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Verdict on Mayor Johnson's draft Air Quality Strategy: It's a start but not yet 'fit for purpose'

'Many proposals' in Mayor's draft Air Quality Strategy are unfunded as he calls on government to fully back his plan with adequate policy and financial support

Mayor Johnson 'torpedoes' government's time extension plans for dangerous airborne particles (PM₁₀) by delaying Phase 3 of the London Low Emission Zone

Mayor Johnson announces his draft Air Quality Strategy

Mayor Johnson announced his draft Air Quality Strategy, 'Clearing the Air', on 5 October for consultation with the London Assembly and Greater London Authority (GLA) functional bodies. See media release (with a link to the 86 page document):

http://www.london.gov.uk/view_press_release.jsp?releaseid=23879

The consultation period will run until 30 November. In early 2010 a second version of the strategy will be published for formal public consultation.

Quotes

Simon Birkett, Founder and Principal Contact of the Campaign for Clean Air in London (CCAL), said:

The challenge

"The Mayor's acknowledgment of the seriousness of London's air quality problem and that it has not improved in recent years is welcome. In fact, the level of dangerous airborne particles (so called PM₁₀) in London has increased at a mean rate of around 0.4% per year since the late 1990s^{Note 1}.

"The scale of the nitrogen dioxide (NO₂) challenge dwarfs that for PM₁₀. Even the government's own forecasts indicate 1,117 kilometres of roads in London will breach legal standards in 2010 with 520 kilometres still in breach in 2015 (the final date for compliance if a time extension is obtained for NO₂)^{Note 2}. The Mayor estimates some 700,000 Londoners live in areas expected to breach legal standards for NO₂ in 2010.

"To put London's air quality challenge in perspective, let's remember: legal action is already underway against the UK for breaching legal standards for PM₁₀^{Note 3}; London has the highest annual average concentrations of NO₂, a toxic gas, of any capital city in western (or eastern) Europe^{Note 4}; and some 6,300 to 7,900 people may have died prematurely in London in 2005 due to exposure to PM₁₀ alone^{Note 5}."

"The human cost of failing to improve air quality is frightening."

The proposals

"Some encouraging new measures are included in the Mayor's draft Air Quality Strategy (AQS).

For example, plans to start cleaning up the bus and taxi fleets and launch a public information campaign.

“However, some thinking does not seem to stack up. For example, the draft AQS says road transport produced 83% of PM₁₀ emissions in central London in 2006 (page 26). The draft AQS suggests that this huge problem can be dismissed as just ‘a few hotspots’ (page 40) and tackled (page 39) by:

- planting street vegetation;
- introducing unspecified, untested and unfunded *ad hoc* local traffic management measures;
- focusing an unspecified number of cleaner buses down the most polluted roads at some time in the future, where possible; and, meanwhile,
- delaying or cancelling the two biggest measures already in train i.e. Phase 3 of the London low emission zone (LEZ) and the western extension ^{Note 6} of the congestion charging zone (WEZ).

“CCAL is concerned also that the draft AQS seems to have focused mainly on emissions of oxides of nitrogen (NOx) and assumed (apparently) that concentrations of nitrogen dioxide (NO₂) will fall at the same rate as NOx. History suggests otherwise.”

Three key issues

“There are three key issues, at least, around the AQS:

- first, the Mayor's decision to delay Phase 3 of the London low emission zone from October 2010 to 2012. This decision will impact over 15% of those worst affected by poor air quality ^{Note 7},
- second, ‘many of the proposals’ included in the AQS are unfunded (see page 80 of the draft AQS) i.e. they are aspirational; and
- there is still no credible plan for London to comply with legal standards for PM₁₀ by the June 2011 deadline since most measures (even if funded) would not be implemented until 2012. *Ad hoc* and minor measures and ‘pre-compliance’ (i.e. the early purchase of LEZ compliant vehicles for Phase 3, in contrast to the experience of earlier Phases) would be relied upon as London ‘seeks to meet’ these legal standards in 2011.

“The first of these is sure also to torpedo the government's application to the European Commission for a time extension until June 2011 to comply with legal standards for PM₁₀ (since you cannot substitute uncertain measures for certain ones) ^{Note 8}.

“It is also very disappointing that air quality laws, in place to protect public health, seem unlikely to be complied with in London in any year up to or including 2012 (or thereafter) ^{Note 9}. The AQS says emissions of oxides of nitrogen (NOx) need to be over 80% lower in 2015 than current projections in order for the EU limit value to be met everywhere in London (page 25). It then goes on to show that the current (mainly unfunded) proposals would achieve reductions of only 34 to 40% by 2015 (page 78).”

“CCAL has therefore written to Commissioner Dimas urging him to reject the UK’s application for a time extension to comply with EU limit values for dangerous airborne particles. If the UK continues to fail to take effective action during the enforcement process, it would eventually face unlimited

lump sum and daily fines ^{Note 10}.”

Next steps

“Boris has lobbed – though, for now - the ‘air quality’ ball into the government’s court. Not least, he says “The GLA’s modeling shows that even with strong action by the Mayor, London cannot clean up its air on its own” (page 16). Therefore:

- will the government finally disclose the contents of its discussions with the Mayor on air quality?;
- how will the government close the gaping hole between the (latest) plans for London and the legal standards to be met by specific deadlines?;
- will it offer the Mayor all the financial support he has called for and/or issue him with legal directions?;
- can it somehow salvage, within weeks, its time extension application for PM₁₀?; and
- what will the government do to fix the shambles it has created nationally on NO₂?

“The bottom line for the Mayor and the government is that this strategy needs to tackle a problem estimated to have resulted in 6,300 to 7,900 premature deaths in London in 2005 due to dangerous airborne particles alone – and it does not.”

“Air quality looks set, at last, to become a major election issue. It’s about time.” ENDS

Notes

1. King’s College London

King’s College London report titled ‘Air quality in London, London Air Quality Network, Report 14, 2006-7 (Note 2.44 MB file size). See pages 4 and 5:

<http://www.londonair.org.uk/london/reports/AirqualityinLondon2006-2007.pdf>

2. UK’s time extension application for NO₂

Defra draft report dated February 2009 and titled ‘UK Approach to its Application for Time Extension Notification to Nitrogen Dioxide Limit Value Deadline’

Link no longer available, but see <http://uk-air.defra.gov.uk/library/no2ten/>

See Figure 2.3 on page 15 and paragraph 46 on page 18 for forecasts of concentrations of NO₂ in London in 2015 and the identification of Oxford Street.

3. European Commission media release (29 January 2009): Air pollution: Commission starts legal action against 10 Member States over airborne particles

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/174&format=HTML&aged=0&language=EN&guiLanguage=en>

4. London has the highest annual average level of NO₂ of any capital city in western – or eastern

– Europe (and any European city with a population over two million)

Please see:

<http://www.urbanaudit.org/rank.aspx>

- a) For Domain select 'Environment'
- b) For Indicator select 'Annual average concentration of NO₂'
- c) For Choose group select 'Capital cities'
- d) For Order select 'Decreasing'
- e) For Year select '2004'

then hit 'Go'. Repeat with c) selecting 'Population: over 2,000,000'

5. CCAL letter dated 20 September 2009: 'Mayor Johnson urged to apply Precautionary Principle for Air quality Strategy assuming 6,300 to 7,900 premature deaths in London in 2005 due to dangerous airborne particles'

<http://cleanairinlondon.org/health/government-releases-previously-unpublished-spreadsheets-for-calculating-premature-deaths-due-to-air-pollution-in-london-after-formal-information-request/>

6. The benefits of the western extension of the congestion charging zone (WEZ)

Reductions in pollutants:

<http://london.gov.uk/mqt/public/question.do?id=24543>

Traffic increases if removed:

<http://www.london.gov.uk/mqt/public/question.do?id=27653>

7. Health impacts of Phase 3 of the Low Emission Zone

Transport for London report titled 'Proposed London Low Emission Zone, Scheme Description and Supplementary Information'. See Annex A on page 45:

<http://www.tfl.gov.uk/assets/downloads/lez-supplementary-information-november2006.pdf>

8. UK's time extension application for PM₁₀

UK Notification to the European Commission to secure additional time to meet the limit values for particulate matter for certain zones/agglomerations in accordance with the Council Directive 2008/50/EC on Ambient Air Quality and Cleaner Air for Europe

<http://www.defra.gov.uk/environment/quality/air/air-quality/eu/>

9. Air quality laws seem unlikely to be complied with in London in any year up to or including 2012 (or thereafter)

Dangerous airborne particles (PM₁₀) – Section 2.4 on page 24 of the AQS says “Projecting forward to 2011 indicates that the areas exceeding the daily mean limit value will have greatly reduced from 2006. A few areas near the busiest roads will remain at risk of exceeding the limit value if no further action is taken. These locations (illustrated in Figure 2.5) are focussed on the central London road network.”

Nitrogen dioxide (NO₂) – Figure 5.4 on page 78 of the AQS indicates that NO_x emissions from all sources in Greater London (including planned measures, natural vehicle fleet turnover etc) are expected to fall by 35 to 40% from 2006 to 2015. The Mayor’s media release seems to imply this reduction will reduce concentrations of NO₂ by a similar (or the same) amount. History suggests otherwise.

Defra’s draft report of February 2009 titled ‘UK Approach to its Application for Time Extension Notification to Nitrogen Dioxide Limit Value Deadline’ identifies Oxford Street as having average annual concentrations of NO₂ of nearly 100 micrograms per cubic metre (µg/m³) in 2015 (assuming previously planned measures)^{Note 2}. It seems unlikely therefore that a 40% reduction in NO_x or NO₂ would result even in the limit value plus margin of tolerance being met in Oxford Street (i.e. 60 µg/m³) (which is a requirement from January 2010 if a time extension for NO₂ is obtained by the United Kingdom).

European Union limit values for ambient air quality must be met everywhere (with some exceptions). It is not satisfactory therefore just to try to comply with the limit values in most places. In part this requirement ensures that limit values are more than met elsewhere, with commensurate health benefits.

The draft AQS suggests that this huge problem can be dismissed as just ‘a few hotspots’ (page 40) and tackled (page 39) by: planting street vegetation; local traffic management; and the focusing of cleaner buses down the most polluted routes, where possible. It hopes also that pre-compliance (i.e. the earlier meeting of standards for Phase 3 of the Low Emission Zone would help (when earlier Phases showed late compliance, not early).

10. Details of financial penalties for breaching EU law

http://ec.europa.eu/eu_law/infringements/infringements_en.htm

11. CCAL will provide a further update on its views on the Mayor’s draft Air Quality Strategy in due course