

Council

16 December 2019

Member Questions (5 total)

1.	Question from Councillor Willingham to the Cabinet Member Development & Safety, Councillor Andrew McKinlay
	Given the frequent operation of the Alstone Lane Level Crossing, and the long queues of traffic which form when the barriers are lowered during peak hours, could I please enquire what air quality monitoring is performed in the vicinity of the Alstone Lane Level Crossing?
	Response from Cabinet Member
	The nearest monitoring point to the Alstone Lane Level Crossing is our NOx monitoring tube situated at 264, Gloucester Road. The 2018 annual average level of NO ₂ recorded at 264 Gloucester Rd was 31.59ug/m ³ which is within the legal limit of 40ug/m ³ . Air pollution levels have not been specifically monitored in Alstone Lane.
2.	Question from Councillor Willingham to the Cabinet Member Development & Safety, Councillor Andrew McKinlay
	Could I please enquire what would be required, both in terms of evidence and legislation, to get an enforceable no-idling zone on Alstone Lane in the vicinity of the Level Crossing, and if it is possible, how the responsibility for enacting and enforcing this would likely be divided between the Borough and County Councils?
	Response from Cabinet Member
	<p>I would urge all drivers to consider how they can contribute to local air quality by turning off their engines when stationary, particularly when there is likely to be a foreseeable delay, such as at a level crossing.</p> <p>My understanding is that legislation exists (The Road Traffic Vehicle Emissions (Fixed Penalty) (England) Regulations 2002) to allow councils to enforce. However, the legislation is limited in its scope and widely considered to be almost completely ineffective.</p> <p>We have the power to adopt anti-idling legislation on application to the Secretary of State, but only in an Air Quality Management Area (AQMA). CBC is about to revise the Cheltenham AQMA which currently covers the whole borough, following which most of the town will no longer be covered by an AQMA. This proposed revision was supported by the Department for Environment, Food and Rural Affairs (DEFRA) in its Annual Status Report for Cheltenham in November 2018.</p> <p>The legislation requires that anyone allowing their car to idle (whilst stopped at the kerb, but not when stationary in a traffic queue) has to be challenged and invited to stop idling. If they don't they can be issued with a fine. The fine is set at £20. These powers have only been adopted by a handful of councils across the country, who have found they spend a lot of officer time (and money) trying to enforce it and issuing very few fines (of the order of less than double figures in a year).</p>

	<p>A better approach is probably to seek to educate and influence public opinion, such that this behaviour becomes socially unacceptable. There are many more examples where collective action is going to be required in pursuit of the climate change agenda, akin to adopting the use of seatbelts and not smoking in public.</p> <p>If the problem of idling persists, tighter and more punitive legislative controls may be appropriate at a national level.</p>
3.	Question from Councillor Willingham to the Cabinet Member Development & Safety, Councillor Andrew McKinlay
	<p>Could the Cabinet Member please advise whether CBC have any enforcement powers to deal with air pollution from diesel trains left idling and visibly, odourously, and in some cases gustably, spewing black diesel smoke when they are using the sidings and other reversing facilities close to Cheltenham Spa station and the Alstone Lane Level Crossing in St Peter's ward?</p>
	Response from Cabinet Member
	<p>We have no power to take action against smoke from diesel railway engines. In air quality terms, the amount of pollution caused in Cheltenham from railway engines is tiny compared with that produced by road traffic. Similarly, in terms of impact per passenger mile, pollution from rail transport is considerably less than that generated from the use of private vehicles.</p>
4.	Question from Councillor Harman to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	<p>In relation to two Planning enforcement issues in Park Ward recently there has been a standard response that the matters might not be capable of being examined for up to twenty days.</p> <p>Whereas I am grateful to the very professional response from the appropriate officers when it came, will the Cabinet Member examine whether it is possible to provide a more rapid response especially when there may be serious breaches of consent or works being undertaken without consent.</p>
	Response from Cabinet Member
	<p>All Planning enforcement cases are dealt with in relation to their assessed priority as established by the adopted 'Local Enforcement Plan' approved by members following consultation. It is planned to review this document, to ensure that it continues to reflect current member priorities, in terms of the range of cases being dealt with by the planning enforcement team.</p> <p>Officers did endeavour to deal with matters recently raised in the Park ward area within the timeframes specified in the Enforcement Plan, but in one particular case, there was some delay due to access problems beyond the control of the officer dealing with the case.</p> <p>The ability of the Planning Enforcement team to respond to all referred cases within the time frames specified in the Plan, has been raised. Accordingly, a new post has been approved to help deal with this workload. The post was advertised without success in attracting a suitable candidate, but is due to be re-advertised shortly, probably at a higher grade.</p>
5.	Question from Councillor Harman to Cabinet Member Healthy Lifestyles, Councillor Clucas

	<p>I understand that the organisers of the Cheltenham Film Festival are seeking financial assistance with next years Festival.</p> <p>Will the Cabinet Member examine whether this is possible in some way either directly or in collaboration with partners and if she might be prepared to meet the organisers.</p>
	<p>Response from Cabinet Member</p>
	<p>The council provided a grant of £5,000 to support this year's Cheltenham Film Festival https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1167</p> <p>The grant was awarded in the expectation that this would be a one-off grant to get the Film Festival up and running and not an annual grant.</p> <p>We have been approached by the organisers who are seeking financial support for the 2020 Festival. To date no decision has been made either way and I would welcome the opportunity to sit down with the organiser to discuss his plans for the 2020 festival and how these align with the council's priorities.</p>