

To fairerfutures@pkc.gov.uk

Dear Sir/Madam,

We understand that the Fairness Commission will be 'ensuring that Perth & Kinross is a place where everyone enjoys a pleasant and safe environment'. In the light of this we would like to draw your attention to our concerns and ask for action. The Council has a responsibility under the **UK Environmental Protection Act 1990** to deal with situations where there may be a risk to health or a nuisance is being caused which significantly affects comfort (Perth and Kinross Council [PKC] website¹).

At the heart of exhaust emissions are nitrogen oxides. These are very toxic gases. Where these are high, Particulate Matter (PM) is often high, with further ill-effects on health. The UK death rate is 4% higher due to nitrogen dioxide pollution – around 23,500 extra deaths per year. This has a massive cost to society – around £13bn per year or 0.7% of our gross domestic product.

Nitric oxide gases (NoX, NO₂) are emitted by vehicles and are very, very toxic (SEE LATER). The current **World Health Organisation**² [WHO] value of 40 µg/m³ (annual mean) was set to protect the public from the health effects of gaseous NO₂. WHO States: If, however, NO₂ is monitored as a marker for complex combustion-generated pollution mixtures (ie from vehicles), a lower annual guideline value should be used (WHO, 2000).

Further under the **EU Air Quality Directive 2008/50/EC**³ tighter upper limits of allowed poisonous gasses were set, and these are legal limits. Their annual maximum value for the protection of human health of NO₂ is 32 µg/m³, and for the protection of natural ecosystems, 24 µg/m³.

Bridgend has exceeded this EU directive over the past 5 years⁴ with annual average levels of 40 µg/m³ or higher. Those who live there and those who drive through are at serious risk of injury to health. EU allows 5 years to resolve such issues but this has not happened at Bridgend.

POLLUTION AT BRIDGEND

- PKC know traffic at Bridgend is congested. Pollution is above regulatory limits and PKC were obliged to declare it an 'Air Quality Management Area (AQMA) and prepare an action plan.
- Despite these excessive NoX figures being available for 2012/13/14 the Reporter gave approval for houses **before** the bridge is built, and this was accepted by PKC. (It still exceeded permitted levels in 2015)
- Further developments in villages such as Guildtown, Balbeggie, Burrelton gives the prospect of ~2000 extra cars coming through Scone at peak times into Bridgend.

We ask the Fairness Commission to lobby against the Developments until the Bridge is built. Unless this pollution/traffic is controlled, PKC will be endorsing increased levels of noxious chemicals and will ultimately be liable for the resultant ill-health. The Council have our best interest at heart so must act now.

WHY ACT NOW: HEALTH EFFECTS OF POLLUTION

The effects of pollution are seen in the community where it occurs AND in the drivers and passengers in traffic that passes through⁵. Pollution causes ill-health from womb to tomb. Below are quotes from The Royal College of Physicians and Royal College of Paediatrician's Report on Air Pollution⁶ (NOTE: not newspaper articles but **EVIDENCE BASED** analyses).

1. Polluting of babies in the womb affects subsequent development of the brain and nervous system. '(Pollution) can cross the placenta and accumulate in the baby, & has been associated with neurodevelopmental harm, leading to reduced cognitive function, lower IQ, attention deficit hyperactivity disorder (ADHD), and ... autism spectrum disorder.'
2. 'Infants living in areas with high levels of ... air pollution are at increased risk of death during the first year of life, particularly from respiratory illnesses.'
3. 'There is little doubt that acute exposure to high levels of air pollution results in increased respiratory symptoms in children, and increased visits to emergency departments with respiratory illnesses.'
4. 'There is strong evidence that long-term exposure to outdoor air pollution suppresses normal lung function growth in children.'
5. 'Epidemiological studies have shown significant associations between air pollution and a range of cardiovascular effects in adults. Both short- and long-term exposure to air pollution can increase the risk of myocardial infarction (heart attacks), heart failure, arrhythmias (abnormal rhythms of the heart) and stroke in ... older people or those with pre-existing medical conditions including cardiovascular disease, high blood pressure and diabetes.'
6. 'The evidence for the effects of both short- and long-term exposures to air pollution on cardiovascular disease in adults is strong. Exposure to air pollution can exacerbate existing heart conditions and contribute to the development of cardiovascular disease, resulting in increased hospital admissions and deaths from cardiovascular disease.'
7. 'The International Agency for Research on Cancer (IARC) classifies ... air pollution as carcinogenic to humans. They concluded that there is strong evidence that exposures to outdoor air pollution are associated with changes ... which are linked to increased cancer risk in humans.' They further state that there is '... evidence that exposure to outdoor air pollution causes lung cancer''
8. The emerging associations between air pollution and new-onset type 2 diabetes in adults, and dementia are concerning.
9. Where pollution has been successfully decreased children's health has improved.

Given these PROVEN health concerns there is great anxiety at the prospect of further increasing levels of pollution which are already over WHO Guideline and EU regulation Levels. Traffic WILL increase, pollution WILL increase, and this should not be allowed.

LEGAL ISSUES

Currently ClientEarth's Environmental Lawyers in England have obtained a Queen's Council's ruling⁷ as follows:

1. Because of the admitted, serious, and ongoing breaches by the UK of the limit values of the Air Quality Directive 2008/50/EC planning authorities have a duty in their decision making to seek to achieve compliance with the Directive's limit values.
2. Where a development would cause a breach in the locality 1 of the development they must refuse permission.

3. Where a development would in the locality 2 (ie nearby) either make significantly worse an existing breach or significantly delay the achievement of compliance with limit values it must be refused.

Developments along the routes to Bridgend should await the completion of the Cross Tay Road Link to prevent increased pollution in an area already dangerous to those who live there and to those who sit in its traffic.

We hope the Fairness Commission will act on our behalf in this serious health matter.

Thank you,

Hazel for SDCC etc etc

REFERENCES

1. PKC Webpage on Public Health. <http://www.pkc.gov.uk/article/1916/Public-health>
2. WHO Guidelines on air pollution. http://apps.who.int/iris/bitstream/10665/69477/1/WHO_SDE_PHE_OEH_06.02_eng.pdf
3. EU Directive on clean air. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008L0050>
4. PKC Measured levels of pollution at Bridgend. Perth and Kinross LAQM Progress Report 2013, and Updating and Screening Report 2015. AND <http://www.pkc.gov.uk/article/2625/Air-water-and-soils>
5. Characterisation of nanoparticle emissions and exposure at traffic intersections through fast-response mobile and sequential measurements. Atmospheric Environment 2015
6. Royal College of Physicians and Royal College of Paediatrician's Report on Air Pollution. <https://www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution>
7. Queens Council verdict on Council behaviour when pollution a problem. http://cleanair.london/wp-content/uploads/CAL-322-Robert-McCracken-QC-opinion-for-CAL_Air-Quality-Directive-and-Planning_Published-051015.pdf