

**20 September 2006**

**Stop Germans weakening new air quality regime**

"IF YOU WANT TO IMPROVE AIR QUALITY IN LONDON, PLEASE SEND A COPY OF THIS CORRESPONDENCE TO YOUR MEMBER OF THE EUROPEAN PARLIAMENT FOUND ON:

<http://www.europarl.europa.eu/meps/en/performsearch.html?search=true&webCountry=GB&webTermId=7>

OR TO YOUR LOCAL MEMBER OF PARLIAMENT; AND

TO THE SECRETARY OF STATE FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS AT:

[david.miliband@defra.gsi.gov.uk](mailto:david.miliband@defra.gsi.gov.uk)

URGENT: OPEN CORRESPONDENCE FOLLOWS

To all United Kingdom Members of the European Parliament (MEPs)

The debate in the European Parliament on the new European Union (EU) Directive on Air Pollution scheduled for 25 September, and the vote expected shortly thereafter, will prove a decisive test of your green credentials. Please stop the Germans from weakening and delaying the effect of the new legal regime for air pollution that will replace the current five EU Directives dealing with air pollution. Please protect UK citizens from air pollution by ensuring that a tough new EU legal regime is implemented urgently.

Current EU legislation (which has been in place since 1999) requires World Health Organisation (WHO) recommended levels of air quality to be met by January 2010. In respect of particulate matter (PM<sub>10</sub>), EU enforced WHO levels were required to be met by January 2005. The Department for Environment, Food and Rural Affairs (Defra) must write formally to the EU by 30 September 2006 informing it of breaches of EU legislation that took place in Marylebone Road, Camden and Bradford in 2005. The London Mayor has told Defra that the breaches in these places "are representative of many other parts of London and urban locations and cannot be considered to be "exceptional".

In the same response to Defra's National Air Quality Consultation, the London Mayor has estimated that 1,031 premature deaths occurred due to PM<sub>10</sub> pollution in London in 2005 alone with another 1,088 people predicted to have been admitted to hospital with respiratory problems and many more suffering from impaired health due to air pollution.

We understand that German MEPs are currently seeking a compromise position on the new EU Directive on Air Pollution that would allow the postponement of January 2010 EU legal limits until at least January 2012 and a postponement for PM<sub>10</sub>, that was breached in 2005, until at least January 2014. Worse still, with the starting date depending on when the new EU Directive comes into

force and no backstop dates, it might never come into force. Incredibly, the MEPs' compromise position is weaker than: the "no postponements" wanted by Commissioner Dimas of the Environment Directorate General and amenity societies representing virtually all of Central London; and the position being taken, behind the scenes, by the Council of Ministers that wants "three year postponements". As the traditional final defender of citizen's rights, we expect MEPs to take the toughest line, not the weakest, when it comes to protecting the lives of citizens. Please support Commissioner Dimas urgently.

The most likely cause of Germany's stance is "fear" and "weakness" arising from the European Court of Justice's ruling that claimants in Germany were prevented **WRONGLY** by the German Administrative Courts from enforcing the limit values for fine dust particles in Germany. Please do not think therefore that it is acceptable to "trade-off" the timetable for meeting PM<sub>10</sub> legal limits, or to concede any delay in meeting the existing 2010 deadline for nitrogen dioxide, with the introduction of a new regime for fine particulate matter (PM<sub>2.5</sub>): this is not a subject for weakness, "trade-offs" or compromise.

The Knightsbridge Association is seeking a package of 12 commitments to protect those who live in, work in or visit Central London from the effects of air pollution (please use the link below to find a summary of the package). Most importantly, we want equal environmental rights for all to be enshrined explicitly in the new EU Directive and no postponements from the meeting of current EU legal limits and timetables. In respect of PM<sub>10</sub> we expect to see a robust regime that will deliver early compliance with WHO recommended levels of air quality. Leading London politicians, Darren Johnson AM of the Green Party and Angie Bray AM and Mark Field MP of the Conservative Party are urging action in support of The Knightsbridge Association's position. Their statements are available on the attached link:

<http://cleanairinlondon.org/legal/london-meps-reject-air-quality-postponements/>

The new EU Directive on Air Pollution represents a simple and clear test for all political parties of their green credentials and their willingness to take responsibility and the tough decisions necessary for the protection of Europe's citizens. Please stop Germany from weakening and delaying the effect of the new legal regime for air pollution. We need urgently a new EU Directive on Air Pollution but it must be one that substantially tightens the existing regime not weakens it or delays the meeting of WHO levels of air quality.

Please circulate this correspondence widely and urgently amongst MEPs across the EU and encourage people to look at our campaign website "Free access to clean air of acceptable quality in Central London":

<http://cleanairinlondon.org/>

Yours sincerely

Simon Birkett  
Chairman  
Transport and Environment Committee  
The Knightsbridge Association

Link to BBC Action Network Notice with summarised 12 commitments <http://cleanairinlondon.org/>