



13 April 2023

Sir Edward Mountain MSP  
Convener  
Net Zero, Energy and Transport Committee  
Scottish Parliament

By email to : [netzero.committee@Parliament.Scot](mailto:netzero.committee@Parliament.Scot)

Dear Edward

**Re : Your inquiry on Air quality in Scotland**

Thank you for inviting us to respond to your inquiry on air quality.

We agree with the NZET Committee's view that air quality is an important issue, especially with regard to the health implications associated with air pollution. At the same time, and in the context of limited resources, COSLA's recent priority and focus has necessarily been on the wider net zero and just transition agenda, to which we have spoken to your committee.

Our observations on the ESS (Environmental Standards Scotland) report on air quality are therefore at a high level, and reflect the observations of local government professionals engaged in this field. We are also aware that Councils across Scotland are affected in very different ways.

We understand that, in general, the recommendations by the ESS have been perceived as positive amongst a number of Local Authorities. They are seen as providing clarity to the Local Air Quality Management process. Equally however, there were a number of concerns raised by Local Authorities on this topic.

The requirement to publish an Air Quality Action Plan (AQAP) within twelve months of the declaration of an Air Quality Management Area (AQMA) is seen as too short a timescale and it could be challenging for a number of local authorities to meet. The internal approval processes within individual local authorities, formal consultation requirements, limited staff resources, outsourcing to consultants, Scottish Government funding limitations, internal procurement procedures and the need to engage with relevant stakeholders were all cited as being potential barriers.

Local Authorities may not be able to guarantee delivery of action plan measures and revocations within specified timescales and by specific dates due to financial restraints, staff resource and sources of pollution outside their direct control. Some measures may also be ongoing tasks with no set end date.

It has been raised with us that there is a need for discretion to be used by SEPA in employing their enforcement powers on a case by case basis rather than routinely.

In my opinion, the situation here reflects the wider one that Local Government in Scotland finds itself with, i.e. a keen commitment by Local Government to deliver improvements and ensure the wellbeing of our local communities, set against the reality of significant resource restraints. We have raised the issue of resource restraints both with your own Committee, as well as with the Local Government, Housing and Planning Committee in greater detail.

With kind regards

Cllr Gail Macgregor  
COSLA Environment and Economy Spokesperson