

Ben Howlett MP
House of Commons
Westminster
London
SW1A 0AA

7th November 2016

Dear



Air pollution in Bath

I am writing to you about the High Court decision on 2nd November on the case brought against DEFRA by Client Earth. Mr Justice Garnham concluded that the Department's 2015 Air Quality Plan (AQP) failed to comply with the previous Supreme Court ruling or relevant EU Directives on air pollution, and that the Secretary of State must aim to achieve compliance with air quality standards as soon as possible.

As you know, traffic congestion and air pollution are the top concerns of Bath residents represented in the Federation of Bath Residents' Associations (FoBRA). Some 10,000 people live in the Bath Air Quality Management Area and are suffering unlawful and unhealthy levels of pollution. The attached graphs - based on B&NES Council monitoring data - show that there is no sign that levels of the main pollutant, nitrogen dioxide (NO₂), are reducing.

When you raised the issue of air pollution in Bath in a debate in the House last November, the DEFRA Minister said that air pollution in Bath was expected to be in compliance by 2020. Given that the data show continuing high levels of NO₂ in Bath and that B&NES Council has no proper plan to reduce traffic and pollution, we found it difficult to understand how DEFRA reached that conclusion. However, the High Court judgement also concluded that "The Secretary of State fell into error by adopting too optimistic a model for future emissions", which may explain it.

Given that 92% of air pollution in Bath is caused by road traffic, we believe that it is necessary to reduce traffic volumes by means of a comprehensive traffic plan for Bath. A very important element will be removing the large volume of through traffic, particularly HGVs, that currently uses the A36-A46 route through the city and which

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PROMOTING RESIDENTS' INTERESTS IN BATH

contributes to congestion and air pollution throughout Bath. We are glad that you are actively pursuing the issue of an alternative route for this traffic.

We hope the Government will reconsider its position on the growing use of diesel cars and the huge contribution that they make to NO₂ levels. For example, diesel cars now contribute 33% of the nitrogen dioxide on London Road, Bath, while the same number of petrol cars account for just 6%. Further, particulates which are the most hazardous to health are directly linked to diesel exhaust.

We were unhappy with the focus in the 2015 AQP on a few large cities. Based on DEFRA's estimate of mortality across the UK just from nitrogen dioxide pollution, 30 people or more a year in Bath are suffering early deaths as a result of high NO₂ levels across the city. We hope therefore that, in developing its response to the High Court judgement, DEFRA will ensure that the pollution problems of smaller cities such as Bath are properly addressed, and we ask that you help us in this quest.

With my very best wishes,

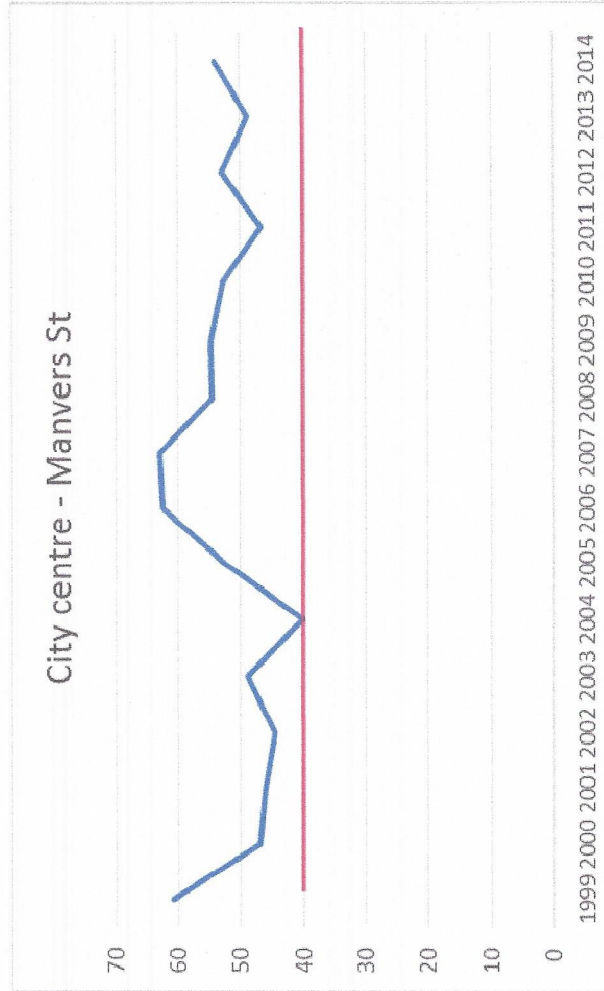
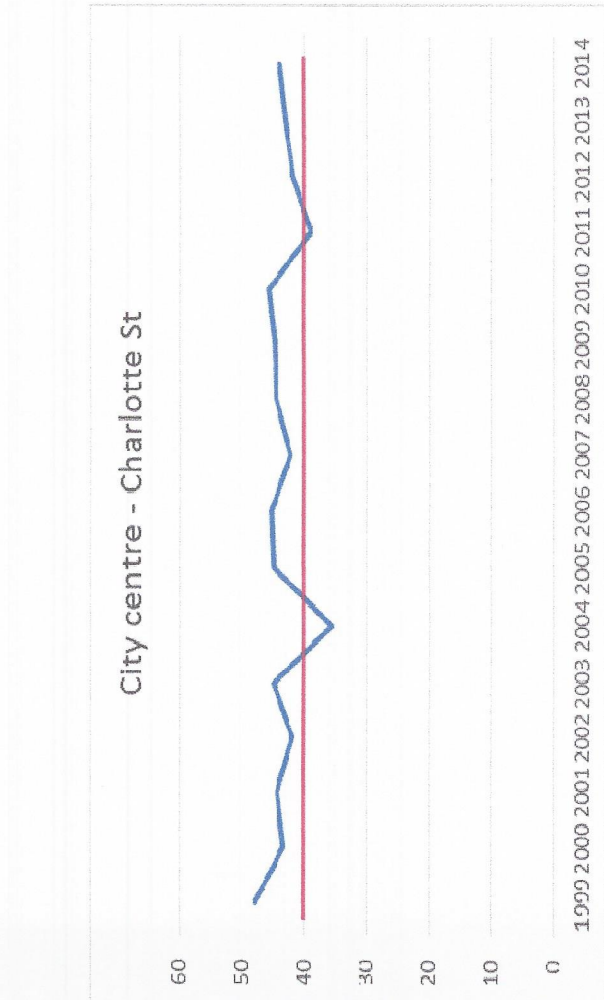
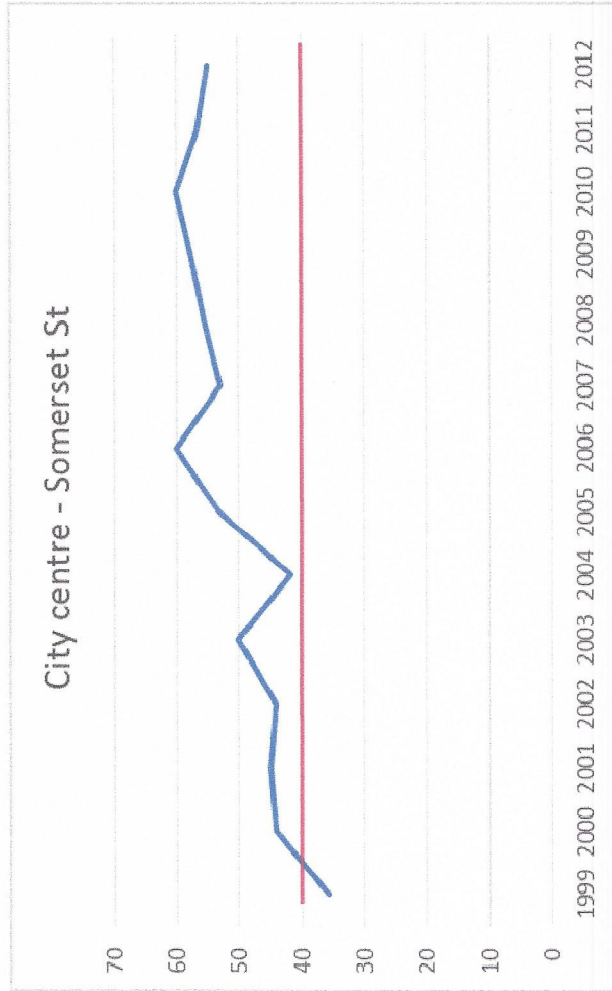
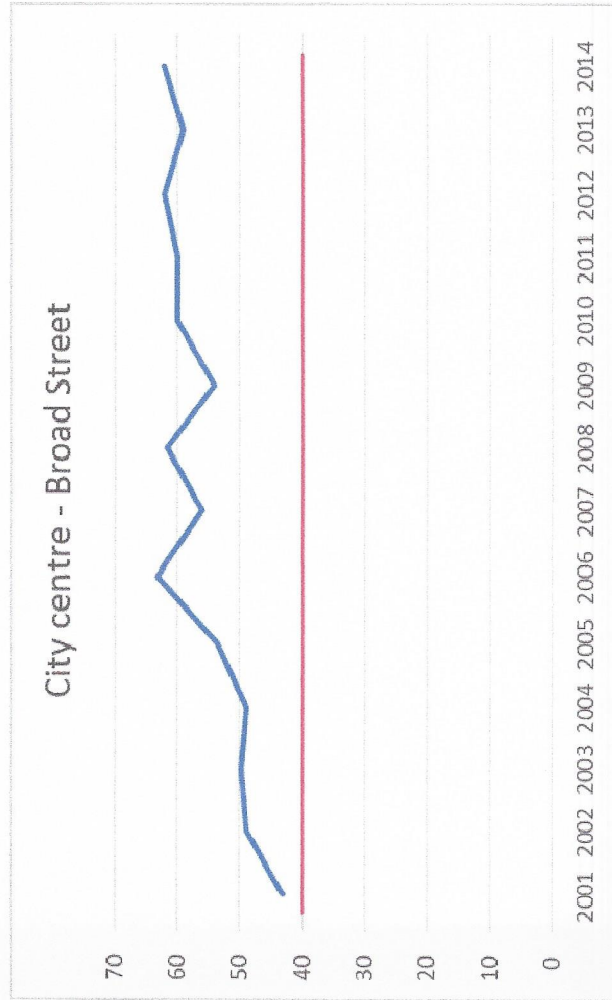
Yours sincerely

A handwritten signature in blue ink, appearing to read 'R Kerr', is positioned above a long, slightly curved horizontal line that serves as a signature separator.

Robin Kerr, Chairman

Bath air quality - NO₂ concentrations $\mu\text{g}/\text{m}^3$ (legal limit 40 $\mu\text{g}/\text{m}^3$)

Source - B&NES Environmental Monitoring



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