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**LOCAL AIR QUALITY MANAGEMENT – CARDIFF COUNCIL AIR QUALITY  
ANNUAL PROGRESS REPORT 2022: PERFORMANCE MONITORING  
SCRUTINY**

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**Purpose of the Report**

1. To provide Members with background information to aid scrutiny of the report to Cabinet regarding Cardiff Council's Local Air Quality Annual Progress Report, which is due to be considered by Cabinet.

**Scope of Scrutiny**

2. At their meeting on 15 December 2022, the Cabinet will consider a report entitled 'Local Air Quality Management – Cardiff Council 2021 Air Quality Progress Report' and notes the reason for the report as:
  - Seeking approval for the Cardiff Council 2022 Air Quality Progress Report, based on the 2021 data sets, (as attached as Appendix A1) for submission to Welsh Government for approval.
  - To note the receipt of further direction from the Welsh Government regarding the Clean Air Plan, (as attached as Appendix A2) including the need to assess and decide on a permanent transport scheme for Castle Street.
3. During this scrutiny, Members have the opportunity to explore:
  - i) The progress and performance of the Council in relation to the national air quality objectives Wales;<sup>1</sup>
  - ii) The impact of the Covid-19 pandemic on air quality in Cardiff;
  - iii) The recommendations to Cabinet.

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<sup>1</sup> [Standards and Objectives | Air Quality In Wales \(gov.wales\)5778](https://gov.wales/standards-and-objectives-air-quality-in-wales)

## Background

4. Scientific evidence shows that increased risk of heart disease, strokes, respiratory illness and other diseases that reduce life expectancy can be caused by that poor air quality. Therefore, air quality is the biggest environmental risk to public health in the UK <sup>2</sup>, and Public Health Wales have stated that it is their greatest concern after smoking, and in Wales it is estimated that 1,100 deaths could have been avoided that are linked to NO<sub>2</sub> exposure each year, based on 2011-12 data.
5. The main causes of poor air quality are particulate matter and nitrogen dioxide (NO<sub>2</sub>) which are mostly from vehicle emissions.
6. The estimated number of avoidable deaths based on the latest available information from Public Health Wales (2017) for the total number of all cause non-accidental deaths due to long-term mortality attributable to air pollution as between 178 - 227 deaths.
7. There is also a disproportionate impact on vulnerable population groups and dependant on living conditions/location.
8. Local authorities have a statutory duty under Part IV of the Environment Act 1995 & Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 to manage local air quality. Under Section 82 of the Environment Act 1995 the Local Air Quality Management (LAQM) process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether or not air quality objectives are likely to be achieved.
9. The air quality objectives applicable to LAQM in Wales are set out in the Air Quality (Wales) Regulations 2000, No. 1940 (Wales 138) and Air Quality (Amendment) (Wales) Regulations 2002, No 3182 (Wales 298).<sup>3</sup>
10. *Where the air quality reviews indicate that the air quality objectives may not be met, the local authority is required to designate an Air Quality Management Area (AQMA). Action must then be taken to provide an Air Quality Action Plan (AQAP) for each identified AQMA to ensure that air quality in the identified area improves.*

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<sup>2</sup> Estimating local mortality burdens associated with particulate air pollution', Public Health England, (2014)

<sup>3</sup> [The Air Quality \(Amendment\) \(Wales\) Regulations 2002 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2002/3182)

11. *In 2018, Shared Regulatory Services and Cardiff Council developed a citywide Clean Air Strategy & Action Plan (CASAP) for Cardiff. The strategy coincides with Cardiff's Capital Ambition report and helps to implement and deliver the priorities outlined in the Ambition report with an overarching aim to improve air quality to protect and improve public health in Cardiff.*

12. The current Air Quality Annual Progress Report for the Council provides details on the ratified data for air quality monitoring undertaken in 2021 within the Cardiff Council area. This report must include monitoring results for the previous calendar year, a progress report on action plan implementation and an update on any new policies or developments likely to affect local air quality.

### **Structure of the Papers**

13. The draft report to Cabinet is attached at **Appendix A** with the 2022 Annual Air Quality Progress Report attached at **Appendix A1**, and the Welsh Government Direction at **Appendix A2**

14. The Progress Report consists of the following sections:

Executive Summary: Air Quality in Our Area	i
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15. A full **Table of Contents** can be found on **Page xiii** of the Progress Report.

### **Issues identified in the Cabinet Report**

16. The Cabinet report notes that in 2021 following the lifting of COVID-19 restrictions that air quality data collection continued and normal monitoring resumed.

17. **Point 22** of the Cabinet report identifies four Air Quality Management Areas (AQMAs) declared across Cardiff which have all been declared due to exceedances of the annual mean NO<sub>2</sub> Air Quality Standard (40 µg/m<sup>3</sup>), known to be derived from road transport. These areas are:

- **Cardiff City Centre AQMA** (declared 1/4/13 to incorporate Westgate Street; formerly St Marys St AQMA);
- **Ely Bridge AQMA** (declared 1/2/07);
- **Stephenson Court AQMA** (declared 1/ 12/10); and
- **Llandaff AQMA** (declared 1/4/13).

18. According to the Cabinet report, **points 24 – 33**, Cardiff had four automatic air quality monitoring sites in 2021, located at Frederick Street in the City Centre, Richard's Terrace, just off Newport Road, Castle Street<sup>4</sup> and Lakeside Primary School. **The results obtained at 3 of these sites, omitting Lakeside (see point 314 of the Cabinet report) demonstrate compliance with the national air quality objectives for both NO<sub>2</sub> and PM<sub>10</sub> which are set at 40 µg/m<sup>3</sup> as an annual average.**

19. Further to this, points **34 – 39** state that **out of the 108** Cardiff Council operated specifically allocated non automatic monitoring sites in Cardiff which monitor levels of Nitrogen Dioxide (NO<sub>2</sub>), **none of them recorded exceedances of the annual average objective set for NO<sub>2</sub> (40 µg/m<sup>3</sup>).**

20. As highlighted at **point 36**, however, the concentrations recorded for 2021 are not a true representation due to the impacts of the COVID lockdowns and restrictions on pollution levels in Cardiff which is likely owing to traffic volumes having decreased during the pandemic and are not yet reflective of 'business as usual' .

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<sup>4</sup> Installed late summer 2020 and operational from October 2020

The results have therefore generated a bias/ underestimation of levels of pollution across Cardiff in 2021. (See figure 1 on page 7 of the Cabinet report)

21. **Point 38** notes the results for 2022 are likely to be a better representation of more settled circumstances as the majority of Covid restrictions had been lifted.
22. **City Centre AQMA – Points 40 and 41** – Using sites 186 and 187 located on Castle Street - pre pandemic, 2019 levels were 44  $\mu\text{g}/\text{m}^3$  at both sites. For 2020, the same locations recorded concentrations of 23  $\mu\text{g}/\text{m}^3$  and 26  $\mu\text{g}/\text{m}^3$ , which equates to a reduction of 47% and 41%. In 2012 both sites recorded concentrations of 26  $\mu\text{g}/\text{m}^3$ , which is still below pre pandemic levels, but probably due to the fact that up until October 2021 Castle Street remained closed.
23. **Ely Bridge AQMA - Point 42** - Site 117, 192 & 218) recorded annual average levels of  $\text{NO}_2$  at 30 $\mu\text{g}/\text{m}^3$  or less.
24. **Llandaff AQMA – Point 45** - Site 212, in 2019 had an annual average reading of 41.3  $\mu\text{g}/\text{m}^3$ . For 2020, it recorded a concentration of 33  $\mu\text{g}/\text{m}^3$ , a reduction of 20%. However, this has now increased in 20221 to 37  $\mu\text{g}/\text{m}^3$ , an increase of 4%, as the number of cars on the road has increased after covid restrictions are lifted
25. **Stephenson Court, Newport Rd, AQMA – point 47** - No monitoring sites within the Stephenson Court AQMA (Sites, 81, 131 & 198) recorded concentrations >30  $\mu\text{g}/\text{m}^3$ .
26. **Points 59-65** of the Cabinet report provides detail of the **School Streets Pilot Project** which involves the temporary closure of road links surrounding an initial 6 specific schools in Cardiff, followed by an additional 9, with the idea to encourage parents, staff and children to adopt an alternative mode of travel. The results obtained from each of the school sites indicated **full compliance with the  $\text{NO}_2$  annual average objective of 40  $\mu\text{g}/\text{m}^3$  at all sites.**
27. **Cardiff Council Clean Air Plan: Response to the Welsh Government Direction – points 66 and 67** note that following previous temporary work undertaken to improve air quality on **Castle Street** further legal direction under part IV of the Environment act 1995 was issued to the Council by the Welsh Government, requiring the need for maintained compliance with  $\text{NO}_2$  limits.

28. However, the report contains no details of any proposed scheme as detailed assessment works on a number of possible solutions are being developed to inform a full business case/funding requirements for a final scheme that will need Welsh Government approval.

29. The following schemes have been implemented to improve air

- Electric Buses (**point 68**) – 36 Electric Buses introduced on a number of routes within the City Centre, a further grant of up to £8m has been made available to the Council
- Bus Retrofit Scheme (**points 69 and 70**), 49 older buses have reduced NOx emissions by 90%;
- EV Taxi Scheme (**point 71**); the Council in partnership with a local vehicle hire company has acquired 5 fully electric wheelchair accessible Dynamo Hackney Carriage Taxis, further work needs to be done to incentivise the scheme take up; and
- Establishing a real-time city-wide air quality monitoring network (**point 72**) – the locations of monitors is being finalised with installation to be completed early in 2023.

### **Proposed Recommendations to Cabinet**

30. The report to Cabinet contains the following recommendations:

- i) To note and accept the monitored results gathered in 2021 and approve the 2022 Annual Progress Report (as attached at Appendix A1) for submission to Welsh Government for approval by 31<sup>st</sup> December 2022.
- ii) Note the receipt of the updated Air Quality Legal Direction issued on the 21<sup>st</sup> September 2022 and that work to comply with the Direction is being progressed.

### **Previous Scrutiny**

31. The Environmental Scrutiny Committee has been very involved in reviewing the work being undertaken by the Council to improve air quality in the city. Pre decision and update reports were received in March 2018 and March 2019 respectively as well as a Task and Finish Group inquiry in 2017/18 titled 'Improving Cardiff's Air Quality'. The inquiry considered a range of aspects that

have an impact on Cardiff's air quality and consulted with a number of industry experts. The report made 31 recommendations and was presented to Cabinet on the 20<sup>th</sup> September 2018, a response to which was presented to the Scrutiny Committee in January 2020<sup>5</sup>, and resulted in further observations and comments via the Chair's letter<sup>6</sup>.

32. In June 2019, the Committee received and provided comment on a pre-decision item titled 'Air Quality Feasibility Study Final Plan - Full Business Case & City Centre Transport Improvements'<sup>7</sup> and more recently, in June 2021, a further pre-decision report on City Centre Next Steps – Castle Street and City Centre East (Phase 1 + Canal).

33. The Committee has also examined the subject of air quality during scrutiny of associated topics and Council strategies such as One Planet Cardiff, Active Travel, Cardiff Bus Strategy and the Cardiff Transport White Paper.

## **Way Forward**

34. Councillor Caro Wild, Cabinet Member for Climate Change has been invited to make a statement. Andrew Gregory, Director of Planning, Transport and Environment as well as other representatives from the Directorate have also been invited to answer questions and assist the Committee in its consideration of the item.

## **Legal Implications**

35. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council

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<sup>5</sup> [Agenda item - Cabinet Response to the Environmental Scrutiny Committee Report Titled 'Improving Cardiff's Air Quality' : City of Cardiff Council \(moderngov.co.uk\)](#)

<sup>6</sup> [\(Public Pack\)Correspondence Following Committee Meeting Agenda Supplement for Environmental Scrutiny Committee, 21/01/2020 16:30 \(moderngov.co.uk\)](#)

<sup>7</sup> [\(Public Pack\)Correspondence Following the Committee Meeting Agenda Supplement for Environmental Scrutiny Committee, 12/06/2019 16:30 \(moderngov.co.uk\)](#)

must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

### **Financial Implications**

36. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

### **RECOMMENDATION**

The Committee is recommended to:

- i) Consider the information in this report, its appendices and the information presented at the meeting;
- ii) Determine whether they would like to make any comments, observations or recommendations to the Cabinet on this matter in time for its meeting on 15 December 2022; and
- iii) Decide the way forward for any future scrutiny of the issues discussed.

**DAVINA FIORE**

**Director of Governance & Legal Services**

**2 December 2022**