

Information/Discussion Paper

Overview and Scrutiny – 5th September 2022

Air Quality – Activity Update

This note contains the information to keep Members informed of matters relating to the work of the Committee, but where no decisions from Members are needed

1. Why has this come to scrutiny?

1.1 This report contains an update on current activity relating to air quality issues:

- Statutory Air Quality Action Plan now out for public consultation.
- New PM10 & 2.5 monitoring ordered. Mesh Pod results due soon.
- New powers for Smoke Control Zones and need to consider re-drafting boundaries.
- DEFRA Grant application 2022.

The report is for information and update only – no decisions are required at this time.

Member views on revision of smoke control zones are welcome.

2. Summary of the Issue

2.1 Previous reports on Air Quality activity were made to Overview and Scrutiny

Committee in January 2020, and September 2020, July 2021.

2.2 Cheltenham Borough Council previously declared a borough-wide Air Quality Management Area (AQMA) in 2011 with one overarching plan, the intention being to try and attract attention and investment to improve AQ across the town. Subsequent monitoring results indicated that legal levels of air pollution were actually being met across most of the town. Consequently, the AQMA was reduced in size to focus on the area where the levels of air pollution exceeded the legal limits. This approach was and is in line with DEFRA requirements and recommendations and was approved at all stages of its implementation.

3. Summary of evidence/information

3.1 As a result of these changes, the council was required to produce a new Air Quality Action Plan (AQAP). A consultation draft of this is now available, and is open to public and partner comment via the council's website. The AQAP is required to specifically identify measures to reduce levels of NO₂ within the AQMA, however many of the measures identified will have a wider positive impact across the town.

3.2 Monitoring of local air quality parameters continues across the town. We currently operate:

- 44 NO_x tube locations. Cost c£2000pa
- 1 Continuous NO_x monitor, at Swindon Rd / St George's Street Cost c£9000pa
- 9 Mesh pods, monitoring NO_x, Ozone and PM_{2.5} / PM₁₀. c£2500pa

3.3 Results from NO_x tubes are on our website. The continuous monitor produces

enormous quantities of data that we report to DEFRA annually and is used to calibrate NOX tubes. There have been issues of reliability and accuracy affecting the Mesh Pods since a software upgrade in December 2021 which have now been identified and are being resolved. Once fully complete, the results will also go on our website, monthly. Results from all this equipment confirm that only a small area of the town, which is the area designated as the AQMA, breaches legal limits of air pollution, for nitrogen dioxide. Monitoring other points of interest, identified from previous activity, has shown no breaches of legal limits, however monitoring will continue for the foreseeable future.

3.4 Recent policy announcements by DEFRA have signalled a shift in emphasis from NO₂, where there is a national decline in levels caused by cleaner road vehicle engine technology, including the use of electric and hybrid vehicles. Future policy is expected to concentrate on particulate pollutants, including PM_{2.5} and PM₁₀ which are less well addressed by a switch to cleaner engines, as they are caused in part by tyre wear, brakes and non-road sources including domestic solid fuel combustion. These are considerably harder to measure, and national modelling is only available on a relatively coarse basis. CBC has therefore ordered a PM_{2.5} and PM₁₀ monitors to reference standards which will be installed at a roadside monitoring station in Benhall. This will allow us to start gathering data to properly assess PM levels, which can be used to identify any measures required to reduce levels of these pollutants.

3.5 DEFRA has recently launched its annual grant round for applications for air quality projects. Last year, our officers assisted Gloucestershire County Council in a successful application relating to a last mile sustainable delivery project, which is in development. This year we are preparing an application to employ an air quality education officer to work with schools on developing sustainable and air quality positive travel in (initially) secondary schools across the town. The deadline for

applications 23rd September, with decisions on funding announced in new year.

4. Next Steps - possible next steps for the committee to consider, e.g. potential witnesses, further report, site visit etc.

4.1 New powers to deal with PM2.5 and PM10 from domestic solid fuel use were included in The Environment Act 2021. For many years, councils have been able to designate the whole, or part of their borough as a Smoke Control Zone, wherein it becomes an offence to emit smoke from a domestic chimney, and residents are required to use either an “authorised fuel” or “exempt appliance”, either of which has been tested and certified as “smoke free”. The new powers allow emissions of smoke from chimneys in Smoke Control Zones to be dealt with by a Fixed Penalty Notice, rather than prosecution. However, the Act has introduced a new layer of enforcement, which requires the council to issue a “Notice of Intent” to be served with a 28 day objection period, before serving a “Final Notice” with another 28 day appeal period. Cheltenham currently includes over 20 smoke control zones, the boundaries of which often pre-date the houses built in them, and thus pass through homes, so what is legal at the front is not at the rear. The Environmental Protection team is considering recommending to members that the patchwork of existing SCZs be revoked and a borough-wide SCZ be introduced to simplify compliance and enforcement and treat the whole borough in the same way. This change should not be introduced lightly as it may require some home owners to either change their fuel, or their appliance, and the numbers of properties affected is currently unknown. For reference the number of complaints about SCZ matters is very low, currently about 4-5 a year.

Background Papers

Previous O&S Reports:

[January 2020](#), [September 2020](#), [July 2021](#)

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Accountability

Councillor Martin Horwood, Cabinet Member
Customer & Regulatory Services