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**DUDLEY METROPOLITAN BOROUGH COUNCIL**

**NORTH DUDLEY AREA COMMITTEE – 23 June 2010**

**REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT**

**TO SEEK SUPPORT FOR THE BOROUGH WIDE AIR QUALITY ACTION PLAN FOR DUDLEY**

**Purpose of Report**

- 1 This report is to provide members with details of the Air Quality Action Plan proposed for Dudley Metropolitan Borough Council. It addresses the following issues:
  - Areas identified as having poor air quality
  - Air Quality Management Area Declaration leading to the air quality action plan.
  - Air Quality Action Plan progress
  - Actions designed to improve air quality within Dudley Metropolitan Borough

**Background**

- 2 Dudley Metropolitan Borough Council has a statutory duty under the provisions of the Environment Act 1995 to review and assess air quality in its area. Since the publication of the first edition of the National Air Quality Strategy (NAQS) in 1997, Dudley MBC has either monitored or modelled concentrations of all NAQS pollutants (except for hydrocarbons where there is no requirement to do so) across the Borough. This work indicated that only nitrogen dioxide and fine particulates need to be monitored to comply with its obligations under Local Air Quality Management (LAQM) requirements.
- 3 The latest air quality data collected indicates that air quality in Dudley continues to be generally acceptable with concentrations of fine particulates meeting current NAQS objectives. However, breaches of the annual mean nitrogen dioxide objective have been confirmed at several roadside locations across the borough.
- 4 Dudley MBC is legally required to declare one or more Air Quality Management Areas (AQMAs) for those parts of the Borough in which the air quality objective is likely to be exceeded. Declaration of The whole Borough AQMA was completed in December 2007, amalgamating the former AQMAs of Brierley Hill and Sedgley.

- 5 In response to the declaration of the Borough as an Air Quality Management Area an Air Quality Action Plan has been prepared which identifies the areas within the Borough where known air quality objectives are being or likely to be exceeded and proposes measures to address the exceedences. A copy of the draft plan is available in the Members room.
- 6 Exceedences of the annual mean objective for nitrogen dioxide were confirmed at the following locations in the area covered by this Area Committee:
- Sedgley-High Street, Dudley Street
  - Lower Gornal- Himley Road

The following locations in other areas of Dudley were also identified during the survey:

- Lye- Pedmore Road, Dudley Road
  - Amblecote- High Street
  - Dudley- New Street, Buffery Road, Birmingham Road in close proximity to Burnt Tree Island and the Town Gate Retail Park
  - Netherton- Halesowen Road
  - Quarry Bank- High Street
  - Brierley Hill- High Street (prior to construction of new parallel route)
  - Pensnett- High Street
  - Wordsley- High Street
  - Cradley- Windmill Hill
  - Halesowen- Stourbridge Road, Hagley Road
7. The major source of air pollution in these areas has been identified as due to emissions from the exhausts of road vehicles. Work undertaken as a part of the preparation for the AQAP has demonstrated that there is a larger contribution from heavy goods vehicles and passenger transport vehicles operating in the areas with poor air quality than other areas. Further research & collaboration with our partners such as CENTRO on this issue is required to determine how best to combat the problem.
8. The Dudley MBC AQAP was submitted to Department for the Environment, Food and Rural Affairs (DEFRA) during February 2010 for further comment and received positive feedback. The following comments were noted:

*It is clear that whilst creating the consultation AQAP DMBC have considered the statutory guidance extensively. The draft document should be commended and with minor alterations the DMBC AQAP could be cited as an example of best practice.*

*Overall this is a comprehensive report and it is believed that the AQAP has every chance of being successful. The Council should be commended for their efforts in producing this report and are encouraged to provide similar detail in future progress reports and action plans.*

9. Full consultation will now be undertaken with residents of Dudley Borough and other interested bodies, starting with reports to the five Area Committees. In addition It is our intention to undertake consultation via the Dudley MBC web site, specific contact with residents living within all of the areas known to be exceeding the air quality objectives (as listed above in point 6 of this report) and work with local centre regeneration consultation initiatives and events to publicise the AQAP at centres within the Borough with the assistance of the Councils marketing team.
10. The crux of the AQAP is to provide actions which can be undertaken to help prevent further increases in air pollution and where practicable reduce concentrations of Nitrogen Dioxide to below National Objectives. The actions proposed in the AQAP are listed under the following headings:
- Information & Education – ie improved website and information for schools.
  - Leading by Example – improving emissions from the Council's fleet of vehicles.
  - Reducing Vehicle Emissions – take action to reduce idling vehicles and report smokey vehicles.
  - Improving Public Transport – work with our partners to improve public transport services.
  - Road Network Improvements – work with our internal and external partners and deliver road and traffic management improvements to the Boroughs road system in line with the West Midlands Local Transport Plan 2.
  - Land Use Planning Initiatives – ensure that through the planning system development is future proofed against air quality issues.
  - Industrial, Commercial & Domestic actions – control emissions through the enforcement of pollution control legislation.
  - Encouraging Modal Shift – work with key stakeholders to encourage the use of public transport and the use of less polluting ways to travel.
11. An example of a ongoing project that already has had a positive impact on air quality is the Brierley Hill Sustainable Access Network (SAN) project has provided new traffic routes around Brierley Hill and numerous improvements to the highway network in the vicinity of Brierley Hill to assist good traffic flow. Air quality monitoring has now demonstrated a significant improvement in air quality in Brierley Hill High Street and elsewhere in the area previously designated as the Brierley Hill AQMA. All air quality monitoring at locations with residential exposure in the affected area are currently compliant with the National air quality objective for nitrogen dioxide and there has been a 16% reduction in the emission of this pollutant since the initiation of the SAN project.
12. The work carried out on air quality monitoring and the declaration of a whole Borough Air Quality Management Area and a subsequent Air Quality Action Plan is designed to reduce concentrations of specific pollutants to within National Objectives. This will have a positive impact on the environment, the health of all people residing and working within the Borough and the long term regeneration of the Borough, supporting the themes of the Dudley Community Strategy 2005 – 2020.
13. The proposal for adoption of the action plan was supported by The Select Committee on the Environment at the meeting of 4<sup>th</sup> March 2010.

## **Finance**

14. Air Quality Monitoring work is funded from within existing budgets. There is no direct funding for the implementation of any part of the Air Quality Action Plan. The resources required for the activities identified with the Air Quality Action Plan are based upon partnership delivery and will be closely monitored as to their effectiveness.

## **Law**

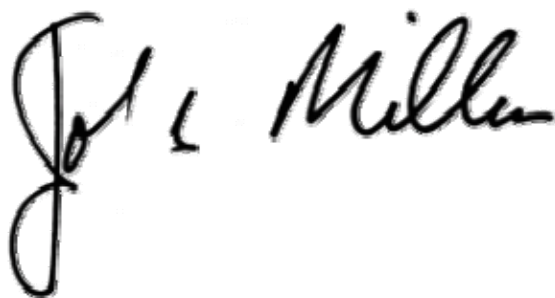
15. Dudley Metropolitan Borough Council has a statutory duty under the provisions of Part IV of the Environment Act 1995 to review and assess air quality in its area

## **Equality Impact**

16. The content of this report complies with the Council's Equal Opportunities Policy. There is no specific effect on children and young people, all people will benefit.

## **Recommendation**

17. It is recommended that members note the progress made with developing the Air Quality Action Plan and support;
- (i) The proposed consultation for the AQAP detailed in point 9 of this report.
  - (ii) The actions detailed in the AQAP designed to improve air quality within Dudley Metropolitan Borough for the future.



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**J. B. MILLAR – DIRECTOR OF THE URBAN ENVIRONMENT**

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## **List of Background Papers**

The Environment Act 1995, Part (iv)

Air Quality (England) Regulations 2000 (SI 928)

Air Quality (England) (Amendment) Regulations 2002 (SI 3043)

Local Air Quality Management Policy Guidance LAQM.TG (09)

Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2009)

Dudley MBC Further Assessment of Air Quality 2010

Dudley MBC Air Quality Action Plan, Draft 1.1, February 2010

## Appendix 1

### Dudley MBC Air Quality Action Plan Adoption

#### Provisional Consultation Programme

It is proposed that consultation on the Dudley Borough Air Quality Action Plan be undertaken between June and September 2010 using the following forms of communication:

1. Consultation with the five Area Committees, provisional timetable as per **Table 1**

**Table 1 Dates For Meetings with Area Committees**

Date	Area Committee
8 <sup>th</sup> June 2010	Central Dudley
16 <sup>th</sup> June 2010	Halesowen
23 <sup>rd</sup> June 2010	North Dudley
28 <sup>th</sup> June 2010	Stourbridge
1 <sup>st</sup> July 2010	Brierley Hill

2. Consultation with the general public and other interested parties will be via the Dudley MBC website, organised publicity events and written consultation in accordance with the list in **Table 2**, as attached. This process will be initiated in June 2010.

3. Consultation with other relevant consultees via letter as per **Table 2**

**Table 2 Provisional List of Consultees To Be Contacted By Letter**

Group	Consultee
<b>Statutory Consultees</b>	Birmingham & The Black Country Strategic Health Authority
	Birmingham City Council
	Bromsgrove District Council
	Countryside Agency
	English Heritage
	English Nature
	Environment Agency
	Environment Agency Upper Severn
	Government Office for the West Midlands
	Hagley Parish Council
	Highways Agency
	Himley Parish Council
	Huntington Parish Council
	Kinver Parish Council
	Sandwell MBC
Severn Trent Water	

**Table 2 Provisional List of Consultees To Be Contacted By Letter**

<b>Group</b>	<b>Consultee</b>
<b>Statutory Consultees</b>	South Staffordshire Council
	South Staffordshire Water
	Staffordshire County Council
<b>Statutory Consultees</b>	Strategic Rail Authority
	Swindon Parish Council
	Walsall MBC
	Warwickshire CC
	West Midlands Regional Assembly
	Wolverhampton City Council
	Wombourne Parish Council
	Worcestershire CC
	Birmingham & Black Country Strategic Health Authority
	British Waterways
	Central Buses Ltd
	Central Trains Ltd
	CENTRO
	Chiltern Railways
	NHS Dudley
	Halesowen Primary Care Group
	Network Rail
	NHS Executive - West Midlands Region
	Railtrack
	Travel Express
	Travel West Midlands
	West Midlands Passenger Transport Authority
	West Midlands Police
West Midlands Public Health Group	
WM Regional Rail Forum	
<b>Other Key Contacts</b>	Advantage West Midlands
	Black Country Chamber
	Black Country Investment
	Dudley Community Partnership
	Learning and Skills Council
	Black Country Business Environment Association
	Groundwork West Midlands EBS
<b>Umbrella Organisations</b>	Action for Disabled People and Carers
	Black Country Chamber of Commerce
	Darkhouse Baptist Church
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<b>Umbrella Organisations</b>	Dudley Council for Voluntary Services
	Dudley Federation of Tenants Association
	Dudley Racial Equality Council
	Federation of Small Businesses
	Neighbourhood Partnerships
West Midlands Regional Womens Network	

