

Introduction

1. WEL welcomes many of the proposals in the Welsh Government's Clean Air Plan. Our main area of concern relates to the emissions from agriculture and its impact on biodiversity and ecosystems and so we focus our input on these aspects of the Clean Air Plan consultation.

What regulatory gaps or issues will need to be addressed after the UK leaves the EU? How should these be addressed and what will be the main challenges?

2. The Welsh Government's Clean Air Plan consultation details the EU Directives that drive the reduction in emissions of airborne pollutants, and which set more stringent targets up to 2030. The consultation does not speculate on whether the UK is likely to continue to work towards meeting targets up to 2030 as set out by the National Emissions Ceiling Directive. The Wales plan to undertake actions that will contribute to meeting these targets is presented as though the new targets under this Directive will still apply, but Brexit uncertainty and a lack of commitment to dynamic alignment with EU legislation in the future puts this in question.
3. We would assume that the Ambient Air Quality Directive, which is implemented in Wales through the Air Quality Standards (Wales) Regulations 2010, will continue to be implemented following the UK's exit from the EU, but there is a question in relation to monitoring and reporting, as the UK will no longer be required to report to the EU on progress with this. The Committee may wish to query whether such reporting will be received by the new Office for Environmental Protection in England, and/or its equivalent in Wales. Also, it is unclear whether non-compliance will still be dealt with by producing air quality plans and how these will be enforced in the future.

Are the Welsh Government's proposals for a Clean Air Act appropriate? How could they be improved? What can be learned from legislative approaches elsewhere?

4. WEL supports the introduction of a Clean Air Act that tackles all the different sources of airborne pollution. We welcome the comprehensive nature of the consultation, tackling pollution from industry, transport, domestic fuel burning and agriculture. As stated above, WEL's main focus for this response is on emissions from agriculture and the impact that this has on biodiversity.
 - The Clean Air Plan consultation document states that at present in Wales,
 - 88% of the area of sensitive habitat exceeds critical loads for nitrogen deposition (eutrophication), a 10% improvement since 1996
 - Acidification of soils and freshwaters continues, with 70% of acid-sensitive habitat area exceeding acidity critical loads, a 20% improvement since 1996
 - Acid deposition critical load exceedances are driven mainly by nitrogen deposition.

5. Plantlife Cymru's recent report, [We need to talk about Nitrogen](#), states that around two third of Wales' wild flowers and many other plants and lichens cannot tolerate the high levels of nitrogen deposition (ammonia) that they are exposed to. This is contributing to a reduction in plant diversity, which then impacts on species that rely on those plants, such as pollinators. Freshwater acidification continues to take a toll on our rivers, impacting upon freshwater invertebrates and fish.

6. The consultation identifies the dairy and beef sectors as being the largest emitters of ammonia. In addition to this, WEL members have noted with increasing concern the cumulative impacts of large poultry units which come just under the threshold requiring an environmental permit, but which are having a significant impact in areas such as Powys, where there are numerous units planned in close proximity to each other. These cumulative impacts have not, and are still not, being taken into consideration when planning permission is given.

7. Of the trends in air pollutant emissions in the figure on page 12 of the consultation, ammonia stands out as almost no progress has been made since 1990. Given this, and the impact that we are seeing on biodiversity, WEL members are concerned that the Welsh Government consultation

does not contain a firm commitment to regulate ammonia emissions from farming. We would like to see this regulated and integrated with action on water pollution and GHG emissions. Voluntary action / farm payment schemes and advice are not sufficient to tackle this problem and have failed to deliver any real progress in the last 30 years. We need to take the opportunity of a Clean Air Act to introduce legal requirements on the farming industry and create a level playing field.

8. We believe a Clean Air Act for Wales should introduce new powers to require action by the agricultural sector and other sources. These actions should include:
 - a reduction in the proportion of critical load that a single source is allowed to emit;
 - a reduction in the threshold for EIA and environmental permits for intensive pig and poultry units;
 - a requirement for environmental permitting of beef and dairy herds;
 - requirements for more efficient management, storage and application of manure, slurry and other fertilisers to drive best practice and support innovation in dealing with ammonia rich waste products;
 - a responsibility for planning authorities to look at the cumulative effects of new applications on local air quality.

What are your views on the regulatory proposals in relation to the Local Air Quality Management regime? What are the main challenges in relation the proposed approach?

9. Air quality is a rural and urban issue, affecting people and wildlife, and the Welsh Government's proposed integrated approach must reflect that. The assessment of air quality should not only focus on the impact on people's health, but also the impact on natural ecosystems and habitats which are vulnerable to atmospheric pollution. Monitoring should also measure all pollutants that are having an impact on both people and nature, and this should include ammonia.
10. There are significant rural 'hotspots' where, for example, a cluster of intensive livestock units is developed close to areas of sensitive wildlife habitat. The Welsh Government's integrated approach must include a suite of actions to reduce agricultural ammonia emissions and the impact of nitrogen

deposition (from ammonia and NOx) on the natural environment. This will enable local planning authorities to plan strategically for better air quality and to assess local development plans and individual planning applications within an integrated and comprehensive framework.

What are your views on the regulatory proposals relating to domestic combustion (including fireworks/bonfires), road vehicle idling and Clean Air Zones/Low Emission Zones?

11. WEL does not have a view on the specific proposals relating to these issues, though we recognise the importance of tackling them.

What are the main challenges in introducing a legislative framework for air quality as set out in the consultation document?

12. WEL believes introducing a legislative framework for air quality is an opportunity to fill the gaps that exist in tackling pollution where the impact is mainly on wildlife and ecosystems. It is also an opportunity to establish a strong governance and enforcement system with clarity on the responsibilities of local authorities, NRW, Government and any new post-EU governance body.

Wales Environment Link (WEL) is a network of environmental, countryside and heritage Non- Governmental Organisations in Wales, most of whom have an all-Wales remit. WEL is a respected intermediary body connecting the government and the environmental NGO sector in Wales. Our vision is a healthy, sustainably managed environment and countryside with safeguarded heritage in which the people of Wales and future generations can prosper.

This paper represents the consensus view of a group of WEL members working in this specialist area. Members may also produce information individually in order to raise more detailed issues that are important to their particular organisation



