

**19 May 2023**

**PRESS RELEASE**

**Scottish Government's response to Environmental Standards  
Scotland's air quality Improvement Report approved**

The Scottish Parliament has approved the Net Zero, Energy and Transport (NZET) Committee's recommendation to approve the Scottish Government's response to Environmental Standards Scotland (ESS)'s investigation into Scotland's compliance with air quality legislation.

ESS' investigation found a continued failure in some areas of Scotland to meet statutory limit values for nitrogen dioxide (NO<sub>2</sub>). The investigation also identified weaknesses in the current operational and governance arrangements to improve local air quality and ensure future compliance with NO<sub>2</sub> limit values.

As a result, ESS made a number of recommendations to strengthen the oversight systems in place so that quicker action can be taken where poor air quality is found and that local authorities are implementing the appropriate measures in as short a time as possible. The recommendations also contributed to establishing a more detailed picture of the state of air quality across Scotland.

In response to the report of ESS' investigation, the Scottish Government prepared an improvement plan setting out how it planned to implement ESS' recommendations. The NZET Committee considered this plan, taking evidence from range of stakeholders including ESS' CEO and Head of Investigations Standards and Compliance.

The NZET Committee subsequently published its [Report](#) setting out its views on the planned measures, stating:

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“The Scottish Government's Air Quality Improvement Plan is overall a positive step forward in addressing nitrogen dioxide levels in Scotland. It takes into account most of the issues and recommendations made by ESS in its Improvement Report. We recommend that the Improvement Plan be approved by the Scottish Parliament.”

Mark Roberts, Chief Executive of ESS, said:

“I welcome the Scottish Government's acceptance of ESS' recommendations and the Parliament's approval of the Scottish Government's improvement plan.

“Poor air quality can affect our health. The changes which have been made as a result of ESS' investigation should give the public confidence that quicker action will be taken where poor air quality is found. The changes will also result in greater transparency and accountability in the oversight of air quality in Scotland.”

You can read the full report, findings and recommendations on the [ESS website](#).

### **About Environmental Standards Scotland (ESS):**

1. Environmental Standards Scotland (ESS) began its formal operations on October 2021, as part of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, following the UK's departure from the European Union. ESS is responsible for ensuring Scotland's public authorities, including government and its agencies, are compliant with environmental law.
  2. ESS is independent of Scottish Government, but accountable to the Scottish Parliament. ESS scrutinises public authorities' compliance with environmental law, the effectiveness of these laws and the way they are implemented and applied and has statutory powers to act where required.
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3. ESS launched this investigation in 2021 into the regulatory systems in place in Scotland to achieve compliance with statutory limit values for NO<sub>2</sub>. This followed a judgement by the European Court of Justice (ECJ) that stated that across the UK, breaches of air quality limit values for NO<sub>2</sub> had been “systematic and persistent”.

**For more information, visit:** [environmentalstandards.scot](https://environmentalstandards.scot)

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