

Air Quality Update

Summary

Following input that members of the Environment Board and the Regeneration and Transport Board provided into the review of local air quality management commissioned by Defra, this paper provides an update on progress with that review. It also gives information on a new inquiry into air quality by the House of Commons Environmental Audit Committee. The paper focuses on relevant financial/ value-for-money and reputational issues for councils.

Recommendations

That members note the contents of the report.

Action

As directed by Members.

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Air Quality Update

Background

1. There has been an increased focus on air quality due to the UK failing to meet EU targets and the European Commission rejecting the UK application for a time extension. Recent months have seen a review of local air quality management (LAQM) commissioned by Defra and an inquiry by the House of Commons Environmental Audit Committee (EAC), both of which are due to publish reports during March. Members of the Environment Board and the Regeneration and Transport Board met with Defra's consultants to ensure a local political perspective was fed in to the review.

Key Issues

Financial/Value for Money

2. EU Fines: The UK could be liable for millions of pounds of fines for failing to meet targets. At the Air Quality Summit organised by LACORS in November 2009, Defra Minister Jim Fitzpatrick stated that the Government may seek to pass on fines to those councils that had not made sufficient effort to improve air quality. However, discussions with Defra officials indicate that this is unlikely as there is no mechanism to assess or process this. The Secretary of State has final responsibility for meeting targets. LACORS continues to argue that the fines should not be passed on to councils as they do not have sufficient control over pollution in their areas to meet the targets.
3. Central support: LACORS has called for the Government to provide evidence of the effectiveness of different local measures to improve air quality to avoid councils having to duplicate this research across the country when looking for the best options for their area. We have also sought clearer and up-to-date information on the health impacts and costs of air pollution to help inform local decision-making. These proposals are likely to be supported by both the LAQM Review and EAC Inquiry.
4. Streamlined reporting: The LAQM review is likely to recommend some reduction of reporting requirements for councils, which could lead to some modest savings.

Reputation

5. Effectiveness of LAQM: The LAQM Review is likely to show that the system has largely been ineffective in improving air quality which could present some reputational risk for councils. However, it is also clear that this is often due to factors beyond their control and that the Government should be doing more centrally to tackle emissions and support councils.
6. Strengthened duties: Several organisations have been lobbying for councils to be subject to more stringent duties or targets. LACORS has argued against this

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as unreasonable and meaningless when councils do not have sufficient control over sources of pollution for example motorway traffic. There are emerging indications that the LAQM Review will agree with this position.

Additional Issues

7. National Low Emission Zone framework: Discussions indicate that the EAC Inquiry may recommend the development of a national LEZ framework to encourage their take-up. LACORS has expressed to inquiry officials that such a framework could be useful, but that it must not be prescriptive as it is for councils to decide what is most appropriate for their areas and that that local government must be involved in its development if it is to be effective. Lack of funding was also highlighted as a key barrier to implementing measures such as LEZs.
8. Central government role: Both reports are expected to criticise the lack of priority given to the issue by departments across central government and the failure to link relevant policy areas, in particular climate change. This could potentially lead to greater integration of policy in future and increased support for public transport improvement to encourage behavioural change and the development of cleaner vehicles, which have benefits for both climate change and air quality.
9. LACORS will work with Defra and the Department for Transport on how the recommendations from the review and inquiry are implemented to ensure that councils have the appropriate support and no unnecessary and unreasonable burdens are placed on the sector.

Financial Implications

10. LACORS is arguing strongly that any fines levied on the UK for failing to meet European air quality limits should not be passed onto councils and, from recent discussions with Government officials, this outcome would seem to be unlikely. However we will continue to argue against the fines being passed on, on behalf of councils. The LAQM review is likely to recommend some reduction of reporting requirements for councils, which could lead to some modest savings. It is not yet clear what the EAC report will recommend and what, if any, possible financial indications there might be as a result.

Implications for Wales

11. The information in this paper is applicable to both English and Welsh councils, although air quality problems are more widespread in England than in Wales. There are no specific additional implications for Wales.

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