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Report to: Transport Committee
Date: 7 July 2017
Subject: DEFRA Air Quality Plan Consultation Response

Is this a key decision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, state paragraph number of Schedule 12a, Local Government Act 1972, Part 1	

1 Purpose

- 1.1 For Transport Committee to note the response of WYCA to the Department for Environment, Food and Rural Affairs (DEFRA) revised Air Quality Plan (May 2017) consultation and endorse the principles for further engagement with Government.

2 Information

- 2.1 The UK Government, via the Department for Environment, Food and Rural Affairs (DEFRA) held a six week online consultation from 6 May 2017 to 15 June 2017 to seek views on their revised Air Quality Action Plan (2017) to reduce levels of Nitrogen Dioxide around UK roads. The revised Action Plan updates DEFRA's initial Draft Air Quality Plan published in 2016.
- 2.2 The Air Quality Action Plan (2017) consultation materials can be accessed at: <https://consult.defra.gov.uk/airquality/air-quality-plan-for-tackling-nitrogen-dioxide>. DEFRA documentation includes the consultation document, the draft UK Air Quality Plan for tackling nitrogen dioxide, and a Technical Report, which includes details of the modelling techniques and assumptions used in the draft Plan. There are eight consultation questions for respondents to provide comment on.
- 2.3 The Air Quality Plan has been created to address the forecast threat of multiple UK urban areas exceeding European legal limits on Nitrogen Dioxide pollutants by 2020, which could result in infringement fines being levied. These fines have potential to be passed on to local authorities.
- 2.4 Local authorities are required to review and assess local air quality, in accordance with the statutory Local Air Quality Management (LAQM) guidance. Where a local authority identifies areas exceeding statutory limits and there is relevant public

exposure, it is required to declare the geographic extent of exceedance as an Air Quality Management Area (AQMA) and to draw up an action plan detailing remedial measures to address the problem.

- 2.5 All of the West Yorkshires Local Authorities and WYCA adopted in 2016/17 a five year West Yorkshire Low Emission Strategy (WYLES) to tackle poor air quality including the threat of Nitrogen Dioxide exceedances. The Strategy sets out a series of locally determined recommendations to significantly improve air quality in West Yorkshire up to 2021, including support for the delivery of Clean Air Zones where required. The Strategy was developed in partnership with a range of local authority, public health and other key stakeholders to deliver a mutually agreed set of actions. The WYLES addresses both Nitrogen Dioxide and Particulate Matter from a range of sources, but principally transport. A WYLES Delivery Group, which includes representatives from West Yorkshire District Heads of Environmental Health and WYCA Transport Policy, has been established to deliver the Strategy recommendations. The Delivery Group will report to Transport Committee the detailed actions to deliver the Strategy.
- 2.6 The DEFRA Air Quality Action Plan sets out a range of measures considered by government to be the most effective ways of reducing Nitrogen Dioxide levels in affected areas, including Clean Air Zones. The report has named 43 local authorities where exceedances may occur and may be subject to Clean Air Zones and/or other measures to reduce Nitrogen Dioxide emissions to permitted levels. The initial draft Air Quality Plan published in 2016 named Leeds as an authority required to implement a Clean Air Zone by 2020 due to forecast exceedances. The revised Air Quality Plan identifies the additional West Yorkshire districts of Bradford and Wakefield as having exceedances. These authorities are still considering the implications of being named in the Plan. The Plan provides an overview of a range of proposed interventions to improve air quality, including non-charging and charging based Clean Air Zones, retrofit emission abatement technology and investment in Ultra Low Emission Vehicles (ULEVs).
- 2.7 The full WYCA response to the eight questions in the online consultation is provided as **Appendix 1** to this report. A summary of the principles is as follows;
- The Air Quality Plan addresses the narrow issue of Nitrogen Dioxide and mitigation against potential European Infraction fines therewith. It should be an opportunity to also address other significant emissions (e.g. Particulate Matter) and public health concerns (e.g. physical inactivity) which are central themes of the West Yorkshire Low Emission Strategy – WYCA's adopted policy position on air quality and transport emissions. The Plan also omits to identify how the proposed actions will support a low carbon future.
 - The Plan names three West Yorkshire authorities; Leeds, Bradford and Wakefield, as having modelled legal exceedances of Nitrogen Dioxide by 2020, however the Plan states the modelling outputs are not yet considered definitive with a modelling accuracy of +/- 30%. Leeds was mandated in DEFRA's initial Air Quality Plan in 2016 to prepare a Clean Air Zone (CAZ) and is progressing implementation. This revised Air Quality Plan is ambiguous regarding legislative

processes, legal requirements and responsibilities for implementing CAZs. It does not provide clarity to the authorities of Bradford and Wakefield on the implications of being named.

- WYCA will support the implementation of CAZs in West Yorkshire authorities where required. Charging CAZs appear to be the only modelled solution to deliver effective air quality improvement. Local authorities will require clarification as soon as possible on CAZs, to prepare for implementation and to distil information to the public, businesses and other stakeholders.
- The Air Quality Plan fails to recognise the threat of the displacement of older vehicles to non-CAZ mandated areas or the necessary mitigation.
- WYCA recognises the following measures outlined in the Plan as potentially the most effective activities to reduce emissions;
 - Emission abatement retrofit technology is likely to be the most value for money solution to achieving compliance for Hackney Carriage wheelchair accessible vehicles, buses and light/heavy goods vehicles in the shortest period of time. Retrofit should be open to all operators and authorities nationwide to mitigate the potential for vehicle displacement to non CAZ areas.
 - A vehicle scrappage scheme towards ULEV purchase is likely to be effective in bridging the financial gap for many residents and businesses in purchasing a new low emission equivalent vehicle. However, the scheme needs to be equitable – ensuring all have opportunity to replace older vehicles. This scheme should be considered for wider sectors than the private car to include LGVs, HGVs, buses and trains. This also needs to be supported by a substantially increased electric vehicle charge point network.
- Government has an opportunity with this Plan to create a cohesive strategic approach to environmental action from cross-government departments in terms of delivering policy and funding.
- Local authorities are best placed to take action on air quality. Government should provide greater devolved powers and funding to design and deliver local programmes as soon as possible.
- The government's preference for short term funding competitions prevent longer term cross-boundary partnership working to deliver cohesive air quality schemes e.g. a high quality network of ULEV refuelling infrastructure. This limits confidence for businesses operating nationwide to invest in ULEV fleets.
- Whilst vehicle technology will address emissions, it fails to deal with wider economic, social and environmental impacts, e.g. congestion. Enhanced investment in low emission sustainable transport - public transport, walking and cycling - will address a range of priorities.

3 Financial Implications

3.1 No financial implications identified.

4 Legal Implications

4.1 No legal implications identified.

5 Staffing Implications

5.1 No staffing implications identified.

6 External Consultees

6.1 No external implications identified.

6.2 The consultation response is based on the West Yorkshire Low Emission Strategy which has been adopted by the CA. Transport Committee Members were consulted on a draft consultation response by correspondence in early June before it was submitted by the Director of Policy, Strategy and Communications. The WYCA response is aligned with that made by the Urban Transport Group.

7 Recommendations

7.1 To endorse the principles of the WYCA response to the Government's Air Quality Plan (May 2017) as set out in para 2.7 and as in the response in Appendix 1, as a basis for continued engagement with Government.

8 Background Documents

8.1 Full WYCA response to the DEFRA Air Quality Plan Online Consultation.