

Appendix 1

Town Clerk & Chief Executive
John Barradell OBE FRGS



Date 13 June 2017

Dear 

Consultation Response: Improving air quality in the UK: Tackling nitrogen dioxide in our towns and cities.

Thank you for the opportunity to comment on the draft document: Tackling nitrogen dioxide in our towns and cities.

The documents do not appear to recognise that the Government has a significant role to play in delivering air quality improvements in urban areas, particularly London. Air quality is being treated as a local problem in the draft plan, with only local solutions required. However, the fact that it occurs in so many cities in the UK demonstrates that it is a local manifestation of a national problem. Full responsibility is being passed down to local authorities. This is very disappointing as there are no details of any additional regulatory powers or targeted financial support that local authorities need to make a measurable difference.

The key proposal is to mandate local authorities to introduce 'Clean Air Zones'. This is nothing new. The system of Local Air Quality Management has been in place for years and local authorities with levels of air pollution in breach of limit values all declared Air Quality Management Areas (AQMA) in the early 2000s. Following the declaration of AQMAs, authorities then developed, and have been implementing, action plans. This is almost identical to the concept of a Clean Air Zone.

The City of London Corporation has had an AQMA, and a corresponding action plan, in place since 2001. Our action plans have included the vast majority of measures listed as possible actions local authorities could take in a 'non- charging Clean Air Zone' as detailed in the draft Clean Air Zone framework. Below are some examples that illustrate the point. All of these have been detailed in our annual progress reports submitted to the Government:

- **Engaging local communities.** The City Corporation has been engaging with local communities for years through our successful CityAir business engagement programme,

residents Citizen Science air quality monitoring scheme, schools engagement project and a three year engagement programme with Barts Health NHS Trust.

- **Land use planning.** All planning applications are assessed for air quality impact. Major developments are required to be air quality neutral. The City Corporation will publish its Air Quality Supplementary Planning Document in July 2017 to further assist in reducing emissions from new developments.
- **Traffic management.** The City is a 20mph zone. Schemes to restrict traffic have had a measurable beneficial effect on air quality e.g. changes to Aldgate Gyratory which supported air quality improvements at a City primary school. We also have areas subject to 'timed closure' and have recently restricted traffic going through Bank Junction which we expect to deliver an overall improvement in air quality in the City.
- **Fleet procurement and operations.** The City Corporation has already introduced a policy that no more diesel vehicles will be purchased unless there are no viable alternatives. Our corporate taxi provider uses petrol hybrid vehicles. Air quality is incorporated into all major contracts.
- **Collaboration and joining up approaches.** The City Corporation already works on joint projects with neighbouring authorities and other London boroughs. We also work closely with: the Greater London Authority and Transport for London; London Councils; local businesses; London's Universities; charities and voluntary organisations.
- **Working with businesses** The City Corporation has been working with local businesses through the CityAir business engagement scheme since 2010. This programme was replicated by a number of other local authorities.
- **Actively supporting and facilitating the use of ULEVs.** The City Corporation is implementing a Low Emission Neighbourhood with the aim of reducing overall levels of traffic and increasing the number of zero emission vehicles. Increased electric charging infrastructure is one of the key outputs of this project. A feasibility study is underway to assess options for having a zero emission street in the area.
- **Developing and evaluating new approaches.** We have supported several research projects with London Universities for example real world emission testing back in 2012. Data from this project fed into the Copert emission factors. We have also commissioned research to assess emerging problems such as the impact on air quality from the use of use of biomass in urban areas and the use of diesel generators for demand side response.
- **Engine idling.** We take a wide range of coordinated action to deal with idling vehicle engines and are witnessing a reduction in the occurrence of engine idling on City streets as a result. We pioneered idling engine action days in 2015, with the support of community volunteers. We are now supporting 13 other London authorities to deliver idling engine action days.
- **Non-Road mobile Machinery.** We already enforce stage IIIB NRMM on our construction and demolition sites. This is the cleanest standard available.
- **Generators.** We issue chimney height approvals for new generators to ensure maximum dispersal of pollutants. We commissioned research into the potential impact of using standby generators for demand side response. The outcome of the research is of great concern. We have discussed this with Defra and BEIS officials. We are working with the GLA to find a solution for London and would welcome powers for the government to deal

with this source of pollution. We are also working with a retrofit company to understand the viability of installing retrofit on generators already in situ.

- **Low NOx boilers.** We have required ultra-low NOx boilers as standard in new developments for a number of years.
- **Making active travel safer and easier.** Current priorities for the organisation are road safety and reducing congestion. Outputs from both of these will make active travel safer and easier. The vast majority of workers commute into the City by public transport and so there is little scope to increase this.

In addition to all of the above, the Mayor of London is implementing a 'Charging Clean Air Zone Category D', which is known as the ultra-low emission zone. This is the tightest category in terms of emissions control detailed in the Clean Air Zone Framework. Despite this, and all of the work being undertaken by the City Corporation, air quality in the City will still breach limit values well beyond 2025. In fact the draft Plan suggests it may be some time after 2030. Consequently the draft plan offers very little, if any, support for air quality improvements in the Square Mile. This is of real concern.

Consultation Questions

1. *How satisfied are you that the proposed measures set out in this consultation will address the problem of nitrogen dioxide as quickly as possible?*

The measures detailed in the document appear to do nothing to assist in addressing high levels of nitrogen dioxide in the City of London.

2. *What do you consider to be the most appropriate way for local authorities in England to determine the arrangements for a Clean Air Zone, and the measures that should apply within it? What factors should local authorities consider when assessing impacts on businesses?*

The City of London Corporation already has an Air Quality Strategy and Action Plan and has been delivering measures in the Clean Air Zone Framework for a number of years, and continues to do so. The City of London will also be completely within the Mayor of London's Ultra Low Emission Zone from 2019/20. The ULEZ is category D, the highest category. Consequently, the Clean Air Zone Framework offers nothing for the City Corporation.

The City Corporation has been working closely with City businesses under its CityAir business engagement programme for a number of years. There is strong appetite within City businesses for air quality improvements. Businesses are assisting, for example, in creating a demand for low and zero emission vehicles through their procurement contracts.

Businesses should be supported more widely with suitable cost effective retrofit for their vehicles, particularly HGVs, coaches and buses which are expensive to replace and where retrofit is proven to be very effective.

3. *How can Government best target any funding to support local communities to cut air pollution? What options should the Government consider further, and what criteria should it use to assess them?*

Are there other measures which could be implemented at a local level, represent value for money, and that could have a direct and rapid impact on air quality? Examples could include targeted investment in local infrastructure projects. How can Government best target any funding to mitigate the impact of certain measures to improve air quality, on local businesses, residents and those travelling into towns and cities to work? Examples could include targeted scrappage schemes, for both cars and vans, as well as support for retrofitting initiatives.

How could mitigation schemes be designed in order to maximise value for money, target support where it is most needed, reduce complexity and minimise scope for fraud?

The government should target funding to areas where levels of air pollution are highest and where the largest number of people exposed to high levels of pollution. Support for reducing emissions from vehicles, which cover the most distance in areas with an air quality problem, should be prioritised. Retrofit needs to be affordable and reliable for all vehicles. Any scrappage scheme needs to be carefully targeted to areas and vehicles where the greatest benefits are realised. The amount offered per vehicle in any scrappage scheme also needs to be realistic if it is to be effective.

Local authorities desperately need regulatory powers to control emissions from appliances e.g. boilers, combined heat and power plant and generators. The existing Clean Air Act 1993 is outdated and not fit for today's fuels and technologies. It does not provide a mechanism to control emissions from combined heat and power plant, which can be very high emitters of NOx. Local authorities also have no powers to control emissions from standby diesel generators that are increasingly being used to generate power other than in emergency situations. This is a growing problem in the centre of London. It is set to get worse as London grows in size and population and more power is required to charge an increasingly electrified fleet.

A strategic approach is required for the provision of infrastructure for alternative fuels. It should not be left to individual local authorities to install infrastructure in a piecemeal way.

4. *How best can governments work with local communities to monitor local interventions and evaluate their impact?*

The Government and the devolved administrations are committed to an evidence-based approach to policy delivery and will closely monitor the implementation of the plan and evaluate the progress on delivering its objective.

The City Corporation is also committed to evidence based action and operates an extensive air quality monitoring network. We are currently measuring air quality,

predominantly nitrogen dioxide, at over 70 different locations across the Square Mile. This enables us to assess the effectiveness on local interventions.

We have also undertaken year-long Citizen Science air quality monitoring projects with City residents. We are currently supporting businesses with ambient air quality monitoring outside their premises.

The City Corporation also supports resident and workers to undertake personal exposure monitoring so they can understand how to minimise their exposure to air pollution on a daily basis.

All of our data is made available to the public. The City Corporation also has a free smartphone App, CityAir, which provides: details of current levels of pollution; alerts and helps users find low pollution routes.

Progress on actions in the City Air Quality Strategy, including the monitoring data, is already reported annually to the Mayor of London and Government

5. Which vehicles should be prioritised for government-funded retrofit schemes?

We welcome views from stakeholders as to how a future scheme could support new technologies and innovative solutions for other vehicle types, and would welcome evidence from stakeholders on emerging technologies. We currently anticipate that this funding could support modifications to buses, coaches, HGVs, vans and black cabs.

Diesel vehicles that travel most miles in areas of poor air quality should be prioritised for retrofit. This is likely to be buses, coaches, taxis and delivery vehicles. Retrofit is very effective for large vehicles and should be supported wherever possible. HGVs should be assessed on the amount of time they spend in urban areas with poor air quality. A Clean Vehicle Retrofit Scheme is urgently required. Any approved retrofit system needs to be robust and reliable and not subject to degradation over time. The emissions assessment of the annual MOT test should include NO_x and PM₁₀/ PM_{2.5} emissions.

6. What type of environmental and other information should be made available to help consumers choose which cars to buy?

The City Corporation signposts people to the EQUA index <http://equaindex.com/> managed by the independent organisation Emission Analytics. This index is supported by both the Mayor of London and Mayor of Paris.

The EQUA index provides 'real world', free to access, data for new vehicles for both air quality and carbon emissions. It is widely known that the majority of new diesel cars emit much more NO_x than they should, the worst vehicles emitting around 20 times more. There are however, a small number of new diesel cars that emit the same amount of NO_x as petrol. If the independent testing information is made available to the public it may inform their purchase.

7. How could the Government further support innovative technological solutions and localised measures to improve air quality?

The Government could provide targeted funding for research and development. There are excellent Universities in the UK undertaking incredibly useful research into air quality. The need for funding will become more important once we leave the European Union. Funding should also be made available for smaller companies to develop solutions. You may wish to also consider a national Government supported air quality prize for innovation.

The Government should review existing powers available to local authorities to improve air quality. The Government needs to provide appropriate financial support to enable local authorities to deliver effective schemes.

8. Do you have any other comments on the draft UK Air Quality Plan for tackling nitrogen dioxide?

The City Corporation is concerned that there is nothing or any real substance in this draft plan for London. Even with a Euro VI/6 ultra-low emission zone, large parts of the City will still fail to meet the limit value for nitrogen dioxide until beyond 2025. The City Corporation has recently investigated the impact on local air quality if, in addition to the ULEZ, 80% of cars, 75% of taxis and 20% of vans were zero emission. The results show that annual average nitrogen dioxide will still be breached at most roadsides. The Government should seriously consider what can be done about the Euro 6 diesel vehicles, particularly light vehicles, not meeting the required emission standard. The technology is available to deliver very low emissions of NO_x but it isn't being used by all manufacturers. Local authorities are not in a position to influence this, but the Government can. Primary nitrogen dioxide is also increasing as a proportion of NO_x. This needs to be addressed.

Energy policy continues to create a major challenge for urban air pollution and the plan fails to address this. The air quality plan pays too little regard to combustion plant.

- The roll out of Combined Heat and Power (CHP) is a real issue for urban areas. Early indications are that a large CHP plant recently installed in the City of London has led to measured annual average levels of nitrogen dioxide increasing by around 9 µg/m³. This has taken the area from below to above the limit value. The Medium Combustion Plant Directive will only eventually deal with appliances over 1MW in size, many CHP plant are below this threshold. CHP plant of all sizes should be dealt with as point sources in emissions inventories
- The requirement for 'Demand Side Response' also creates a challenge if standby diesel generators are used in times of peak demand. The City recently commissioned research into the potential impact of this on local air quality. The report recommended that that existing generators should not be used. There is currently no provision available to local authorities to control this emissions source. Forthcoming controls through the Medium Combustion Plant Directive, detailed in the Government's draft Plan, will not be sufficient as many existing plant fall outside the size category.

- The powers available under the existing Clean Air Act are inadequate to control emissions from today's fuels and technologies. An urgent review of the Clean Air Act is required to enable local authorities to control emissions from combustion plant. A review of the policy that encourages the installation of Combined Heat and Power plant in all new large developments is also needed.

As the draft plan in its simplest form is a 'rebadge' of Local Air Quality Management, it would be preferable to build upon the existing Air Quality Management Area framework. Legislation should be introduced that ensures that, once an AQMA is in place, the following examples automatically apply. This is similar to the process of declaring a Smoke Control Area, which automatically means that only smokeless fuel can be burned or exempt appliances installed:

- All gas boilers are required to be low / ultra-low NO_x – not just through the planning process
- Tight emission limits on CHP and biomass plant – not just through the planning process
- Running CHP and 'dumping', i.e. not utilising heat is prohibited
- The used of standby generators for demand side response is prohibited
- All non-road mobile machinery would need to meet the latest emission standard criteria – this would include street works, and all other portable generators used in the AQMA
- Unnecessary engine idling is prohibited

The City is implementing a Low Emission Neighbourhood and is looking at the feasibility of establishing a 'zero emission capable' street. In order to implement this, the Department for Transport needs to approve an appropriate traffic sign that only allows access to these vehicles. A sign does not currently exist. Local authorities are unable to restrict vehicles without the appropriate signage.

The existing powers to issue Fixed Penalty Notices for the offence of unnecessary engine idling are ineffective and require urgent review.

The air quality plan refers to Defra air quality grant. The amount awarded this year was £3.7 million yet only £100,000 was awarded to London local authorities despite a large number of applications being submitted. London has the greatest challenge in meeting the nitrogen dioxide limit value and the Defra air quality grant should reflect this.

We are pleased to see Vehicle Excise Duty is finally going to be reviewed in the autumn budget. The City Corporation has been asking for this for some time. The Government should link any charging system with real world emissions of air pollutants, particularly NO_x and PM₁₀, not just factory approved emissions.

It also is encouraging that the Government is finally considering changing own buying-standards to incorporate air quality given the number of vehicles in its fleet. Again, this should reflect real world emissions if the Government is going to continue to purchase diesel vehicles.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read "JBarradell". The signature is fluid and cursive, with a large initial "J" and "B".

John Barradell
Town Clerk & Chief Executive