

18 December 2012

Mayor releases first tranche of information about his lobbying to weaken air pollution laws

Information reveals lobbying on an industrial scale to influence hundreds of organisations and individuals across Europe. It would have caused a scandal if released before the Olympic and Paralympic Games. Mayor might have lost the last election if Londoners had known about this

Serious questions raised for other members of the AIR-Quality Initiative of the Regions: Baden-Württemberg; Catalunya; Emilia-Romagna; Hessen; Lombardia; North Rhine-Westphalia; Piemonte; Randstad; Steiermark; Veneto; and Vlaanderen

Clean Air in London (CAL) has instructed its solicitors, Harrison Grant, to consider what further action CAL can take to obtain the release of information still being hidden by the Mayor after more than seven months

The Greater London Authority (GLA) has completed the release today of over 750 pages of emails and other details to Clean Air in London (CAL) in response to a request for information about the Mayor of London's lobbying to weaken international air pollution laws.

CAL submitted its request to the GLA under the Environmental Information Regulations and/or Freedom of Information Act on 13 May 2012. It requested:

'Any information that shows what the Mayor/GLA is doing to influence directly or indirectly the future shape of the Air Quality Directive, to include:

- *correspondence about the aims of AIR and JOAQUIN*
- *minutes of meetings*
- *emails*
- *impact and other assessments*

... between June 2010 and 13 May 2012'.

The GLA has refused to release other information under three exceptions. The first relates to 'material which is still in the course of completion, to unfinished documents or to incomplete data'. The second is that 'Disclosure would adversely affect international relations'. The third exception relates to the disclosure of personal data.

Under the Environmental Information Regulations reliance on any exception is subject to a public interest test. The Mayor expresses a *'very strong concern, however, that the release of [this] information would significantly harm [his] relations with other bodies, on whom [he] relies for co-operation in making [his] case on a range of urban issues which have an EU dimension, not just environmental issues'*.

CAL has today published the information received and has instructed its solicitors, Harrison Grant, to consider what further action CAL can take to obtain the release of remaining information.

The information now released shows:

- key objectives of the Mayor's lobbying last year were to establish the AIR-Quality Initiative of the Regions (AIR), sign a Memorandum of Understanding and participate in a major political event in Brussels on 9 November 2011;
- each member of the AIR coalition was given an opportunity on 9 November 2011 to present one measure they have undertaken to improve air quality. The Mayor chose the £5m Clean Air Fund including 'trials of deep cleaning and dust suppressant technology'; and
- the Mayor's AIR coalition has attempted to lobby over 300 organisations and individuals across Europe and involve business associations, big companies and automotive groups.

CAL has published the information received together with selected extracts from it.

Quotes

Simon Birkett, Founder and Director of Clean Air in London, said:

"The industrial scale of the Mayor's lobbying to weaken international air pollution laws is breathtaking.

"Over 750 pages of emails and other details are shedding light for the first time on the industrial scale of the Mayor's efforts to lobby, with other regions, over 300 organisations and individuals across Europe.

"No wonder the Mayor has sought to hide this information. It would have caused a scandal if released before the Olympic and Paralympic Games. Indeed, the Mayor might have lost the Mayoral election if Londoners had realised he was lobbying so actively to weaken air pollution standards in London.

"In many senses, the information released raises more questions than it answers. For example:

- i. What is hidden in the remaining information?
- ii. Why is the Mayor lobbying for London to have weaker public health protections than others in Europe?
- iii. Why is the Mayor lobbying to weaken air pollution laws without even undertaking an impact assessment of the consequences?
- iv. What other communications have taken place with others?
- v. What happened before June 2010 and since 13 May 2012? In particular, why does email correspondence only begin a year after the starting point of the information request?
- vi. What due diligence did the Mayor undertake before deciding to align with a controversial partner such as the Northern League?
- vii. Which entities would the redacted details of names reveal?
- viii. What time and money has the Mayor spent on his crusade to weaken air pollution laws?
- ix. What other lobbying is the Mayor of London doing across Europe?
- x. What action has the Government been taking in its lobbying to weaken air pollution laws?

"Clean Air in London hopes NGOs in other countries will ask similar questions of their city leaders.

"The Mayor's reasons for hiding the remaining information seem laughable. For example, he argues 'These drafts are clearly unfinished documents and remain unfinished despite completion of a final

version' and 'The term 'international relations' refers to relationships between the UK and other governments or international bodies, including the EU'. The Mayor must think he is already Prime Minister.

“As Mayor of one of the best resourced and most powerful, innovative and exciting cities on earth, the Mayor should be ensuring compliance with current air pollution laws and demanding continuity and the further tightening of health and legal protections not inciting the most polluted cities in efforts to weaken such laws for millions of Europeans.

“Only Mayor Johnson could want weaker health protections for those he represents than others.”

Notes

‘The Great Boris information smog’ by Dave Hill in the Guardian on 5 December 2012

http://www.guardian.co.uk/politics/davehillblog/2012/dec/05/boris-johnson-london-great-smog-anniversary?CMP=tw_t_gu

AIR-Quality Initiative of Regions website

<http://en.vlewa.eu/air>

Selected extracts from a variety of organisations i.e. not just London

Attachment 1: 168 pages, 7 June 2011 to 21 September 2011

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“As you know, our informal network of Regions represents more than 85 millions of inhabitants and more than 20% of the EU GDP of around Euro 2,880 billions and we share specific issues related to air quality, due to a combination of strong industrial development, high population density and adverse geographical and meteorological conditions. Therefore, our Regions need to make stronger efforts than those required [by] the bulk of EU regions, in order to reach the EU targets of air quality.”

Page 114

“This would also underpin our need to get more time in meeting the limit values.”

Pages 153 to 160

List of entities due to be contacted

Attachment 2

Part 1 (59 pages, 22 September 2011 to 5 October 2011)

Pages 57 to 59

List of contributions of the regions to ‘best practices’

Part 2 (59 pages, 6 to 25 October 2011)

Part 3 (59 pages, 21 to 31 October 2011)

Pages 1 and 2

“As you can see, when taking just the first suggestions from the regions, we won’t have a part tackling industrial measures. All industrial measures were only second suggestion from some regions. That’s why I set it in italic letters. As we discussed last time, it would be important also to present industrial measures. Then we have to cancel the first suggestion from Emilia-Romagna, NRW and Veneto. I have to admit, that with my ministry that will lead to more discussions”

Page 16

“We could even use this opportunity and make a common contribution for the AIR group [to the Committee of the Regions’ consultation on the review of air quality policy]. I would like to suggest to Lombardia to arrange a meeting at our conference, mid of November, to elaborate a common contribution and to plan our next steps.”

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“London would like to be given the opportunity to explain its priorities and barriers in achieving air quality improvements. Questions similar to the following would allow this:

- What is London’s air quality management priority?
- What is the major barrier to air quality improvements in London?”

Part 4 (2 pages)

Attachment 3

Part 1: 55 pages, 2 to 3 November 2011

Part 2: 55 pages, 3 November 2011

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“Kulveer would like to have a separate chat on air quality (and any other environment related issues of interest) with any politicians who will be in Brussels during the same time.”

Part 3: 55 pages, 4 to 7 November 2011

Part 4: 2 pages

Attachment 4: 146 pages, 7 to 15 November 2011

Page 99

“DG ENVI originally seemed to think we were just a group of regions who wanted to water down the [Air Quality] directive but now they [have] realized that we are taking serious efforts to improve air quality.”

Page 108

“Kulveer Ranger (London’s political representative for Environment) has asked me to source all politicians’ email addresses as he would like to contact them directly.”

Page 143

“London would like to see some of the issues below being addressed during the keynote speech:

1. limit values and health evidence
2. transboundary pollution
3. euro standards
4. abatement technology
5. tyre and brake wear”

Attachment 5: 110 pages, 15 November to 19 December 2011

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“Maybe this is another point for the agenda then to sort out communication in this group because the bulk of emails exchanged [are] creating a certain fatigue.”

Attachment 6: 14 pages, 9 June 2011 to 5 December 2011