

Clean Air (Human Rights) Bill [HL]

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 1

BARONESS JONES OF MOULSECOOMB

Page 1, line 4, after “must” insert “, subject to subsection (3),”

Page 1, line 6, insert—

- “(3) Where the duty in subsection (2) cannot be achieved for a particular pollutant in a given zone or agglomeration on or before 1 January 2028 the Secretary of State may postpone the deadline by a maximum of five years for that particular pollutant, zone or agglomeration on condition that the Secretary of State:
- (a) takes into account advice from the Citizens’ Commission for Clean Air (CCCA) and the Committee on Climate Change; and
 - (b) sets a new deadline for achieving clean air and maintaining it thereafter; and
 - (c) publishes a clean air plan that shall demonstrate how the new deadline will be achieved before the new deadline for the particular pollutant in the zone or agglomeration to which the postponement would apply; and
 - (d) has not already postponed the deadline beyond 1 January 2028; and
 - (e) lays a statement before Parliament explaining the failure to achieve clean throughout England and Wales by 1 January 2028 and how it will be achieved throughout England and Wales by 1 January 2033 and maintained thereafter.”

Page 1, line 8, leave out “Citizens’ Commission for Clean Air” and insert “CCCA”

After Clause 1

BARONESS JONES OF MOULSECOOMB

Insert the following new Clause—

Environmental targets: Particulate matter and nitrogen dioxide

In section 2(1) of the Environment Act 2021, for “set a target (“the PM2.5 air quality target”) in respect of the annual mean level of PM2.5 in ambient air”

- (1) substitute “establish limit values to be attained throughout England and Wales for the annual mean concentration in ambient air of—
 - (a) nitrogen dioxide (NO₂) to be less than or equal to 40 g/m³ by 1 January 2024; and
 - (b) PM_{2.5} to be less than or equal to 10 micrograms/m³ by 1 January 2030.
- (2) leave out subsection (2) of section 2 of the Environment Act 2021.
- (3) in subsection (4) of section 2 of the Environment Act 2021 leave out “setting the PM2.5 air quality target” and insert “implementing the NO₂ and PM2.5 limit values”.
- (4) leave out subsections (6) and (7) of section 2 of the Environment Act 2021.

Clause 2

BARONESS JONES OF MOULSECOOMB

Page 2, line 26, leave out “Environment Agency (EA)” and insert “CCCA”.

Clause 7

BARONESS JONES OF MOULSECOOMB

Page 7, line 5, after “duty” insert “, subject to subsection (2),”

Page 7, line 7, at end insert—

- “(2) Where the Secretary of State has postponed the deadline under section 1 of this Act by a maximum of five years for a particular pollutant within a local authority’s area, the local authority must—
 - (a) take into account advice from the CCCA and the CCC; and
 - (b) send and publish a letter to the Secretary of State annually giving the local authority’s reasons for failing to comply with the limits set out in Schedules 1 to 3; and
 - (c) comply with the new deadline for that pollutant which cannot be later than 1 January 2033.

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30 September 2022
