



Department for Environment, Food and Rural Affairs:

Air Quality: Draft Clean Air Strategy 2018

Consultation response of the Chartered Institute of Environmental Health (CIEH)

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This submission

In producing this submission, CIEH has drawn heavily on comments provided by its members and particularly by members of its own Air Quality Advisory Panel. The submission also draws on comments provided by the Director of Public Health at Lancashire County Council, submitted in response to a request made by a member of CIEH's Air Quality Advisory Panel. CIEH is extremely grateful for the assistance provided by all.

General comments

- After many years of governmental inactivity in respect of air quality issues, the CIEH welcomes the production of this new strategy and its focus on emissions from sources that cumulatively have a significant impact on the national air quality problem and the public's health and well-being.
- CIEH is concerned that, in general, the Strategy lacks detail in respect of actions proposed; – in particular: the action that is required; how it will be implemented; by whom; to what timescales; with what resources and what is to be achieved in respect of the expected impact on improving air quality. Consequently, it is difficult to judge if the actions put forward are the right ones and will achieve the goals set out in the Strategy targets.
- CIEH particularly welcomes the consideration of indoor air quality, which has not been a focus of previous or current plans, which have largely concentrated on emissions from vehicles. However, detail on action to reduce NMVOC's in particular is sparse and appears to rely largely on behaviour change, which is difficult to encourage without positive incentives or even regulation. The document itself identifies that the new actions identified will not be enough to meet the 2030 target for NMVOC's, therefore more proposals will be required in this area.
- The Strategy provides a focus on local action with new powers for local authorities "*to enable targeted action*" (to enforce smoke control areas and cut emissions from non-road mobile machinery, for example); however, the Strategy lacks detail on what new powers might consist of or if any additional resources will be provided to implement or enforce the new powers. Additionally, CIEH is concerned that actions taken ought to be consistent between local authority areas and there is a clear need to avoid creating a loose 'patchwork' of actions and enforcement policies across local authority areas. It is also difficult to see how local authorities will have the capacity to deliver and enforce new requirements without the provision of additional resources from central Government.
- CIEH takes the view that embedding air quality into key policy areas such as planning (housing, greenspace etc.), transport planning and management etc. is key to achieving long-term air quality improvements. Not only do local planning authorities need to be supported to adopt robust policies on air quality, but they also need to be required to consult with and take the advice of their own environmental health professionals.
- CIEH welcomes the proposals to work with NHS, hospitals, emergency departments and GPs to gather better information on air quality related health conditions. This is needed to evidence the impact of poor air quality on our communities and to inform and influence local decision-making in health partnerships. It is currently difficult to quantify the impact at a local level despite a wealth of health data and we are not convinced that the actions set out in the Strategy will lead to improvements in this respect.
- CIEH takes the view that clarity is required on the methodologies used (to be used) to determine emission levels (national vs local compliance assessments). Such clarity would

be helpful to provide confidence when delivering messages to the public regarding where the problems lie are and what are their causes. For example, Burnley Council was directed, as one of the 33 authorities with short-term NO₂ problems, to undertake a study to establish measures necessary to reduce NO₂ pollution in the shortest possible time; but, at the same time, the Council has not declared any AQMAs. In contrast, Lancashire authorities (of which Burnley is one) that have AQMAs are not identified as having a problem. This provides a confusing message and is difficult to explain to stakeholders and the public. It can also affect the priority given to projects when applying for national funding.

- CIEH particularly welcomes the review of the LAQM process. Developing effective action plans in two-tier areas is complicated by specific obligations on air quality being the responsibility of the district councils but many strategic policy decisions that can drive real change, particularly on transport, are led by upper tier authorities. Collaboration on AQMA action plans in the past has been ad-hoc and leads to actions that are generic in nature and likely have limited impact on bringing areas within compliance limits, hence the reason for so few of the 240+ AQMAs nationally being revoked. Changing the balance of responsibility for air quality would put an onus on upper-tier authorities to actively engage in developing solutions, particularly those related to transport. However, care needs to be taken in splitting responsibility to ensure authorities take a collective approach and not work individually to meet their own requirements, there needs to be clarity on who would ultimately own plans and drive delivery etc.
- A 'total emissions' approach in the LAQM process is welcome; plans to date have focussed on emissions from vehicles, which are only part of the problem. Local authorities need additional resources to be able to effectively evaluate measures before and after implementation; to monitor impact and effect and to inform future action planning. Currently local authorities have little information on how effective actions are.
- CIEH particularly welcomes the commitment to a new legislative framework as we have, for some time, been calling for a modern and comprehensive Clean Air Act to provide a framework for future action.
- CIEH remains concerned regarding the direction of UK environment policy post-Brexit and the impact that this will have on the outcome of this strategy; little attempt has been made to address this within the strategy.
- CIEH is particularly concerned about the propensity for blaming emissions from overseas countries for some of air quality problems within the UK. We regard this as being unhelpful, especially since air pollution does not respect national boundaries and other countries are equally and adversely affected by emissions from the UK. This is not recognised within the strategy.

Responses to consultation questions from CIEH

Q1. What do you think about the actions put forward in the understanding the problem chapter? Please provide evidence in support of your answer if possible.

Whilst applauding the intention to establish a target to “reduce the harm to human health from air pollution by half”, we question why such a restrictive target has been set? CIEH takes the view that reductions should be as large as possible, bearing in mind the level of the risks to health outlined in the chapter.

CIEH also welcomes the commitment to invest in modelling; however, we are concerned that modelling is only as good as the data used to build it up and the current models are deeply flawed. If it the intention to invest in modelling, then there needs to be additional and significant investment to expand the national air quality monitoring network and end the over-reliance, at the very local level, of the use of diffusion tubes which is a deeply unsatisfactory means of generating accurate local data.

Q2. How can we improve the accessibility of evidence on air quality, so that it meets the wide-ranging needs of the public and other interested parties?

CIEH supports community involvement in helping to improve air quality; however, we are opposed to the idea of engaging ‘citizen science’ in gathering evidence. Whilst citizen science sounds like a good idea, a lack of knowledge, understanding and competence could be seriously detrimental to what is intended to be achieved. Ultimately, the public and others should be able to access easy to understand, accurate and relevant information to help them make positive decisions. We commend the development of a range of information portals encompassing smartphone apps etc. that provide access to a simple Red, Amber, Green traffic light system to convey health related information in respect of each of the main pollutants of concern.

Q3. What do you think of the package of actions put forward in the health chapter? Please provide evidence in support of your answer if possible

CIEH is concerned that setting a new goal to cut exposure to particulate matter does not amount to a positive action at all. The Strategy commits to reducing “PM2.5 levels in order to halve the number of locations where concentrations exceed 10ug/m³”; however, no indication is provided as to how that may be achieved. The Strategy also refers to ‘new powers’ to achieve this goal but it gives no indication what such powers might be. CIEH also takes the view that placing responsibility on already stretched local authorities without any commitment to provide additional support and resources amounts to ‘passing the buck’.

The Strategy states that the new statutory body MAY have a role in policy scrutiny – this is not good enough. CIEH believes that such a body must have such a role.

The Strategy’s commitment to expanding personalised messaging systems is fine but is not very ambitious, bearing in mind the ability of the existing UK-Air website that, in effect, already gives personalized messaging and advice at postcode granularity.

CIEH also questions why the Strategy should limit the ‘equipping of health professionals’ to the medical royal colleges and the GMC? This takes a very narrow view of who are health professionals and we oppose it and recommend a much broader approach.

Q4. How can we improve the way we communicate with the public about poor air quality and what people can do?

CIEH refers DEFRA to our answer given in respect of Question 2.

Q5. What do you think of the actions put forward in the environment chapter? Please provide evidence in support of your answer if possible

CIEH is concerned that, once again, this chapter contains little of substance – no clear commitments, targets, timescales or resources etc. Whilst we applaud the commitment to produce guidance for local authorities on how nitrogen mitigation may be delivered via the planning system, we are concerned that similar guidance should also be given to both water companies and the Environment Agency who, equally, have a part to play here.

Q6. What further action do you think should be taken to reduce the impact of air pollution on the natural environment? Where possible, please include evidence of the potential effectiveness of suggestions.

CIEH is of the opinion that by far the greatest impact on the natural environment comes from emissions that are attributable to industrial processes and transport; consequently, actions should be focused on minimising these emissions.

CIEH also believes that Government should address the issue of the beneficial tax system associated with the use of 'red diesel' by farmers etc in tractors and other farm machinery for which no emission controls are currently required. We also believe that additional measures should be taken to more tightly control the use of nitrogenous fertilisers, slurry and silage run-off and uncontrolled on-farm burning.

Q.7. What do you think of the package of actions put forward in the clean growth and innovation chapter? Please provide evidence in support of your answer if possible.

Once again, CIEH is concerned that this chapter of the Strategy is devoid of substantive detail, commitments, action and timescales etc. and seeks to place responsibility for delivering clean growth at the door of local authorities. For example, CIEH questions whether local authorities have the capacity and resources to regulate emissions from non-road mobile machinery.

CIEH also notes that the Treasury undertook an inquiry into the use of non-road diesel in 2017 and, consequently, we question whether yet another inquiry is called for and suggest that the Government should ensure that DEFRA and the Treasury join up on this issue.

Q8. In what areas of the air quality industry is there potential for UK leadership?

CIEH has no comment to make on this question.

Q9. In your view, what are the barriers to the take-up of existing technologies which can help tackle air pollution? How can these barriers be overcome?

The public are naturally wary of innovation and are much more comfortable sticking with the tried and trusted, even if they know they are polluting. In addition, price premiums that tend to come with new or innovative products are not helpful to the adoption of this innovation. A good example is afforded by both hybrid and zero emission vehicles; their longevity in

comparison with internal combustion engined vehicles isn't trusted and the heavy price premiums are off-putting. Government could begin to promote the take-up and use of less polluting technology by introducing tax incentives aimed at the cleaner products and tax penalisation for the use of older, more polluting technologies

Q10. In your view, are the priorities identified for innovation funding the right ones?

CIEH has no comment to make on this question

Q11. What do you think of the package of actions put forward in the transport chapter? Please provide evidence in support of your answer if possible

Once again, CIEH is concerned that this chapter of the Strategy is devoid of substantive detail, commitments, action and timescales etc. and seeks to place responsibility for delivering improvements at the door of overly local authorities who are ill-equipped in terms of resources to address the issues.

CIEH is of the view that more should be done to utilise by waterways and the rail network for freight transport in order to reduce the number of journeys made by HGV's (especially diesels) and to reduce congestion. In order for the public to consider greater use of public transport, the services need vastly improving and properly integrating with common hubs between rail, bus and other public transport services. Greater incentives for the production of single-ticketing for multi-mode public transport should be incentivised. It is also not good enough that certain areas of the country receive greater investment than others in respect of public transport and this lack of a managed investment approach to public transport adds to social deprivation and health inequality.

Q12. Do you feel that the approaches proposed for reducing emissions from Non-Road Mobile Machinery are appropriate or not? Why?

CIEH believes that Government should go further and address the issue of the beneficial tax system associated with the use of 'red diesel' by farmers etc. in tractors and other farm-based and non-mobile machinery for which no emission controls are currently required. Viable alternatives to diesel fuels for such machinery are available but their take-up is limited due to the positive tax differential in favour of red diesel

Q13. What do you think of the package of actions put forward to reduce the impact of domestic combustion? Please provide evidence in support of your answer if possible

CIEH welcomes the commitment to new legislation and restates the view that this should be in the form of a modern Clean Air Act. In respect of Smoke Control Areas, CIEH believes that Local Authorities already have all the powers that they need; they do, however, require additional resources and a willingness to go out and apply the existing powers. Environmental health Officers also have some evidence that stove and grate manufacturers, retailers and the public need better knowledge of requirements of Smoke Control Areas. Too many manufacturers and retailers sell products without due consideration of the locality of their customers in relation to existing smoke control areas.

CIEH welcome a commitment to the introduction of standards for new fuels and prohibition of the most polluting fuels; however, we equally take the view that any action taken should not impact disproportionately on the most vulnerable in society.

Q14. Which of the following measures to provide information on a product's non-methane volatile organic compound content would you find most helpful for informing your choice of household and personal care products, and please would you briefly explain your answer?

CIEH believes that all stated options are valuable. The internet is good for those who research before they buy. However, the use of A's, B's and C's will only work if the public are explicitly briefed on their meaning, and evidence from the use of a similar scheme on food packaging demonstrates only limited success. Advertising campaigns need to be straightforward and get to the point quickly.

Consideration should also be given to the use of a traffic light, RAG system.

Q15. What further actions do you think can be taken to reduce human exposure from indoor air pollution?

CIEH believes that there need to be an emphasis on clean production methods and materials, and appropriate public education regarding the need to maintain a sufficient and healthy airflow within buildings.

Q16. What do you think of the package of actions put forward in the farming chapter? Please provide evidence in support of your answer if possible

CIEH believes that these are quite good – there is a level of detail here that is not generally evident elsewhere. CIEH re-emphasises the need to include a joined up approach with private water companies and the Environment Agency who all have interests in this area.

Q17. What are your preferences in relation to the 3 regulatory approaches outlined and the timeframe for their implementation: (1) introduction of nitrogen (or fertiliser) limits; (2) extension of permitting to large dairy farms; (3) rules on specific emissions-reducing practices? Please provide evidence in support of your views if possible.

CIEH takes the view that a combination of all 3 approaches is preferred.

Q18. Should future anaerobic digestion (AD) supported by government schemes be required to use best practice low emissions spreading techniques through certification? If not, what other short-term strategies to reduce ammonia emissions from AD should be implemented? Please provide any evidence you have to support your suggestions

CIEH believes that this is a reasonable step forward.

Q19. What do you think of the package of actions put forward in the industry chapter? Please provide evidence in support of your answer if possible

There has historically been good regulation of industrial emissions, however the guidance is becoming out-of-date and needs to reflect the current practices and changes in legislation. It

would also be beneficial if there would be training/links offered to planners on the environmental consequences of developments – as too often developers are favoured and proceed without fully addressing impacts (including the requirements for permitting and regulation).

Q20. We have committed to applying Best Available Techniques to drive continuous improvement in reducing emissions from industrial sites. What other actions would be effective in promoting industrial emission reductions?

Gradual improvements in product constituents (as has occurred in the coating industry). Introduction of industry specific Environmental Management Systems (working alongside partners such as the CIEH AND NGOs).

Q21. Is there scope to strengthen the current regulatory framework in a proportionate manner for smaller industrial sites to further reduce emissions? If so, how?

CIEH makes no response to this question.

Q22. What further action, if any, should Government take to tackle emissions from medium combustion plants and generators? Please provide evidence in support of your suggestions where possible

CIEH makes no response to this question.

Q23. How should we tackle emissions from combustion plants in the 500kW-1MW thermal input range? Please provide evidence you might have to support your proposals if possible

CIEH makes no response to this question.

Q24. Do you agree or disagree with the proposal to exempt generators used for research and development from emission controls? Please provide evidence where possible.

CIEH disagrees with this proposal.

Q25. What do you think of the package of actions put forward in the leadership chapter? Please provide evidence in support of your answer if possible

As previously discussed, CIEH takes the view that AQMAs have not been successful previously, so it is, therefore, questionable from a technical and pragmatic perspective, as to whether the introduction of new CAZs will work, particularly as air quality is not segregated into zones. CIEH is concerned that CAZs will merely move the problem from one area to another without addressing the root cause of the problem.

Q26. Do you feel that the England-wide legislative package set out in 9.2.2 is appropriate? Why/why not?

CIEH questions the value of any legislative requirements that act alone in respect of England. Air pollution does not respect boundaries and, consequently a UK-wide approach is needed.

Q27. Are there gaps in the powers available to local government for tackling local air problems? If so, what are they?

CIEH welcome the inclusion of specific guidance for planning matters as this has been lacking. We also take the view that any guidance should require local planning departments to seek and take the advice of their environmental health officers in respect of developments that may have impacts on local air quality.

Q28. What are the benefits of making changes to the balance of responsibility for clean local air between lower and upper tier authorities? What are the risks?

The risks are that there are not sufficient resources to undertake such duties and that this method is open to confusion between authorities in terms of their responsibility. That said, there should be clear communication and cohesion between upper and lower tiers, which has occasionally not been the case in the past.

Q29. What improvements should be made to the Local Air Quality Management (LAQM) system? How can we minimise the bureaucracy and reporting burdens associated with LAQM?

CIEH is firmly of the view that, by the very nature of the fact that over 240 AQMA's remain in place and unresolved, the system is discredited. Either the system should be scrapped in its entirety or local authorities should be empowered to really address the cause of the majority of the air problems designed to be managed by AQMAs – emissions caused by road traffic. Until such time as local authorities are given the necessary tools to address the problems AQMA's will largely remain an irrelevance.