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Mark Reckless AM
Climate Change, Environment and Rural Affairs Committee
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Dear Mark

Thank you for your letter of 31 January, requesting I set out actions I am taking in terms of understanding the extent of air quality issues in Wales through monitoring activity, improving air quality through regulation and enforcement and monitoring the environmental risks associated with poor air quality.

Monitoring of air quality and its associated environmental risks, occurs at a number of levels. National monitoring is managed in accordance with EU Directive requirements by the Environment Agency through the national monitoring network under a UK-wide contract. Monitoring by Local Authorities is carried out in accordance with their local air quality management (LAQM) duties under the Environment Act 1995. Monitoring is also commissioned by highway authorities and is required by environmental regulators in the vicinity of certain industrial operations.

My Department sponsors the Welsh Air Quality Forum website (<http://www.welshairquality.co.uk>), which provides a wide range of air quality monitoring data to the general public. Air quality data across the whole of the UK is available on the Defra website at <https://uk-air.defra.gov.uk>.

Regulation and enforcement occur through a number of channels, including LAQM, land use planning and environmental permitting, all of which fall within my portfolio.

Our public consultation on local air quality and noise management in Wales closed on 6 December and received 50 responses. I am currently considering recommendations based on the responses received. I will publish the consultation responses in full and issue a statement to Assembly Members on how I intend to change the LAQM process in Wales, before the end of March 2017. The responses to the specific proposals contained in the consultation document were generally favourable, particularly with regard to the need for more collaborative working and the need to reduce air pollution across the population as a whole, as well as focusing on areas where the national air quality objectives are exceeded. My Department will produce revised policy guidance for Local Authorities, followed by an improved annual progress report template. I also intend to intervene, where necessary, to improve the level of Local Authority compliance with reporting and action planning deadlines.

My officials are working with colleagues in Public Health to take forward an educational campaign on air quality for health professionals and the public and to produce national guidance for Directors of Public Health in Local Health Boards, Directors of Public Protection in Local Authorities and Public Health Wales. This guidance will encourage collaboration to support the delivery of LAQM.

My officials are working with Local Authorities and other stakeholders to review and improve national planning policy and guidance in relation to air quality and noise. Many of the responses to the recent consultation will feed into this process.

Both Natural Resources Wales (NRW) and Local Authorities regulate emissions to air from industrial processes through the environmental permitting regime and my officials work closely with regulators and operators where appropriate. We have a short-term action plan in place for particulate matter in the vicinity of the Port Talbot steelworks, and have recently commissioned studies both in relation to particulate matter in Port Talbot and nickel in the Swansea Valley.

On air quality more generally, in November the High Court concluded the UK Government's 2015 air quality plan, produced to meet the requirements of the EU Ambient Air Quality Directive, should be quashed. The judgement found the plan did not meet the UK's legal obligations to improve air quality in the shortest possible time. It considered the predictions based on modelling were not accurate, making compliance with air quality limits unlikely.

The UK Government is, therefore, required to draft a new air quality plan to achieve compliance with the Directive. This new plan is due to be consulted on by 24 April 2017, and must be put in place by 31 July 2017.

The implications of this for the Welsh Government's plans to tackle nitrogen dioxide pollution in Wales will depend on new UK-wide compliance projections to be provided by Defra. These will include updated and more accurate traffic emission estimates and improved time resolution (i.e. giving predictions not just for the years 2020, 2025 and 2030 but for other years as well) within air quality assessments. The new draft UK plan will need to show how compliance with air quality limits is likely to be achieved by the soonest date possible, including in the four non-compliant zones in Wales.

In our recent White Paper on the transition from the EU to a new relationship with Europe, we were clear on the need to be vigilant and insist the protections and standards which benefit our citizens and the well-being of society as a whole are not eroded. We currently meet our EU obligations for national air quality monitoring and modelling through UK-wide contracts funded centrally from a shared UK air quality evidence budget managed by Defra. Similar UK-wide contracts are in place to provide technical support for LAQM, notwithstanding the different requirements for LAQM in each UK administration. While there may be scope to better align the national and local air quality regimes following our exit from the EU, I would be concerned by any move on the part of the UK Government to decrease the overall level of monitoring, modelling and technical support currently provided through UK-wide contracts.

There are, of course, some important levers for improving air quality which it should be noted are non-devolved, for example fiscal measures in relation to diesel vehicles, and we look to the UK Government to play its part in improving air quality in Wales.

The Committee has previously expressed some interest in the Aberthaw Power Station court case and on this matter I recently wrote to all Assembly Members. I trust this clarified the current position in respect of Aberthaw's emissions of oxides of nitrogen and the steps being taken by NRW to give effect to the judgement.

A handwritten signature in black ink that reads "Lesley". The signature is written in a cursive style with a large, sweeping flourish at the end.

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig
Cabinet Secretary for Environment and Rural Affairs