

Cheltenham Borough Council

Cabinet – Date 15th July 2025

Revocation of 2020 Air Quality Management Area

Accountable member:

Cllr Victoria Atherstone, Cabinet Member Safety and Communities

Accountable officer:

Bernadette Reed, Public and Environmental Health Manager

Ward(s) affected:

All

Key Decision: No

Executive summary:

Under Section 82 of the Environmental Act 1995 (as amended) this authority is required to review its local air quality. In 2020 a small area of the town (from the junction of Gloucester Road, Tewkesbury Road and High Street, through Poole Way and along Swindon Road to the junction of St George's Street) did not meet the air quality objective for nitrogen dioxide as laid down in Regulations. This required the area to be declared an Air Quality Management Area (AQMA), and hence an Air Quality Action Plan (AQAP) was developed to improve air quality in this area.

A review of the action we are taking, and our supporting monitoring data is submitted annually to Defra through the Annual Status Report. Monitoring data from in, and around, the AQMA demonstrates the relevant air quality objectives have been achieved for 5 consecutive years and the AQMA should be revoked. Revoking the AQMA will make the AQAP obsolete. Since 2023, where an authority does not have a current, declared an AQMA, and thus no AQAP, they must develop an Air Quality Strategy (AQS).

We are proposing to submit an order to Defra to revoke the current AQMA and subsequently produce an AQS. An AQS will cover the whole borough and a range

of pollutants including fine particulates, ensuring that air quality remains a high-profile issue. There is scope for the AQS to be an ambitious document that aims for positive changes affecting a wide section of the public.

Recommendations: That Cabinet:

- 1. authorises the revocation of the existing 2020 AQMA based on the information provided at Annex 3;**
 - 2. subject to recommendation 1, delegates authority to the Head of Public Protection, in consultation with the Cabinet Member Safety and Communities, to take the necessary steps to revoke the AQMA;**
 - 3. authorises production of an Air Quality Strategy.**
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1. Implications

1.1 Financial, Property and Asset implications

No financial implications at this stage

Signed off by: Ela Jankowska Finance Business Partner
ela.jankowska@cheltenham.gov.uk

1.2 Legal implications

Under s83 Environment Act 1995, the AQMA can be revoked where the air quality standard and objectives are being achieved and are likely throughout the relevant period to be achieved. The Council must still have a local air quality action plan ‘the purpose of securing that air quality standards and objectives are achieved’. The action plan must set out in writing how the Council will exercise its functions to secure that air quality standards and objectives are secured and maintained, including any particular measures with deadlines.

Signed off by: Rachael Baldwin, Lawyer, Rachael.baldwin@onelegal.org.uk

1.3 Environmental and climate change implications

The principle that the AQMA is being revoked is associated with positive environmental and climate change implications, as this is a result of the NO₂ levels being below the relevant objective level of 40ug/m³, set by The Air Quality Standards Regulation.

Within the newly devised strategy, it provides the Council with an opportunity to broaden the scope of works, to cover a wider geographical area in the borough,

instead of focusing solely on the AQMA. It also allows the potential to consider further enhanced and beneficial actions and projects, to improve air quality, which will have wider associated positive climate impacts.

When the Air Quality Strategy is devised and presented to Council, it will be assessed using the Climate Impact Assessment tool.

Signed off by: Maizy McCann, Climate Officer, Maizy.mccann@cheltenham.gov.uk

1.4 Corporate Plan Priorities

This report contributes to the following Corporate Plan Priorities:

- Working with residents, communities and businesses to help make Cheltenham #netzero by 2030
- Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity

1.5 Equality, Diversity and Inclusion Implications

Screening assessment see Appendix 2

1.2 Performance management – monitoring and review

Under section 82 of Part IV of the Environment Act 1995 we must undertake periodic review and assessment of air quality within our area. The results of this review and assessment are set out in our Annual Status Report (ASR).

In June each year the ASR is submitted to Defra for their appraisal. It contains information on policy and actions to improve air quality, our actions to reduce particulate matter (PM) and NO₂, a summary of air quality monitoring data over the last 5 years (with a particular focus on the past year's data).

This year it will also contain the technical information to justify revoking the AQMA. Future ASRs will report on actions taken against any future air quality strategy.

Actions against the new air quality strategy will be key performance indicators (KPI) and progress reported on a quarterly basis.

2 Background

2.1 The authority has actively monitored levels of air pollution under the umbrella of "Local Air Quality Management" for about 30 years. This has involved using a wide range of different types of monitoring equipment which have changed and advanced significantly over the years. Currently we monitor levels of NO₂ at 44

sites across the town using low-cost NO_x tubes and verify the accuracy of this data using a real-time NO₂ monitor in Swindon Road. We also monitor levels of particulates at a site in Gloucester Road, Benhall which was initiated in Nov 2022.

2.2 Local Authorities are required to declare an Air Quality Management Area (AQMA) where results of monitoring, or levels predicted through monitoring show levels of pollution in excess of a nationally specified objective level. In the case of NO₂ the relevant objective level set by The Air Quality Standards Regulations 2010 is 40ug/m³, averaged over a 12 month period. Once declared the authority is required to produce an Air Quality Action Plan (AQAP), which should aim to reduce levels of that pollutant to a legal level as quickly as possible.

2.3 In the case of Cheltenham, levels of NO₂ were found to be in excess of the guideline level in a small area at the junction of High St / Bath Rd, leading to the declaration of an AQMA in 2008. This was replaced by a borough-wide AQMA in November. In 2020 Council decided to revoke the whole-borough AQMA to reflect improvements in NO₂ levels across the town, and replace it with a smaller AQMA covering a discrete area of properties fronting on to High Street from Tewkesbury Road to Poole Way, Poole Way, and Swindon Road from Poole Way to St Georges' Street. Properties in this area were found from measurements and detailed monitoring to be in excess of the annual NO₂ limit.

2.4 Monitoring of NO₂ levels through the AQMA and at other sites around the town has now demonstrated that the entire town, including properties within the AQMA, falls below the NO₂ limit, and has done by a considerable margin since 2020 when the initial COVID lockdowns made huge changes to commuting habits. Levels of NO₂ have continued to slowly reduce since 2022, largely due to new commuting practices and the expansion in the use of cleaner vehicles, including hybrids and electric vehicles.

2.5 The improvements in monitored levels mean that the authority is required to revoke the AQMA, which is no longer relevant or required. This will subsequently require the preparation of a Borough-wide Air Quality Strategy which can address a variety of pollutants, including airborne particulates.

3 Reasons for recommendations

3.1 The Air Quality Strategy is a new type of document required since 2023 from local authorities with no AQMA. So far few have been completed or published and it is expected that preparing a wider strategy may require the involvement of specialist consultants, similar to the production of the 2023 AQAP.

3.2 Our monitoring has demonstrated that the air quality objectives have been met and will continue to be met. We have confidence in this sustained improvement in

air quality. After 3 years or more of compliance, the AQMA should be revoked. We have provisionally discussed this with Defra and have been advised that as our data shows five consecutive years of compliance with the annual average NO₂ objective, the authority should consider starting the revocation process.

3.3 Unless there are concerns that there may be any exceedances in the AQMA where monitoring is not present, there should be no requirement for modelling as the monitoring data shows a long-term trend of compliance. The current AQMA is relatively small, with numerous NO₂ monitoring locations so failures in un-monitored areas are unlikely.

3.4 The data to support this recommendation is provided at Appendix 3

4 Alternative options considered

4.1 There are few options available, given the data obtained. If the AQMA is not revoked now, it is likely that DEFRA will give negative feedback to the 2025 Annual Status Report which summarises AQ activity over the calendar year 2024, and requires the authority to revoke the AQMA.

5 Consultation and feedback

5.1 An initial e-mail enquiry to Defra confirms the action to revoke the AQMA is appropriate, and produced this response:

Thank you for sending across your monitoring data from within your AQMA.

As your data shows five consecutive years of compliance with the annual average NO₂ objective, you should look to begin the revocation process.

Unless there are concerns that there may be any exceedances in the AQMA where monitoring isn't present, there should be no requirement for modelling as the monitoring data shows a long-term trend of compliance.

If you need any further support throughout the revocation process, please don't hesitate to contact us.

Kind Regards,

LAQM Helpdesk Team

5.2 GCC Response from Scott Macaulay-Lowe, Public Health Manager:

GCC Public Health notes the data confirming monitored levels of NO₂ at the Air Quality Management Area (AQMA); High Street Cheltenham, have been below

40ug/m3 for the last 5 years consecutively, and understands that subsequently, under DEFRA guidelines, the AQMA can be revoked. We welcome the continued work by the district in supporting air quality initiatives and education, in doing so, recognising the importance of air quality as a determinant of health and the associated health impacts; and following the revocation of the AQMA, we would welcome the opportunity to continue to work with CBC on all matters related to air quality and health

6 Key risks

6.1 Where air quality objectives are met, we have a duty to revoke the AQMA. Not doing so undermines local air quality management and is contrary to Defra technical and practice guidance which poses a reputational risk to the Authority.

6.2 Not revoking the AQMA when required means we are not focusing on the main areas and pollutants of concern, and so are potentially putting public health at risk.

6.3 The proposed Air Quality Strategy and the additional actions required within it needs to be suitably resourced.

Report author:

Gareth Jones, Senior Environmental Health Officer (Environmental Protection)

Gareth.jones@cheltenham.gov.uk

Appendices:

1. Risk Assessment
2. Equality Impact Assessment – Screening
3. Air Quality Monitoring data summary to support revocation 2024

Background information:

2020 AQMA declaration, report to Overview & Scrutiny Committee January 2020:

<https://democracy.cheltenham.gov.uk/ieListDocuments.aspx?CId=267&MID=2991#A118631>

ASRs 2019 -2024:

https://www.cheltenham.gov.uk/downloads/download/693/air_quality_reports

[CBC air quality action plan 2024 \(2\).pdf](#)

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1	Where air quality objectives are met we have a duty to revoke the AQMA. Not doing so undermines local air quality management and is contrary to Defra technical and practice guidance which poses a reputational risk to the Authority.	Head of Public Protection	3	3	9	avoid	Revoke the current AQMQ Replace with a Borough wide air quality strategy	PEH Manager	End Dec 2025 Jan 2026
2	Not revoking the AQMA when required means we are not focusing on the main areas and pollutants of concern, and so are potentially putting public health at risk.	Head of Public Protection	4	3	12	avoid	Replace AQMA with an air quality strategy which gives more flexibility to focus on what matters across the borough including planning transport and wider public health initiatives	PEH Manager	Jan 2026
3	The proposed strategy and the additional actions required within	Head of Public Protection	4	3	12	avoid	Ensure each element of the strategy is suitably	PEH manager	Jan 2026

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	it need to be suitably resourced	n					resourced in terms of competent work force and finance to deliver projects		

Appendix 2: Equality Impact Assessment (Screening)

1. Identify the policy, project, function or service change

a. Person responsible for this Equality Impact Assessment

Officer responsible: Bernadette Reed

Service Area: Public Protection

Title: Public and Environmental Health Manager

Date of assessment: 29/05/25

Signature:



b. Is this a policy, function, strategy, service change or project?

Policy

If other, please specify:

c. Name of the policy, function, strategy, service change or project

Revocation of Air Quality Action Plan and subsequent replacement with Air Quality Strategy

Is this new or existing?

Is changing

Please specify reason for change or development of policy, function, strategy, service change or project

Defra require that where a Local Authority does not have an Air Quality Management Area, with an associated Air Quality Action Plan, it must specify what proactive measures they will/are taking/ to improve air quality by way of an Air Quality Strategy.

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:

To comply with Defra requirements of revoking an AQMA where the evidence exists to demonstrate it is appropriate to do so

Objectives:	<p>To demonstrate that air quality objectives have been met in accordance with Local Air Quality Management Policy guidance PG 22 and Technical guidance TG22</p> <p>To submit the revocation order to Defra</p> <p>To put in place an air quality strategy</p>
Outcomes:	To produce an air quality strategy that is in accordance with current guidance.
Benefits:	<p>More strategic approach to delivering outcomes</p> <p>Fulfil statutory requirements</p> <p>Closer collaboration with County Public Health partners.</p> <p>Closer integration with climate change mitigation measures and adaptations.</p> <p>Early preventative action.</p> <p>Increased flexibility to respond to changes.</p>

e. What are the expected impacts?

Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.

No

Do you expect the impacts to be positive or negative?

No impact expected

Please provide an explanation for your answer:

This stage is about revoking the AQMA. We continue to fulfil our Local Air Quality Management function so this change in policy will not change this. We will produce our Annual Status Report which contains all our activities and monitoring data which will continue. We are intending to replace our action plan with a strategy due to our monitoring data demonstrating that this is the appropriate course of action. The strategy will ensure that air quality remains high on our agenda and is flexible to respond to any changes in monitoring data. Any actions identified in our strategy may have an impact and an equality impact assessment will be carried out at this stage.

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate	
Stage Two required	No
Owner of Stage Two assessment	
Completion date for Stage Two assessment	

Please move on to Stage 2 if required ([intranet link](#)).

Appendix 3: AQ Monitoring data summary to support revocation**Summary of 2020 monitoring data in and around AQMA:**

Levels of NO₂ within the AQMA and across the town dropped drastically during the covid restrictions of 2020-22 due to the numbers of journeys being made dropping considerably. This period has subsequently produced significant changes in commuting practices, including people working from home more, and with more flexible hours of attending a workplace. Thus, many people find a way to avoid the most congested times to drive, if they have to drive at all.

Over the same period there have been considerable improvements in the vehicle fleet in use nationally and around the town. Atmospheric NO₂ comes from a variety of sources, but the chief cause of the excess levels in the AQMA has been the use of fossil-fuel powered vehicles and particularly diesel engines. Since 2020 the technology used in diesels has improved, so engines are more efficient and are more likely to have NO₂ reducing technologies in use. There have also been increases in the use of hybrid and electric powered vehicles.

Monitoring of NO₂ levels have been carried out at 6 locations in the AQMA, and numerous other sites around the edges of the AQMA over the period and many years prior. Results of this monitoring are shown in Table 1 and Figure 1, below:

Table 1 – NO₂ results in AQMA 2012-2024

Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
2 Gloucester Road	35.9	40.4	41.7	46.5	43.2	45.4	41.2	43.1	32.0	31.0	33.0	30.0	27.0
2 Swindon Road	40.3	39.2	38.8	37.9	38.2	39.4	35.6	39.2	23.5	26.0	30.0	26.0	23.0
422 High Street	49.8	50.9	46.5	47.3	45.5	49.9	45.2	46.5	33.4	34.0	36.0	32.0	30.0
48 Swindon Road									21.6	23.0	23.0	22.0	19.0
New Rutland/Swindon rd	43.3	41.2	42.1	42.4	40.8	41.6	37.9	40.3	30.3	30.0	32.0	30.0	27.0
Co-location - 1	34.5	37.1	35.1	34.6	32.9	36.0	32.6	36.1	24.7	25.0	27.0	26.0	24.0
Co-location - 2	35.0	36.5	34.0	35.2	34.2	36.9	33.3	33.8	25.3	25.0	27.0	26.0	23.0
Co-location - 3	34.7	35.3	34.1	34.0	32.8	36.2	32.8	35.8	24.1	25.0	27.0	25.0	24.0
Co-location Ave	34.7	36.3	34.4	34.6	33.3	36.4	32.9	35.2	24.7	25.0	27.0	25.7	23.7

Table 1 contains data from the 6 monitoring points in the AQMA and shows that no sites were within 10% of the 40ug/m³ limit, which is sometimes used as a measure of “marginal compliance”.

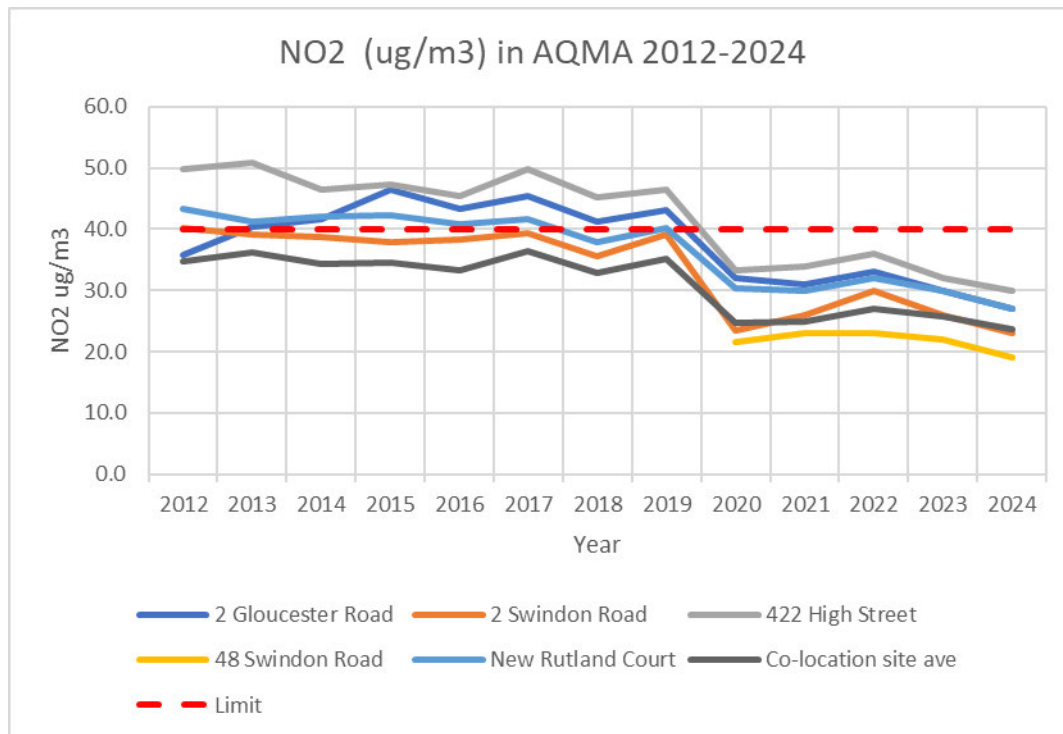
Figure 1 – NO2 results in AQMA 2012-2024

Figure 1 demonstrates the step change through 2020-22, and then the continued decline in levels of NO₂ since. This pattern of monitoring results is quite common across the UK, and the proposed action to revoke the AQMA is being taken by many authorities all over the country.

Officers from the Environmental Protection team have already discussed this proposed revocation of the AQMA with DEFRA, who have approved this course of action. This action has also been discussed with GCC Public Health who have agreed it should be pursued.

It should be noted that revoking the AQMA will not lead to a reduction in air quality monitoring, or activity to improve air quality. The future need not to focus efforts on one pollutant, in once small area will allow CBC to take wider action to improve air quality across the borough. There is an emerging consensus in air quality circles that more attention should be given to levels of airborne particulate matter, known as PM_{2.5} or PM₁₀. These fine particles come from a wide range of sources, including road vehicles with engines of all types, industrial sources, agriculture and domestic combustion. Initial monitoring of PM levels at Benhall suggests there is currently no need for AQMA to be declared in relation to PMs, but action should be taken to continue reducing levels as far as possible.