

Freedom of Information Officer
Climate Change Committee
1 Victoria Street
London SW1H 0ND

By email

23 November 2021

Dear Sir or Madam

Request for environmental information held by the Climate Change Committee (CCC) that relates to the report by the UK Health Expert Advisory Group titled ‘Sustainable Health Equity: Achieving a Net Zero UK (UCL)’ (published 6 November 2020) and other matters

Please confirm receipt of this request.

I am writing on behalf of Clean Air in London (CAL) to request information under the Environmental Information Regulations 2004/Freedom of Information Act 2000. In order to assist you with this request, I am outlining my query as specifically as possible.

The public interest

There is a presumption in favour of the disclosure of environmental information and where the public interest outweighs what would otherwise amount to an exemption under the regulations, then the information should be disclosed.

The public interest in knowing about and understanding measures taken or to be taken to combat climate change i.e. limiting greenhouse gas (“GHG”) emissions from all sources could not be higher. Equally important are measures that can be taken to prevent or limit emissions to air which cause death or illness because they pollute the air we breathe.

In the past, policies which have been taken to limit GHG emissions have been taken without proper attention to the effect of measures on air quality. For example, favouring diesel cars was intended to help combat climate change but had the effect of worsening air quality in the UK (which is the biggest environmental threat to health in the UK with between 28,000 and 36,000 deaths a year attributed to long-term exposure¹). Measures then had to be taken to discourage the use of diesel. The failure to predict or take adequately into account the unwanted effect of a policy chosen to combat climate change in the first place has had a negative effect on the public’s perception of such measures. This in turn increases public scepticism about climate change policies.

It is therefore of great public importance to ensure that climate change measures do not increase air pollution or fail to take into account the need to decrease air pollution and this request for information is for related environmental information held by the Climate Change Committee (CCC).

It is important to note that the request is for information “held”, which has a legal meaning and covers all information whether or not it is covered by the formal remit of the CCC.

¹ <https://www.gov.uk/government/news/public-health-england-publishes-air-pollution-evidence-review>

Background to my request

The CCC convened the UK Health Expert Advisory Group in 2020 to advise on developing an approach to assessing the health impacts of setting the Sixth Carbon Budget, covering the period 2033-2037. The advisory group was chaired by Professor Sir Michael Marmot, Director of UCL's Institute of Health Equity. It produced a report titled 'Sustainable Health Equity: Achieving a Net Zero UK (UCL)' (published 6 November 2020) (the "Expert Report"):

<https://www.theccc.org.uk/publication/ucl-sustainable-health-equity-achieving-a-net-zero-uk/>

Chris Stark's letter to me dated 8 June 2021 referred to research analysis done for the CCC on the air quality impacts of potential CCC scenarios that included the above Expert Report alongside two others titled 'Analysis of the air quality impact of CCC scenarios' (by Imperial) (published 31 May 2013) and 'Review of the impacts of carbon budget measures on human health and the environment' (by Ricardo AEA) (published 28 July 2013):

<https://www.theccc.org.uk/publication/analysis-of-the-air-quality-impacts-of-potential-ccc-scenarios-by-imperial/>

<https://www.theccc.org.uk/publication/review-of-the-impacts-of-carbon-budget-measures-on-human-health-and-the-environment-by-ricardo-aea/>

Chris Stark's letter also referred to the CCC being part of a three-year modelling study led by Imperial College London to model the air quality implications of pathways to Net Zero set out in the advice on the Sixth Carbon Budget.

The UCL Expert Report stated on page 15:

It is also worth noting that even though PM_{2.5} emissions are lower when biomass is used for electricity generation rather than fossil fuels, the role of biomass in achieving net-zero is highly contested given first the time lag (from decades to hundreds of years) between CO₂ from biomass combustion being emitted and the sequestration of those emissions via new tree growth, and second the fact that emissions from imported biomass are not accounted for in the UK.

On the following page (page 16), the UCL Expert Report recommended four regulatory interventions:

- *Transition to clean energy sources – decarbonising both power generation and industrial, commercial and domestic energy.*
- *Set a target date to eliminate home installations of wood burning and gas stoves, prioritising elimination in urban areas.*
- *Set a further target date to eliminate/remove all existing wood burning stoves in urban areas.*
- *Enforce existing and new fuel standards.*

My email copied to Chris Stark on 18 September 2021 asked:

1. *[(a)] [why did the CCC] not accept the Air Quality Expert Advisory group's four recommendations (page 2 of CAL's recent letter and page 16 of the report), [(b)] whether the CCC gave any consideration to possible dates for the 'elimination' referred to and [(c)] why [does the CCC] not expect to revisit that work (not least given the correspondence between us)?;*

2. Will the CCC please consider making an explicit public statement in one of its next publications or media releases to address the points raised by CAL in correspondence with [the CCC]?;
3. Will the CCC please publish an up-to-date glossary defining key terms including those we've discussed?; and
4. Please [say if the CCC has] any date or dates in mind or object[s] to CAL's recommendation that the use of wood burning stoves and open fireplaces should be banned in cities as soon as possible and throughout urban areas by January 2029 (subject also to complying fully with air quality laws and guidelines).

In the intervening period:

- the World Health Organisation (WHO) published new air quality guidelines halving its previous guidelines for fine particles (PM_{2.5}) and slashing those for nitrogen dioxide (22 September 2021); and
- the UN Human Rights Council adopted a resolution confirming the human right to a clean, healthy and sustainable environment (8 October 2021).

COP26 has also since taken place.

Chris Stark's email to me dated 17 October 2021 confirmed:

"On question one, we regularly commission expert advice from bespoke advisory groups, including – on this occasion – advice on the health implications of setting the sixth carbon budget. The views of expert groups are separate to those of the CCC and it is the role of our Committee to form an independent view, drawing in evidence from a host of areas in making their judgement."

"On questions two to four, we have no plans to revisit our analysis, publish new material or make new recommendations on these topics. We return regularly to our analysis, but I regard these topics - as I've mentioned before - as outside of our formal remit."

My information request

I wish to understand the who, what, why, when and how of:

1. the CCC's consideration given to the Air Quality Expert Advisory group's 'Sustainable Health Equity: Achieving a Net Zero UK (UCL)' (the "Expert Report") including its four recommendations on regulatory interventions (on page 16);
2. the CCC deciding not to include, adopt or support the Expert Report's recommendations in the Sixth Carbon Budget Report or elsewhere;
3. which government departments or other organisations or people did the CCC consult before deciding not to accept the Expert Report e.g. BEIS, Defra or the DHSC?;
4. the CCC's consideration given to the two other reports and the three-year modelling study referred to in this letter under 'Background to my request';
5. the CCC deciding not to publish a new glossary of terms or a statement addressing the concerns raised by CAL in correspondence since 4 May 2021;
6. the CCC seemingly drawing lines somewhere between matters relating to (a) emissions of greenhouse gases and other air pollutants, (b) impacts on global heating and public health, (c) explicit policy recommendations to ban the installation and use of appliances burning fossil fuels but not wood (d), policy recommendations to ban the use of some feedstocks but not others, (e) emissions from the transport of feedstocks within the UK but not outside it and (f) its willingness

to say which types of wood or biomass can be burnt rather than highlight those which should not be burnt e.g. does the CCC have internal guidelines or agreed 'lines to take' on such matters?; and
7. any decisions that have been taken by the CCC not to revisit these matters in future.

I would like to receive copies of all emails, reports, notes, memoranda, board minutes and other information held by the CCC that relate to this request. You will appreciate that my request relates to emissions to air and that the public interest in these matters is considerable.

If my request is denied in whole or in part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all non-exempt material.

I look forward to your response within the 20-working-day time limit and would be grateful if you could confirm in writing that you have received this request. The EIR deadlines are mandatory – please see paras 17 and 18 of this judgment <https://www.informea.org/sites/default/files/court-decisions/COU-159751.pdf>.

Thank you.

Yours faithfully

Simon Birkett
Founder and Director

Cc

Chris Stark, Chief Executive, Climate Change Committee
Jenny Hill, Head of Buildings, Climate Change Committee