Consultation on Air Quality Plans to Meet EU Limit Values for Nitrogen Dioxide (No2) in Scotland
Dear Consultee

CONSULTATION ON AIR QUALITY PLANS TO MEET EU LIMIT VALUES FOR NITROGEN DIOXIDE (NO\(_2\)) IN SCOTLAND

We are writing to invite views on updated air quality plans that set out the action taken and being planned at UK, Scottish and local levels to meet the annual and hourly EU NO\(_2\) limit values in Scotland as soon as possible. These, along with air quality plans from England, Wales and Northern Ireland will form the basis of the UK response to the Supreme Court Judgement earlier this year requiring the existing plans, which were submitted to the European Commission in 2011, to be updated and resubmitted to the Commission by the end of 2015.

This consultation is made up of:

1. A UK overview document summarising the relevant air quality policy background and past, present and planned measures to help tackle NO\(_2\) pollution. The national Low Emission Strategy for Scotland, which is currently being finalised and will be published by the end of 2015, sets out in more detail the specific actions being taken in Scotland, including proposals for a national Low Emission Zone Framework, a standardised approach to traffic data collection and a national modelling methodology;

   and

2. Updated air quality plans for the four air quality zones in Scotland where our assessment shows that additional time will be needed to meet in full the NO\(_2\) limit values. The plans contain information required by the ambient air quality directive (2008/50/EC), describing for each zone the compliance situation (based on national assessment) and the local measures that will help to achieve compliance with the NO\(_2\) limit values as soon as possible.
You can access these documents at https://consult.defra.gov.uk/airquality/draft-aq-plans

These documents are not being published in hard copy. However, if you experience any difficulty in accessing the website versions, please contact us at the email address at the top of this letter.

Air quality is a devolved matter and separate consultations are being undertaken by the administrations in England, Wales and Northern Ireland.

**What we are seeking your views on:**

We welcome your comments on this package of updated air quality plans that we intend to submit to the European Commission in December 2015, in particular the extent to which these represent correctly the efforts underway at UK, Scottish and local level to achieve compliance with the NO$_2$ limits as quickly as possible.

The plans have been drawn up with input from local authorities and other bodies with an interest. However it is important that they properly reflect the action being taken, so consultee input is welcome.

**Policy Background**

The EU Ambient Air Quality Directive (2008/50/EC) sets limits for major air pollutants including nitrogen dioxide (NO$_2$) with the aim of protecting human health and the environment. Health evidence has shown that, at high levels, NO$_2$ can cause inflammation of the airways and long term exposure may affect lung function and respiratory systems. The current NO$_2$ limits were introduced in 1999 and were due to be achieved by 2010. Road transport is the dominant source of pollution in areas exceeding the limit values.

Compliance with the limit values was achieved by 2010 over much of Scotland. However Scotland, and the rest of the UK, along with most other EU Member States, faces challenges in achieving full compliance in our major cities and towns. These challenges have increased since agreement of the current Directive in 2008 as evidence around the underperformance of EU diesel vehicle emission standards in relation to NOx has emerged.

Despite improvements in recent years, our assessment at that time showed that parts of four of the six air quality zones in Scotland were likely to require additional time to meet the limit values. We therefore submitted the original air quality plans, as part of the overall UK package, in a time extension application to the Commission in September 2011.

The Commission subsequently granted a time extension to 2015. However, recent assessments indicate that full compliance with the Directive in Scotland may not be secured until 2020, and well beyond this date in much of England. Following a Judicial Review brought by Client Earth, the UK Supreme Court has ruled that the existing action plans must be updated and submitted to the Commission by the end of 2015, outlining how full compliance will be secured in the shortest possible time.
Responding to this consultation

We are inviting written responses to this consultation by 9 November 2015. Please send your response, with the completed Respondent Information Form at the end of this letter, to:

andrew.taylor2@gov.scot

If you have any queries or require further information about the consultation please contact Andrew Taylor on 0131 244 7813.

We would be grateful if you could clearly indicate in your response which parts of the consultation package you are responding to, as this will aid our analysis of the responses received.

This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of our website at http://www.gov.scot/consultations

The Scottish Government has an email alert system for consultations, http://register.scotland.gov.uk This system provides a weekly email containing details of all new consultations (including web links). It complements the Scottish Government distribution lists, and is designed to allow individuals and organisations to keep up to date with all Scottish Government consultation activity, and therefore be alerted at the earliest opportunity to those of most interest.

Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the Respondent Information Form as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and therefore has to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public and after we have checked that it contains no potentially defamatory material, responses will be made available to the public in the Scottish Government Library at Saughton House, K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, (telephone 0131 244 4565) and on the Scottish Government consultation web pages by 2 September. You can make arrangements to view responses by contacting the Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service.
What happens next?

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us finalise the UK’s time extension application to the European Commission. We are required to submit our updated action plans by the end of December.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please use the contact details provided.

Yours faithfully

ANDREW G TAYLOR
Air Quality Policy Manager
CONSULTATION ON AIR QUALITY PLANS TO MEET EU LIMIT
VALUES FOR NITROGEN DIOXIDE (NO₂) IN SCOTLAND

RESPONDENT INFORMATION FORM
Please Note this form must be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation
Organisation Name

Title  Mr  Ms  Mrs  Miss  Dr  Please tick as appropriate
Surname
Forename

2. Postal Address

Postcode  Phone  Email

3. Permissions - I am responding as...

Individual  /  Group/Organisation

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?
Please tick as appropriate  Yes  No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis
Please tick ONE of the following boxes
Yes, make my response, name and address all available  
or
Yes, make my response available, but not my name and address  
or
Yes, make my response and name available, but not my address

(c) The name and address of your organisation will be made available to the public (in the Scottish Government library and/or on the Scottish Government web site).
Are you content for your response to be made available?
Please tick as appropriate  Yes  No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so.
Are you content for Scottish Government to contact you again in relation to this consultation exercise?
CONSULTATION QUESTIONS

Q1 Do you have any comments on the updated UK plan?

Comments

Q2 Do you have any comments on the updated Scottish zonal plans?

Comments