

Briefing

Government's draft Air Quality Plan for compliance on Nitrogen Dioxide (NO₂)

Friends of the Earth's tests for the UK's new Air Quality Plan

Background

1. Health problems:

- Outdoor air pollution is a major public health crisis, responsible for [40,000 premature deaths](#) a year in the UK
- It is also linked to an increased risk of asthma, cancer, stroke, heart disease and dementia, poor foetal development and poor lung and brain development in children; it is [estimated](#) to cost the economy and NHS £20 billion per year.
- While it is important that Nitrogen Dioxide (NO₂) levels are brought within 'legal' limits, there is still [evidence](#) of NO₂ doing harm below legal limits and so efforts to curb pollution must not stop once levels are technically legal.

2. Delayed action:

- The UK is divided into 43 Air Quality Zones – 37 of which are [failing on NO₂](#) (follow link and see Table 3 on pp 11 & 12). Legal limits on NO₂ should have been met in these locations by 2010 or 2015 at the very latest.
- Government [Air Quality Plans](#), revised after an earlier court ruling, did anticipate meeting legal limits by 2020 (and 2025 in London) but, following a further [High Court ruling](#) on 2nd November 2016, these were deemed illegal.
- Under the ruling, the Government is now required to produce new Air Quality Plans by the end of July 2017, with a draft by 24th April. These plans must achieve legal compliance 'by the soonest possible date.'

For more than 40 years we've seen that the wellbeing of people and planet go hand in hand – and it's been the inspiration for our campaigns. Together with thousands of people like you we've secured safer food and water, defended wildlife and natural habitats, championed the move to clean energy and acted to keep our climate stable. Be a Friend of the Earth – see things differently.

- The ruling [also requires](#) the government to make revised estimates of actual emissions on which to base its new plans. The Judge ruled that Defra was using overly-optimistic data, which was not based on how much vehicles emit under real-world driving conditions.

3. Traffic and diesels:

- Air pollution is primarily caused by the combustion of fossil fuels. According to Defra, road traffic is the biggest problem and diesels are worst of all. Even the most recent, Euro 6, diesel cars emit [more than five times as much NOx](#) as Euro 6 petrol cars.

What Friends of the Earth wants to see in draft Air Quality Plans:

1. In General:

- Stronger measures must be introduced more quickly; a revised Air Quality Plan must ensure UK compliance with EU law on NO₂ 'by the soonest possible date'.
- Therefore, Clean Air Zones (CAZs), and London's Ultra-Low Emission Zone (ULEZ), must be in place in 2018 and NO₂ within legal limits by the end of 2018.¹
- Defra must produce new estimates of UK emissions (and therefore projections of reductions) based on data from vehicles performing under real-world conditions rather than the estimates used in the 2015 plan.

2. Clean Air Zones (CAZs)

CAZs are areas where emissions standards determine which vehicles can enter the area and whether the owners need to pay a charge. In [Defra's previous plans](#), mandatory and funded CAZs were only planned for 5 cities, leaving the rest up to Local Authorities to implement charging or non-charging zones themselves.

- CAZs are needed for every location in which NO₂ will exceed legal limits in 2018 and must be in place by then, so that everyone can breathe air of a quality that is at least legal by the end of next year. Locations in [169 Local Authority areas](#) are currently failing on NO₂.
- These CAZs must:
 - be mandatory and properly funded by the government
 - charge polluting vehicles for entering as well as banning the worst polluters
 - be strong enough to ensure legal compliance on NO₂ by the end of 2018
 - include all vehicle types (i.e. including cars)

¹ NB Compliance dates of 2020 - 2025 for London - were deemed too late by the High Court. Friends of the Earth believes Londoners should not have to suffer illegal levels of air pollution longer than the rest of the UK.

- be calibrated against the real-world emissions of vehicles and not against estimates found in the High Court to be flawed.
- Health impacts have been observed for NO₂ exposure below legal limits. As a minimum, non-charging CAZs must therefore be implemented in those Local Authority areas which are *not* currently failing legal limits on NO₂ but which nevertheless have pollution hotspots.
- The plans must also require London's ULEZ to be London-wide for all vehicles including cars, and for it to be in place in 2018 as for CAZs across the rest of the UK.

3. Scrappage scheme

Diesel owners who bought in good faith must be helped to replace their vehicles with cleaner vehicles and other alternatives:

- The government must fund a scrappage scheme to get rid of the dirtiest diesels (which may include some recent diesels if measured in terms of real-world emissions).
- As well as offering replacement clean vehicles, these schemes should also offer alternatives such as car club membership and rail season tickets.
- The scheme should be funded at least in part by manufacturers whose vehicle emissions under real-world driving conditions are many times the levels measured in official tests.

4. VED changes

The Air Quality Plan must, at or before the 2017 Autumn Statement, [reverse the current diesel incentive](#) and use higher VED to discourage people from buying diesels.

5. Plan for the phase-out of diesel (by 2025) and also for petrol and the internal combustion engine

Diesel must be phased out across the UK by 2025; petrol and other internal combustion engines must also be phased out as fast as possible. The Plan must show how this will be achieved.²

6. Infrastructure for plug-in vehicles must be comprehensively available by 2025

It is technically and commercially feasible to replace most private fossil-fuelled vehicles with electric vehicles by 2025. However, new infrastructure, such as plug-in points on streets, is needed to ensure this happens.

² Paris, Madrid and Athens have [committed](#) to getting rid of diesel vehicles by 2025.

7. Clean Air Act

Ministers must draw up a new [Clean Air Act](#). This must:

- set out the national framework for Clean Air Zones, which phase out diesel and accelerate the shift to zero emission transport.
- safeguard, improve and strengthen existing legal protections by adopting World Health Organisation objectives.
- enshrine in law the right to breathe clean air.

8. Planning regulation that doesn't add to the problem

The Air Quality Plan must also commit to revising the government's planning guidance so that it is consistent with reductions in pollution. Perversely, guidance currently [allows schemes to worsen air pollution](#) if another location within the Air Quality Zone has even worse air. Heathrow airport expansion, road-building or other traffic-generating development must not be permitted if it adds further to the air pollution problem.

9. Alternatives

The government must help steer investment and policy development towards cutting traffic and in favour of walking, cycling and better and more affordable public transport.