life Initiative
- Eminox Ltd
- Environmental Protection UK
- Friends of the Earth
- Green Party of England and Wales
- Heathrow Airport Ltd
- Institute of Air Quality Management
- Kirklees Council
- Leicester City Council
- Local Government Group
- London Assembly Liberal Democrat Group
- London Borough of Hillingdon
- London Borough of Hounslow
- London Councils
- London Mayor's Office
- Low Emission Strategies Partnership Board
- Meg Howarth
- Merseyside Air Quality Management Group
- New West End Company
- Newcastle University
- Norfolk County Council
- PURltech
- Road Haulage Association
- Society of Motor Manufacturers and Traders
- South Yorkshire Local Transport Plan Partnership
- The Environmental Industries Commission
- Tim Henderson
- UKLPG
- Wakefield Council
- Westminster City Council
- Yorkshire and Humberside Pollution Advisory Council

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<http://www.defra.gov.uk/consult/2011/06/09/air-quality/>

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