

DUDLEY METROPOLITAN BOROUGH COUNCIL

CABINET - 9th FEBRUARY 2005

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT

DECLARATION OF AN AIR QUALITY MANAGEMENT AREA - SEDGLEY.

1.0 PURPOSE

To obtain the support of Cabinet for the declaration of an Air Quality Management Area (AQMA) in the centre of Sedgley.

2.0 BACKGROUND

- 2.1** The Environment Act 1995 places a legal duty on Local Authorities to review and assess air quality in their Boroughs and compare the results with objectives proposed by the Air Quality Strategy 2000 and Air Quality Regulations 2000. Should the review and assessment show that an air quality objective cannot be met by 31st December 2005 the Local Authority has to declare an AQMA. It then must produce an Action Plan (S. 84(2) Environment Act 1995), with time frames, to determine the action required to meet the appropriate air quality objectives.
- 2.2** Following extensive air quality monitoring throughout the Borough an AQMA was declared for Brierley Hill on the 10th March 2003, this was the only area at that time that was considered likely not to meet the National Air Quality Annual Mean Objective for Nitrogen Dioxide. A draft Action Plan to address poor air quality in the Brierley Hill AQMA was approved by the Executive of the Council on the 11th February 2004 and a final version of the Action Plan has now been approved by DEFRA.
- 2.3** Air quality monitoring has continued throughout the Borough. The Council completed an Updating and Screening Assessment (USA) of air quality in April 2003. This confirmed that there were other areas of the Borough which merited further investigation to determine if they would comply with National Air Quality Objectives by the deadline of 31st December 2005. A detailed assessment of the investigation into air quality in these areas was submitted to DEFRA in April 2004. The areas of concern with regard to annual mean concentrations of Nitrogen Dioxide, which were subject to the detailed assessment included Sedgley Bull Ring.

2.5 In a letter dated 21st June 2004 DEFRA confirmed that the Council's Detailed Assessment was well structured and presented a thorough analysis of the areas of concern. It also confirmed that an AQMA should be declared for the Sedgley Bull Ring. (see appendix 1). With regard to three other sites DEFRA required the Council to carry out further monitoring to determine if AQMA's were needed for these locations. A comprehensive air quality monitoring programme has continued and a further report will be submitted to DEFRA in early 2005.

2.6 A report was taken to North Dudley Area Committee on 2nd November 2004 and the Select Committee on the Environment on 19th January 2005 to request Committee support for the declaration of an AQMA in Sedgley. The report received the support of both Committees.

3.0 PROPOSAL

3.1 It is proposed that Cabinet support the declaration of an AQMA for the centre of Sedgley, as shown on the map in appendix 1 to this report.

4.0 FINANCE

4.1 The review and assessment of air quality in the Borough including the making of AQMA's, can be met from existing Environmental Protection Service budgets.

4.2 There are currently no funds available within existing budgets to implement future requirements which may be contained within Action Plans required to meet air quality objectives over and above those already allocated for transport schemes within the Borough.

5.0 LAW

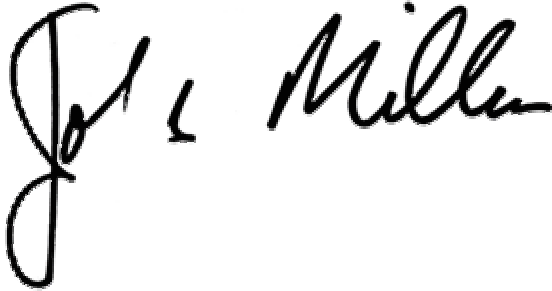
5.1 The Environment Act 1995 requires that; air quality monitoring is carried out and that Air Quality Management Areas (AQMA's) are declared within 4 months of determining that national objectives are not likely to be achieved by the stated deadline. An Air Quality Action Plan must then be proposed within a period of up to 18 months of the declaration of an AQMA to satisfactorily address the air quality problems within the AQMA.

6.0 **EQUAL OPPORTUNITIES**

6.1 This report takes account of the Council's Equal Opportunities Policies.

7.0 **RECOMMENDATION**

7.1 That Cabinet agree to act in accordance with the proposals set out in paragraph 3.1.

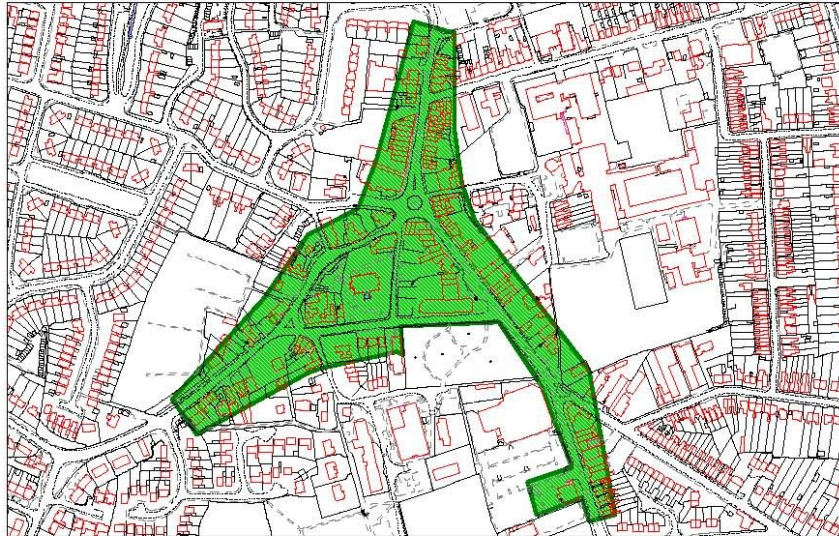
A handwritten signature in black ink, appearing to read 'John B. Millar'. The signature is written in a cursive style with a large initial 'J'.

Director of the Urban Environment - John B. Millar

Contact Officer: Nick Powell – Ext 4847

Background Papers:-

- 1 DEFRA letter of the 21st June 2004.
- 2 Upgrading and Screening Assessment on Air Quality in Dudley 2003
- 3 Detailed Assessment of Air Quality in Dudley 2004
- 4 Report of the Director of the Urban Environment to Corporate Board, 21st September 2004, "Declaration of an Air Quality Management Area, Sedgley"
- 5 Report of the Director of the Urban Environment to North Dudley Area Committee, 2nd November 2004.
- 6 Report of the Director of the Urban Environment to the Select Committee on the Environment, 19th January 2005.



Air Quality Management Area - Sedgley

Reproduced from the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationary Office © Crown Copyright.
Unauthorized reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
Dudley Metropolitan Borough Council ESD LA076171 Map Produced 24th January 2005.