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Convener

Environment, Climate Change and Land Reform

Committee

Room T3.40

The Scottish Parliament

Edinburgh

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Your ref:

Our ref:

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Dear Graeme

Environment, Climate Change and Land Reform Committee inquiry into air quality in Scotland

Following the publication in February 2018 of the Committee's report of its inquiry into air quality in Scotland, and the debate which took place in Parliament on 17 April, I agreed to write to you setting out the Scottish Government's response to the Committee's conclusions and recommendations. Below, I address each of the Committee's recommendations in turn.

Suitability of the Cleaner Air for Scotland strategy

The Committee is concerned about the direction of travel, rate of change and action on the ground and recommends that CAFS is kept under review to ensure that it remains fit for purpose given the continual changes that are being seen in this area. In order to best ensure that it meets its broader climate change targets, CAFS' contribution to meeting the Scottish Government's climate change, environment and health policies must be at the forefront of this change.

I agree that it is important for CAFS to be kept under review and we have committed to a full review of the strategy by 2020. The initial version of the strategy focuses very much on transport, as this remains the most significant source of local air pollution. However a key consideration of the review will be to give greater attention to other emissions sources such as agriculture, and also to focus in more detail on effective co-ordination between air quality and climate change policies. The Committee is also correct to point out the need to ensure environment and health policies are fully reflected in CAFS. Protection of both human and environmental health is central to the current strategy and this will continue to be the case.

The Committee considers that, as highlighted in evidence, the Scottish Government's

yearly progress report is insufficiently clear to allow an accurate assessment of progress against the 34 original actions laid out in CAFS. Therefore the Committee recommends that a more transparent progress report is provided in future updates to show the status of the delivery against each individual action. This should also incorporate and measure the impacts of any changes to relevant Government policy and budgets. It should also highlight the Government's progress towards EU compliance by 2020.

This year's progress report will list each of the CAFS actions separately and clearly indicate progress against each one. Where necessary, any changes to Government policy or budgets since CAFS publication that impact on any of the actions will be highlighted.

National vs local policy cohesion

The Committee recommends that the Cabinet Secretary for Environment, Climate Change and Land Reform, along with the Minister for Transport and Islands, continue their discussions with the Minister for Local Government and Housing to ensure the planning and placemaking ambitions set out in CAFS are fully realised. Otherwise the active travel and sustainable transport aspirations of the Scottish Government will not be met. Air quality must be a key component in the reviews of the national planning framework and national planning policy.

Discussions at both Ministerial and official level will continue to ensure that air quality continues to be taken into account in planning policy. We are currently developing a version of the Place Standard tool which will be directly focused on air quality. Further details on this will be contained in the annual progress report.

Behaviour change remains a significant challenge and the Committee would welcome further detail on how the Scottish Government plans to address this.

The Committee also recommends that the Cabinet Secretary and Minister consider what additional mechanisms are required to resolve any disconnect between national agencies and local authorities in delivering the CAFS objectives. The Committee would also welcome further information on funding to support local authorities to deliver the CAFS outcomes.

Close partnership working between the Government, Transport Scotland, SEPA and local authorities has been key to development and implementation of CAFS. It is essential that this continues and is built on during the delivery phase. We have established Low Emission Zone City delivery Groups for the four biggest cities and a Consistency Group with representatives from the four cities, Transport Scotland and SEPA. Other local authorities will be drawn more closely into the CAFS process as development of the National Low Emission Framework moves forward. On funding, there is a total of £4.5 million in this year's air quality budget, an increase of £0.5 million on 2017/18.

Our approach on behavioural change is strongly related to active travel, which I have addressed later in this response.

Low Emission Zones (LEZs)

The Committee recommends that the Scottish Government provides an update on the

progress being made on the introduction of the four LEZs by the end of June 2018 along with an indication of the date of which they will be enforceable.

A full report on the progress being made on the introduction of the four LEZs will be provided by the end of June as requested.

Since the publication of the Programme for Government in September 2017, significant progress has been made towards the introduction of LEZs into Scotland's four largest cities.

I am delighted that plans for Glasgow's LEZ are well underway and the zone will be in place by the end of 2018 with the Council publishing its proposals in March. The proposals will see a phased approach from 2018 with an increasing number of buses travelling within the zone meeting Euro 6 emissions standards between now and the end of 2022. Phase 2 will encompass all other vehicles, including private cars, with full compliance by the end of 2022.

The City of Edinburgh Council has confirmed their intention to progress the introduction of their LEZ in 2019 with the Council publishing its 'Developing Low Emission Zones in Edinburgh' paper for consideration by the Transport and Environment Committee on 17 May, showing positive progress towards the introductions of their LEZ.

Work to support Dundee and Aberdeen City Councils in introducing LEZs is also continuing.

Whilst we are committed to improving air quality and implementing LEZs as quickly as possible, grace periods prior to enforcement are essential to allow car and fleet owners, as well as businesses, time to adapt or upgrade their vehicles.

The Committee believes that for LEZs to best contribute to improvements in air quality in their respective areas, cars should be included. The Committee therefore recommends that the Scottish Government ask the relevant local authorities to include private vehicles in their LEZs.

I agree with the Committee recommendation and we have consistently emphasised that local authorities should be ambitious in their LEZ designs and consider all vehicles, including the private car, within their scope.

It is encouraging that Glasgow City Council has adopted this principle, with a phased introduction of all vehicles into a LEZ over time being a key part of their proposal.

Whilst the City of Edinburgh Council is progressing with its LEZ plans, the design and scope has not yet been published but we are encouraged by their early commitment to move forward with an LEZ.

Given the resources needed to implement LEZs, the Committee recommends that the Scottish Government, local authorities and all relevant public agencies work jointly to ensure that all available technology is shared to help ensure a consistent and efficient approach across the country.

We are committed to working closely with stakeholders, Scottish local authorities and regional transport partnerships to deliver LEZs

We know that joint working is essential and have established a four cities LEZ Consistency Group to share learning, approaches and common understanding.

Furthermore, LEZ designs are being supported by technical expertise across multiple professions including road engineering, planners, lawyers, environmental health, communications, equalities, finance and project governance managers.

In September 2017, Ministers invited the four city authorities, SEPA and Health Protection Scotland to participate in a four cities LEZ Leadership Group. The Leadership Group will support the implementation of LEZs, ensuring that they are evidence based, robust, deliver air quality improvements and that stakeholders and the public are both engaged and involved.

Both Glasgow and Edinburgh have established their LEZ Delivery Groups which are being held monthly. I understand that Dundee and Aberdeen are giving consideration to such groups.

We are also currently exploring joint LEZ back-office enforcement options.

The Committee further notes the view that congestion charging and workplace parking levies may also help to improve air quality and recommends that the Scottish Government explore these options following the introduction of the LEZs.

Within our Cleaner Air for Scotland strategy we identified Workplace Parking Levies (WPLs) as a topic worthy of further investigation. We will explore this topic further in 2018 but we do not anticipate introducing provision on workplace parking levies at the current time.

It is not Scottish Government policy to adopt congestion charging and we are not proposing road charging for LEZs. The intention is that LEZs will be a penalty based regime in order to incentivise compliance to help improve air quality.

However, we acknowledge that LEZs need to operate in conjunction with other measures to have the greatest possible impact on air pollution.

Cars

The Committee is clear that the harmful emissions from diesel cars is one of the major contributors to poor air quality. The Committee welcomes the Scottish Government's commitment to phase out both petrol and diesel cars and vans by 2032 but recommends that the Government provides a timeline for how it intends to reach this commitment including any legislative measures, non-legislative regulation and incentives to reach its target. The timeline should include milestones the Scottish Government aims to reach between now and 2032 to ensure that it on schedule to meet the commitment.

The Committee also recommends that the Government provides details for what this will mean in practice for diesel car and van owners and its plans for ensuring that there is the necessary national and local infrastructure for alternative vehicles to facilitate this.

Drivers of EVs in Scotland benefit from one of the most comprehensive charge point networks in Europe through ChargePlace Scotland. There are currently more than 800 publicly available charge points on the ChargePlace Scotland network, including over 175 rapid charge points, and the average distance from any given location to the nearest public charge point is just 2.78 miles in Scotland – the lowest in Great Britain where the average is 4.09 miles.

The Programme for Government sets a bold new vision on ultra-low emission vehicles and we are well-positioned to continue to work with industry, to phase out the need for new petrol and diesel cars and vans by 2032, by continuing to provide the infrastructure, and support, to allow ultra-low emission vehicles to flourish. Over the next few months we will set out our plans for the expansion of the charging network, extension of the Green Bus Fund, acceleration of procurement of ULEVs in the public and private sectors, plans for pilot demonstrator projects to encourage uptake of electric vehicles amongst private motorists and establish an Innovation Fund to encourage business and academia to develop solutions to some of our particular challenges, such as providing charging for our high proportion of tenements.

Buses

The Committee seeks detailed explanation of the delay in the roll out of the relevant public transport actions in the Cleaner Air for Scotland Strategy along with a revised timetable for delivery.

The Climate Change Plan set out our ambition for 50% of the Scottish bus fleet to be low emission by 2032. We are working with the industry to support them in the renewal and retrofit of the bus fleet to deliver against both carbon and air quality objectives.

Capital support will be extended for green buses and infrastructure through a new Green Bus Fund which will include funding for infrastructure for the first time, as well as for the marginal cost of green buses. The fund will start from 2019-20 to allow time for development and for the industry to ramp up in terms of demand and supply. We also continue to provide support for green buses through the Bus Service Operator's Grant (BSOG), and we are currently working with the industry to bring forward and improve BSOG Low Carbon Vehicle incentive in the financial year 2018/19, weighted towards the lowest emitting buses, including those which can run zero emission through Low Emission Zones (LEZs).

Buses will play a vital role in improving air quality. £1.6m has already been provided to the Bus Emission Abatement Retrofitting (BEAR) Programme phase 1 in 2017/18 to support bus operators prior to the establishment of LEZs. The design of BEAR Phase 2 is currently underway. Multiple LEZ delivery across Scotland is very ambitious, and represents the largest ever programme of air quality transport-based mitigation in Scotland. We want local authorities to be bold and ambitious in designing their LEZs. We will work in partnership with Scottish local authorities and RTPs to deliver LEZs that are well designed to consistent national standards.

The Scottish Government will shortly introduce a Transport Bill to Parliament which will provide local authorities with a viable and flexible set of options to ensure that their bus services meet local users' needs whether they wish to pursue partnership working, local franchising, or running their own buses. We will also improve the information available to passengers so that bus travel is more accessible and attractive.

The Bill will also aim to improve the information and, through improved governance and guidance, ticketing choices available to passengers so that bus travel is more accessible and attractive.

The Review of the Bus Investment Fund was completed in late 2016 following the conclusion of the fund set up in 2013. Opportunities for building on the Bus Investment Fund aims and mechanism continue to be explored and considered.

The Committee recognises that compliance with the proposed LEZs will come at a significant cost. It recognises the Scottish Government is already providing financial assistance in this regard. The overall cost is unclear. Therefore, the Committee seeks details from the Scottish Government of the best available estimates for these zones, broken down by both city and the private/public purse.

The overall costs of each LEZ will be dependent upon its specific design. Whilst we want nationally consistent standards, it is acknowledged that each LEZ must be designed for its city, and these designs are still in development. Funding requirements will be influenced by the size of the LEZ, the extent of fleet engine retrofitting required and the on-going running costs to operate the zone.

We are committed to providing financial support to implement LEZs in partnership with local authorities. £10.8 million in funding was allocated in the budget for 2018/19 with a particular focus on LEZ set up costs and bus retrofit.

In addition, £1.6m has been provided in 2016/17 for the Bus Emission Abatement Retrofitting (BEAR) Programme to support bus operators prior to the establishment of the LEZ. Phase 1 resulted in grants of £993,648 being issued to 8 bus operators in relation to 47 buses. Future phases of the scheme are currently under consideration.

Officials are currently considering the approach to distribution of funding to local authorities, with the available information to be presented at the end of June.

Freight transport

The Committee recognises the potential benefits to air quality in removing freight from the roads, particular during peak times in urban areas and recommends that the Scottish Government provide an update on its plans for consolidation centres, moving freight from road to rail and night time deliveries.

Given the Scottish Government's plans to phase out both petrol and diesel cars and vans by 2032, the Committee asks the Scottish Government to set out detailed plans for assisting the road haulage industry in moving, over time, to alternative fuelled vehicles.

I can reassure you that the Scottish Government understands the importance of modal shift to rail and we are investing £5 billion in Scotland's railways to 2019 to deliver benefits for freight as well as passenger services. This funding includes a £30 million ring-fenced Scottish Strategic Rail Freight Investment Fund that is helping to better unlock opportunities for rail freight across the country. Beyond the current rail control period from 2019, we have set challenging targets for Network Rail through our High Level Output Specification to work with industry partners to attract new freight and grow existing markets.

We continue to operate EC state aid approved modal shift grant schemes with the aim of removing freight from road to the more sustainable modes of rail and water. In 2018/19 we are providing £3.25m to support 8 rail freight services as well as capital infrastructure projects for freight handling facilities.

We are working with freight stakeholders across both the public and private sectors to identify where there are opportunities for addressing the challenge of improving urban freight movements. Consolidation centres are one of many potential options to minimise freight journeys. However, it is important to be aware of unintended consequences. For example, by removing HGVs from city centres, multiple smaller vehicles will be needed to transport goods, potentially increasing congestion and minimising the environmental benefits of the consolidation centre. Opportunities for consolidation can only be identified at a local level and need to be industry-led to be commercially viable without on-going public sector funding.

There may be more benefits to be gained through retimed deliveries to enable HGVs to utilise road space during quieter periods, as was the case during the Glasgow 2014 Commonwealth Games. Glasgow City Council, in consultation with retailers and logistics companies, put in place arrangements for deliveries to be made at night. The initiative proved very successful, with hauliers being able to make deliveries at times when the volume of traffic on roads was minimal. However, this initiative requires discussion at a local level between planners, who impose restrictions in planning permissions to protect local residents, and businesses, to explore what may be achieved.

Active travel

The Committee considers that to meet both air quality and wider climate change targets, increasing the number of journeys by bike to 10% and beyond is necessary. The Committee recommends that the Scottish Government complete a full review of why the percentage of journeys only rose by 0.2% between 2010 and 2016 and sets out a detailed delivery plan to overcome the barriers to progress, including around placemaking and training. The Committee also asks the Scottish Government to provide a breakdown of its spend on safe infrastructure for active travel and what level of additional investment in such infrastructure may be required to meet the 10% target.

We are developing a framework for monitoring and evaluation of what works to help deliver outcomes across the Active Travel Vision, the Cycling Action Plan and the National Walking Strategy to ensure investment is targeted at the actions and activities that will make the biggest difference. This is part of a broad programme of analytical work and engagement to better understand; i) where we are making progress in improving rates of active travel (walking as well as cycling) and how to maximise those gains and; ii) what obstacles we face to further progress and how we might overcome those obstacles.

This work is building on the review of Active Travel policy implementation which we commissioned and reported to us in December 2016. It highlighted the need to better monitor and evaluate policy, the need to improve the evidence base around effective active travel investment and the need to accept that there will be a time lag before we achieve the desired outcomes. In addition we shortly will publish the Active Travel Taskforce report which will provide recommendations to ensure active travel investment leads to delivery of effective projects.

The Transport Scotland Active Travel budget for 2018/9 is £80 million, the largest part of which is invested in safe infrastructure including £7.6 million direct to Local Authorities via

Cycle Walking Safer Streets. Almost £10 million is invested in training, advocacy, and behaviour change programmes which have been proved to be essential to ensure the benefits of the investment in infrastructure are realised. From 2014 to 2017/8, £39.2 million per annum was invested from Transport Scotland in active travel of which last year approximately £ 33 million was capital infrastructure investment (walking and cycling). Much of the investment draws in 50% match funding from Local Authorities. We expect the analytical work being carried out over the next 6 months will give us a clearer picture of the feasibility of any target, the level and targeting of investment which may be required by Scottish Government, Councils and other partners to realise the Cycling Action Plan shared Vision and the National Walking Strategic outcomes.

While highlighted in an earlier chapter of this report, the Committee considers that it is imperative that active travel is a key component of any update of planning regulations and guidance and recommends that the Scottish Government make this a similar priority so that suitable walking and cycling infrastructure is at the heart of all future developments. Furthermore, the Committee asks that the Scottish Government consider what further planning guidance is required to support local transport strategies and ensure a consistent approach across the country.

Our current National Planning Framework and Scottish Planning Policy strongly support active travel and the provision of appropriate infrastructure. We announced in June 2017 our intention to Prepare National Planning Framework 4 from 2018 with a parallel review of Scottish Planning Policy. We anticipate this work to commence following the conclusion of the Parliamentary process on the planning bill. Further detail on how we intend to prepare National Planning Framework will be published in due course, however we envisage a collaborative approach with multiple partners.

The Committee also recommends that the Scottish Government breaks down its active travel targets for urban and rural areas to show the expected rate of uptake in different parts of the country.

As part of the above analytical work in relation to the Active Travel Framework, we plan to collect data going forward on the rates of walking and cycling in urban and rural areas to help us target our investment, review, and improve our programmes on the basis of evidence gathered.

Monitoring air quality

The Committee recommends that the Scottish Government provide updated guidance on what types of non-automated air quality monitors can be used to provide sufficiently accurate data to complement its automated equipment so that local authorities and national agencies can properly record and benchmark air quality much more widely than currently possible. This data should then be incorporated into the Scottish Government's air quality website.

The automatic monitoring network is complemented by the use of non automated passive diffusion tubes for measuring nitrogen dioxide. Whilst less accurate than automatic monitors, this is offset by the fact that diffusion tubes are much cheaper and easier to deploy, providing a reasonable general overview of nitrogen dioxide levels and an indication of where more detailed monitoring needs to be targeted. Although diffusion tube data are not currently available on the Scottish air quality website, we are actively working with local authorities to address this situation.

Diffusion tubes are a well established method of non automatic monitoring. However the introduction of other 'low cost' pollution sensors has increased significantly over recent years and the technology continues to rapidly develop. The Air Quality Expert Group, an advisory group to the UK Government and devolved administrations, has recently published guidance on the use of these sensors: <https://uk-air.defra.gov.uk/library/aqeg/pollution-sensors.php>

The Committee recommends as a matter of urgency the Scottish Government review whether the current guidelines and regulations around the monitoring and tackling of Air Quality Management Areas is sufficiently robust to ensure that problems can be identified and rectified.

The Scottish air quality monitoring network continues to be robust and sufficient for identifying local issues. Whilst action by local authorities through their action plans continues to deliver improvements in Air Quality Management Areas, I recognise that more needs to be done. This is why we have committed to introducing Low Emission Zones in the four biggest cities by 2020, and LEZs or other vehicle access restriction schemes in remaining AQMAs by 2023 where evidence supports this. We will continue to work closely with local authorities, providing practical and financial support as they take forward their action plans.

The Committee also considers the existing 95 automated monitoring stations to be a missed opportunity to raise awareness of air quality issues and encourage behaviour change. It calls on the Scottish Government to review how they might be publicised and also potentially provide live data to highlight pollution levels. This is currently done with speed cameras showing simple 'happy' or 'sad' faces based on the speed of a motorist - why not with air pollution?

All of the automatic monitoring stations have QR codes attached to them, which allow members of the public to view current monitoring data and other information. Although it has been suggested that display screens could be an effective way of conveying information, there are cost and maintenance issues associated with these, along with vandalism potential. Although not everyone has a smartphone to access the QR codes, many people do, and the Scottish Government considers this to be a cost effective method of communication.

Finally, the Committee recommends that the Government review any school located close to an Air Quality Management Area and whether additional mitigation should be in place near the school building or grounds. In addition, the planning of any new school or the updating of any existing facility must have the mitigation against poor air quality and harmful climate change emissions at its heart.

This is an area where local authorities are in the lead, and they keep air quality in their areas under regular review. Any new issues are highlighted in the annual progress report which each authority is required to submit to the Government. The relevant authority would then be expected to take any relevant action.

Agriculture

The Committee recommends that the Scottish Government updates the Cleaner Air for Scotland Strategy to include agricultural pollutants and how, and to what scale, it expects these to be reduced in the coming years. The Committee also recommends that the Scottish Government provide guidance to the agricultural sector on how to adopt such new techniques as well as consider what incentives might be offered to help accelerate the use of new methods.

As I have indicated earlier in this response, agricultural emissions will be a major focus of the first CAFS review. Consideration of any new guidance requirements will be a key aspect of this.

Wood burning

The Committee recommends that the Scottish Government undertake research to understand the extent of pollutants emanating from wood burning stoves and biomass boilers, which are regulated differently, so that informed decisions can be made on whether any harmful impact needs to be mitigated.

The Committee also recommends that the Scottish Government review the current regulations and guidance on the installation of wood burning and multi fuel stoves and boilers in homes to ensure that air pollution from wood burning and multi-fuel stoves is sufficiently considered and appropriately regulated.

Jointly with the other UK administrations, these issues are under active consideration. We are currently undertaking an investigation into burning habits amongst the general public, the results of which will be published later this year. This will provide a sound evidence base for reviewing current policy and legislation, and any other research requirements.

A handwritten signature in black ink, appearing to read 'Roseanna', with a large, stylized initial 'R'.

Roseanna Cunningham