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Edward Mountain MSP
Convener of Net Zero, Energy and Transport
Committee
Scottish Parliament
Edinburgh
EH99 1SP

10 December 2025

Dear Edward,

NATIONAL AIR POLLUTION CONTROL PROGRAMME REPLACEMENT - UPDATE

The former Cabinet Secretary for Net Zero and Energy wrote to you on 23 November 2023 and 26 June 2024 with updates on the UK Government's proposals for an alternative approach to the National Air Pollution Control Programme (NAPCP), the provisions for which were revoked by the UK Retained EU Law (Revocation and Reform) Act 2023 (the Act), without the legislative consent of the Scottish and Welsh Governments.

In the first of these letters the Cabinet Secretary explained that the Scottish Government was broadly content with the UK Government's alternative non-legislative approach to the NAPCP, subject to three important concerns being addressed. The most significant concern was the lack of commitment to making any of the procedures or outputs of the new approach available for public scrutiny, unlike the NAPCP. In the second letter the Cabinet Secretary notified the Committee that UK Government Ministers had decided not to make any information public, that she would be writing to seek an explanation for this and would provide a further update to the Committee in due course.

I am pleased to inform the Committee that the UK Government has now agreed to issue a public statement setting out the policies under consideration for addressing any projected shortfalls in the air pollutant emission ceilings targets which the UK is legally obliged to achieve. On that basis I will be writing to the UK Government confirming that the Scottish Ministers are now content to agree to the alternative approach to the NAPCP.

I hope you find this information helpful.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
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Yours Sincerely,

GILLIAN MARTIN

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