



The Scottish Parliament
Pàrlamaid na h-Alba

Gillian Martin MSP
Convener
Health, Social Care and Sport
Committee

By email only

**Net Zero, Energy and Transport
Committee**

c/o Clerk to the Committee
Room T3.40
The Scottish Parliament
Edinburgh
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15 February 2023

Dear Gillian,

AIR QUALITY IN SCOTLAND

I am writing to invite the Health, Social Care and Sport Committee to participate in scrutiny of air quality issues with the Net Zero, Energy and Transport (NZET) Committee.

In a recent work programme discussion, the NZET Committee agreed an approach to consideration of an upcoming Scottish Government improvement plan on air quality issues, which it is statutorily bound to produce and lay in Parliament. As a Committee, we have agreed to take the opportunity of this plan being laid in the Scottish Parliament to consider air quality more widely.

Environmental Standards Scotland Improvement Report

As you may be aware, on [29 September 2022](#), Environmental Standards Scotland issued an [improvement report](#) to the Scottish Government following its investigation into compliance with air quality limit values.

Section 26 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 allows Environmental Standards Scotland to prepare an improvement report if it considers that a public body has failed to comply with, make or implement environmental law effectively.

This must be laid in the Scottish Parliament within 6 months of the date of publication of the improvement report or nine months if Scottish Ministers consider it necessary to consult with stakeholders on the plan.

This will be the first instance of the Scottish Parliament considering an improvement report.

The [report](#) laid by Environmental Standards Scotland was instigated following a European Court of Justice (ECJ) ruling “that, across the UK, breaches of air

quality limit values¹ for nitrogen dioxide (NO₂)) had been ‘systematic and persistent’ between 2010 and 2017.” The body elected to “...investigate the arrangements in place to achieve compliance with statutory limits for NO₂”. The measures it has recommended as a result “...will require local authorities to—

- complete and publish air quality action plans within a specified target date after an air quality management area has been declared;
- achieve air quality action plan objectives within a specified target date; and
- review air quality action plans and update, where necessary.”

They have also proposed the Scottish Government should be required to—

- “identify or introduce an appropriate monitoring body;
- critically analyse the protocols surrounding the siting of monitoring stations and data provision; and
- revise its most recent air quality strategy to include specific and measurable timescales for reaching compliance.”

NZET Consideration of Air Quality Issues

The NZET Committee has noted the requirement for the Scottish Government to lay an improvement plan in Parliament and agreed to consider the wider issue of air quality in Scotland.

The Committee’s predecessor, the Environment, Climate Change and Land Reform Committee carried out an [inquiry into air quality](#). In its [legacy report](#), it proposed the Net Zero, Energy and Climate Change Committee—

“...may wish to work to ensure that opportunities to improve air quality, including any lessons learned during Covid-19 restrictions, are integrated into green recovery plans and related areas such as infrastructure planning and investment in green infrastructure. Opportunities for future work and influence may include:

- Monitoring the next Scottish Government’s response to the CAFS review and scrutinise the new air quality strategy in 2021;
- Scrutinising the rate of progress on LEZs and their ambition, and;
- Engaging with local authorities as part of any work on air quality.

A new air quality strategy, [Cleaner Air for Scotland 2](#) (CAFS2), was published in July 2021.

The NZET Committee also received [correspondence](#) from a group of stakeholders early last year suggesting the Committee should consider the new air quality strategy, new World Health Organisation Global Air Quality Guidelines and consultations held by Scotland’s big four cities on Low Emission Zones (LEZs).

The NZET Committee has therefore agreed to—

- Seek written views in advance on air quality issues;
- host a roundtable evidence session on the improvement report and wider air quality initiatives in Scotland with some of the stakeholders who jointly wrote to the Committee.

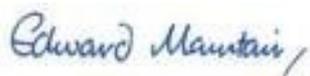
Health, Social Care and Sport (HSSC) Committee

Given your Committee's remit, the NZET Committee would like to invite you and Members of the (HSSC) Committee to attend the round table evidence session with stakeholders, which is likely to take place on 28 March 2023.

We will also share the results of our call for views with you and would welcome any observations you may have on evidence received based on your work.

Please inform the Clerks to the NZET Committee should you wish to attend.

Yours sincerely,

A handwritten signature in blue ink that reads "Edward Mountain".

Edward Mountain MSP
Convener
Net Zero, Energy and Transport Committee