Richmond Heathrow Campaign

Response to Consultation by Airports Commission on Air Quality Assessment at Heathrow and Gatwick

25 May 2015

This submission is the response from the Richmond Heathrow Campaign (RHC) to the Airports Commission's *consultation on Air Quality Assessment at Heathrow and Gatwick (9 May 2015 to 29 May 2015)*. We focus on Heathrow in this response. Hereinafter we refer to the Airports Commission as the Commission. We do not consider that the contents of this submission are confidential and we have no objections to its publication.

Richmond Heathrow Campaign

The Richmond Heathrow Campaign represents three amenity groups in the London Borough of Richmond upon Thames: The Richmond Society, The Friends of Richmond Green, and the Kew Society which together have over 2000 members.

Conclusions

We have found the reports in this consultation difficult to assess, particularly in the available time and because we do not have all the necessary technical expertise. We have identified a number of gaps in the analysis and in particular the under-provision of surface access capacity, However:

1. We are clear that :
   a. the air quality appraisal does not demonstrate Heathrow expansion can take place without delaying the removal of existing exceedences, and

   b. that the Government would not be in a position, based on the evidence to date, to approve the expansion knowing that it will worsen air quality exceedences.

2. We do not believe the report has improved the air quality performance of expansion with or without mitigation, from 'significantly adverse', as defined in the Commission's consultation earlier this year.

3. The report estimates at least 100,000 people would be affected by a worsening of the air quality resulting from Heathrow expansion. We believe this estimate would be even higher if the under-provision of surface access capacity and consequential road congestion and pollution were taken into account.

4. Mitigation, generally speaking, can be bought but the question is whether it can be afforded at a cost of £20bn estimated by TfL. This is a matter for the Commission's deliverability module but we have no doubt it cannot, thus resulting in significantly more pollution than the Commission predicts.

5. The Supreme Court's recent decision on setting a timetable by the end of 2015 for compliance on air quality as soon as possible is likely to require firm action to reverse the ever increasing delays in compliance, which Defra predict will be after 2030. Expanding Heathrow under these circumstances seems wildly optimistic and we believe undeliverable.

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Question 1: What conclusions, if any, do you draw in respect of the three short-listed options?

In our response on 3 February 2015 to the Commission's consultation on additional capacity at Heathrow and Gatwick we included sections on Air Quality (Annex 3) and Surface Access (Annex 2). The latter is especially relevant to the air quality because of road congestion and resultant pollution. Our original response highlighted what we regard as a number of deficiencies in the Commission's surface access and air quality analysis. We have examined the "Queries-responses document" and other documents published with the current consultation. It appears that the current Jacob's report has not taken on board any of the points we made to the Commission in February but instead has produced a dispersion analysis based on the original deficient source material. We do not intend repeating in full the points we made in February but include a summary here on those relevant to air quality and further points raised by the current Jacob's report:

1. **Surface Access (ref. also Annex 2 of the RHC response 3 Feb 2015)**

   Surface access is crucial to the levels of pollution. In Annex 2 of our earlier submission we listed nine reservations about the work the Commission had done on Surface Access and included in its consultation. The following points focus on the lack of capacity and the resultant road congestion and in turn pollution (service levels may be impacted also).

   a. **Study period**. The study period of 15 years to 2030 ignores the significant growth in demand thereafter. Heathrow Airport Ltd (HAL) estimates Heathrow will have 570,000 flights a year by 2030 against capacity of 740,000 flights and a third runway will be just 35% full. Compared to today the number of terminating passengers are predicted to double by 2050. We have not been able to find evidence to confirm that pollution levels will be lower and not exceed statutory limits after 2030,

   b. **Population growth**. The analysis does not appear to adequately take account of the background growth in population (37% London wide by 2050),

   c. **Vehicle ownership**. The analysis does not appear to recognise the increasing number of vehicles per household or head of population - these have grown almost linearly since 1971 (RAC),

   d. **Modal share**. There is little evidence to support the predicted modal shifts from car to public transport, especially in the context of (1b) and (1c) above,

   e. **Technology**. The analysis relies on cleaner technology, which has a history of implementation delays; in 2014 Defra suggested compliance would not be achieved until after 2030 and it gave the reason as *"This is largely due to the failure of the European vehicle emission standards for diesel cars to deliver the expected emission reductions of NOx"*. The Sunday Times (25 May 2015) reveals that the Euro 6 standard which applied to all new cars from September 2014 is a failure with the majority of new cars exceeding the standard by a wide margin. The ST quotes a spokesman for Patrick McLoughlin, the Transport Secretary, saying the EU emissions standards had clearly failed. "The main reason NO2 breaches are so high across Europe is because the Euro emissions standards for diesel cars failed to deliver expected reductions in NO2 in real life",

   f. **Minor roads and freight**. The analysis seemingly is deficient in the absence of minor road analysis and freight analysis, which both impinge on the pollution analysis,

   g. **Southwest rail access**. The presumption by the Commission that the southwest rail access (via Richmond) is achievable could be over-optimistic given the issues with level crossings harming road traffic. Without this extra rail capacity road congestion and pollution are likely to be higher,

h. **Cost of required capacity**. The Commission has not made it clear what the cost would be of providing adequate surface access capacity,

i. **Cost of inadequate capacity**. The Commission has not made it clear what the cost would be in terms of pollution impact (and service levels) of not providing adequate surface access capacity,

j. **Mitigation**. The surface access mitigation measures in the current analysis (Tables 5.16 NWR and 6.16 ENR) do not go far enough in reducing pollution on a timely basis (in fact no timetable is included). Most of the measures concern changes to air-side ground operations and flight operations and while not unimportant these do not deal with road congestion. Heathrow has proposed a congestion zone and the Commission has considered an Ultra-Low Emissions Zone. However, the outcomes are uncertain and do not appear to have been tested against the higher levels of road congestion that we refer to above. Mitigation, generally speaking, can be bought but the question is whether it can be afforded at a cost of £20bn estimated by TfL (see 1k),

k. **TfL estimates**. These points have also been raised by the All Party Parliamentary Group on Heathrow and the wider economy, which sought and published the views of TfL that demonstrate the Commission's has substantially under-provided for surface access demand. The Commission estimated the expenditure required on surface access as £5.7bn, which compares to around £20bn estimated by TfL. The levels of expenditure required are unlikely to be within Heathrow's financial capability without substantial state aid, which we believe would not be possible to justify economically or politically. We are left with a road congestion and pollution,

l. **Decision process**. The answers to the above questions on surface access are needed before the current air quality analysis can be taken seriously and before any recommendation by the Commission.

2. **<u>Air Quality (ref. Also Annex 3 of the RHC response 3 Feb 2015)</u>**

a. **Air quality objectives**. The Commission's stated objective in appraising air quality is "to <u>improve</u> air quality consistent with EU standards and local planning policy requirements" The National Planning Policy Framework states that sustainable development should contribute to <u>reducing</u> pollution (our underlining).

b. **Significantly Adverse performance**. The Commission said in its earlier consultation "Due to the increase in harmful emissions forecast to result from both the NWR and ENR schemes the Commission judges that without mitigation measures the scheme performance is *significantly adverse* in relation to the objective of improving air quality consistent with EU standards and local planning policy requirements." The current Jacob's report does examine mitigation measures, but under-estimates the pollution generated by surface access (as highlighted above) and provides inadequate mitigation. In our view the Commission has not demonstrated that the *significantly adverse* performance can be improved.

c. **Presentation difficulties**. It is unfortunate that two reports have now been produced by the Commission on air quality and it is virtually impossible to be confident that the adverse performance can be improved. Surely, a simple table (and/or chart) could have been produced that shows the pollution in the Base year (e.g. 2009) and then at suitable intervals going forward for the "Do Minimum" case, the unmitigated case and the net after mitigation case with a line showing the statutory limit(s). In this way the trends, peak emissions and what might be the delay in reducing the peak below the statutory limits could be seen for each of the pollutants, locally and nationally.

d. **Risk appraisal**. A comprehensive risk appraisal should have been produced with a safety margin included both in terms of the level of exceedence but also the delay in meeting the statutory limits, because unlike some other criteria air quality is restricted by absolute limits and should not be the subject of trade-offs.

e. **Risk of reduced limits**. There is a significant risk that the Gothenburg agreement and other targets may be tightened, which increases the risk of exceedences.

f. **Numbers of people exposed**. We regard any increase in pollution impact net of mitigation as unacceptable. This includes any and all people exposed to pollution; i.e. those where the increased pollution levels remain under the statutory limits, those where exposure is below but as a result of Heathrow expansion rises above statutory limits, and of course those people already exposed to pollution above the limits. We do not think the Jacob's report deals adequately with these different levels of exposure. The number of people experiencing an increase in local pollution as a result of Heathrow expansion could be over 100,000 as suggested by Tables 5.6 (NWR) and 6.6 (ENR). We believe this estimate would be even higher if the under-provision of surface access capacity and consequential road congestion and pollution were taken into account.

g. **Vulnerable people**. The health of people especially vulnerable to pollution exposure does not appear to be considered by the Jacob's report and should have been.

h. **Health impact - monetary values**. It is recognised by the report that health impact monetary values applied to the population are uncertain; they may substantially under-estimate the impact of pollution on peoples' health and lives. As we have argued above, the road congestion and pollution levels themselves are under-estimated so that the negative health impact will be even further undervalued. While recognising the Green Book approach, we query discounting the monetary values of lives. Surely it cannot be said that the lives of the planet's population in 100 years time is of no value today, which would be the result of discounting.

i. **Population growth estimate consistency (see also 1b)**. It is not clear that the population growth assumed in the health impact valuation is that used in the surface access analysis or indeed that contained in the latest London Plan.

j. **Heathrow versus background road traffic impact**. We suggest that while the volume of Heathrow related road traffic may be relatively small compared to background traffic, at the margin the increased Heathrow traffic is likely to have a disproportionate negative impact on congestion and hence pollution. The negative impact, whatever its size, should be compared to the requirement that sustainable development should contribute to reducing pollution (see 2(a) above). The Jacob's report has been unable to separate the impact of Heathrow and background road traffic.

k. **NWR and ENR options**. The Jacob's report appears to demonstrate a greater adverse performance on air quality for the ENR option compared to the NWR option. However, we believe it is premature to draw conclusions without the gaps in the analysis we have identified here being remedied.

l. **Existing exceedences**. Pollution levels around Heathrow already exceed internationally agreed standards and have done so for some time. In 2014 Defra suggested compliance will not be achieved until after 2030 (see 1(e) above). Measures should be put in place now, including management of surface access, to reduce the exceedences and within a timetable established by the end of 2015 (see also 2 (n) below). If successful, these measures might improve the 'Do Minimum' environment against which Heathrow expansion can be assessed. However, the

expansion should not be allowed if it caused exceedences or exacerbated those already arising, and we would argue that any headroom created by mitigation should not be used for expansion but should benefit the population exposed to pollution.

m. **Fines and penalties**. The Government should take exceedences seriously and apply fines and other penalties even though this may have a knock on effect on the business case for expansion of Heathrow.

n. **Supreme Court judgement**. The Jacob's report does not appear to include the impact of the UK's Supreme Court decision at the end of April 2015 that the UK is in breach of its obligations for air quality and that the UK must produce updated plans by the end of 2015 and secure compliance as soon as possible.

o. **Decision process** (see also 1(l)). The Secretary of State should refuse consent where, after taking into account mitigation, the air quality impacts of the scheme will affect the ability of a non-compliant area to achieve compliance within the most recent timescales reported to the European Commission at the time of the decision. Heathrow is covered by the London Air Quality Plan and it seems that expansion could slow down achievement of the plan. The Jacob's report says in regard to NO2 the mitigations proposed may not be sufficient to avoid delaying compliance with standards that are already being breached. This will mean that if expansion were approved by the Government, it would knowingly be planning to continue breaching standards without a realistic plan to put this right.

The Commission has raised a further 3 questions which we believe we have largely addressed in our response to Question 1 but we make two further comments under Q7.

Question 5: Do you have any comments on how the Commission has carried out its apprisal of specific topics (as defined by the Commissions's 16 appraisal modules), including methodology and results?

Question 6: Do you have any comments on the Commission's sustainability assessments, including methodology and results?

Question 7: Do you have any comments on the Commissions's Business cases, including methodology and results?

1. It is possible that the full expansion of Heathrow might be prevented due to exceedences or at least within the planned timetable. The impact on the business case and wider economics needs to be assessed.

2. We have discussed the cost of £20bn required to provide adequate surface access which raises the question of affordability; this is a matter for the deliverability module. Our conclusion is that it cannot be afforded.

End