

Select Committee on the Environment – 13th November 2006

Report of the Director of the Urban Environment

An update on Air Quality in Dudley Metropolitan Borough

Purpose of Report

1. To provide committee members with an update on the current situation with respect to Air Quality and to make recommendations which will address the current air quality issues within Dudley MB in accordance with Government policy.

Background

2. The Environment Act 1995 implemented a new regime for managing air quality (AQ) in the United Kingdom. The National Air Quality Strategy sets out policies to deal with ambient air pollutants. There are currently objectives and compliance dates for eight key air pollutants which have been demonstrated to have adverse effects on human health:
 - Nitrogen dioxide (NO₂)
 - Carbon monoxide
 - Sulphur Dioxide (SO₂)
 - 1, 3 butadiene
 - PM₁₀ (fine particles)
 - Lead
 - Benzene
 - Ozone
3. The Act places a statutory duty on local authorities to undertake periodic reviews of AQ and to assess whether or not the objectives with reference to the pollutants listed above will be achieved. Dudley MBC is actively engaged in the review and assessment process and has demonstrated that currently, objectives for seven out of the eight pollutants are being met across the Borough. However concentrations of Nitrogen Dioxide have been confirmed to exceed the 2005 annual mean government objective value (40 µg/ m³) at several locations across Dudley MB. The principal source of this pollutant has been identified as vehicle exhausts.
4. The numbers of vehicles on UK roads is predicted to increase over the next 40 years and if no further action is taken, traffic congestion will certainly worsen, causing further deterioration of AQ. It is therefore essential that Dudley MB responds to this threat with formulation of appropriate strategy to monitor, manage, control and improve AQ across the Borough.
5. Dudley MBC has already declared Air Quality Management Areas (AQMAs) at Brierley Hill and Sedgley and is progressing with an Air Quality Development Control policy to minimise any adverse effects of new development. There is now a clear requirement to draft an Air Quality strategy for the Dudley Borough

which will link in to the Local Transport Plan which covers transport and air quality.

6. Dudley MBC declared Brierley Hill AQMA in March 2003. An action plan for improving AQ to meet AQ objectives was published in October 2004. The plan contains a number of measures, but is reliant on the proposed construction of the Brierley Hill Sustainable Access Network (SAN). Progress in implementing the plan has been delayed by the SAN public appeal. However it appears that this matter is now close to resolution.
7. Sedgley AMQA was declared in May 2005, principally due to the effects of queuing traffic at the Bull Ring roundabout. An action plan is currently in preparation and a number of options for minimising congestion are being examined. These include traffic management schemes and execution of “soft options”. These will need to address the high concentration of through traffic, which originates from outside Sedgley AQMA.
8. Furthermore, ongoing monitoring has now identified a further six areas within Dudley MB where exceedances of the objectives for NO₂ have been confirmed. These new locations are:
 - Windmill Hill, Cradley
 - High Street , Wordsley
 - High Street, Pensnett
 - High Street, Quarry Bank
 - Pedmore Road, Lye
 - Halesowen Road, Netherton
9. Evidence of these latest exceedances has been submitted to DEFRA as part of Dudley MBC’s 2006 Updating & Screening Assessment (USA). DEFRA has now confirmed the requirement for further declarations of AQMA’s at the locations above. Additionally, further Detailed Assessment of AQ is ongoing at eight other locations within Dudley MB and further AQMA declarations may be required when this programme is completed at the end of 2007. Potentially this will mean 16 Air Quality Management Areas within Dudley Borough.
10. The seven West Midlands authorities work closely together on air quality issues under a joint Air Quality agreement. With the exception of Solihull, the other West Midlands Authorities have all declared AQMA’s , these are described as follows:
 - **Birmingham**- A city-wide declaration with respect to NO₂ was declared in January 2003.
 - **Coventry**- Three AQMAs for NO₂ have been declared between 2003 and 2004. Latest monitoring results have also indicated new areas of exceedence and a borough wide AQMA is now under consideration.
 - **Sandwell**- Six AQMAs were declared for NO₂ in August 2002. Monitoring revealed potential exceedances at nine further locations. In July 2005, orders for the six existing AQMAs were revoked and replaced by one order covering the whole Borough.
 - **Walsall**- Five AQMAs were declared for NO₂ in July 2002. Following the identification of further areas of exceedance, these orders were revoked and replaced with a Borough wide AQMA for NO₂ in April 2006.
 - **Wolverhampton**- A single Borough wide AQMA declaration for PM₁₀ and NO₂ was completed in March 2005.

11. Therefore, four of the seven West Midlands Authorities and all three of the other Black Country Authorities have already made whole borough AQMA declarations.
12. It is proposed that Dudley MBC should now consider the best way to progress with Air Quality declarations. The options available are;
 - (a) Declare an AQMA at each of the anticipated additional 14 areas of exceedence, or
 - (b) Amalgamate the two existing AMQAs into one Borough wide AQMA.
13. **Disadvantages of a Borough Wide AQMA Declaration in Dudley**
 - Areas of the Borough where the air quality is good will be associated with AQMA status and any negative impact that this may attract (Note: we have not experienced any negative impact due to the 2 AQMAs already declared)
 - AQMAs can be undeclared after objectives have been achieved, although ongoing monitoring will still be required to demonstrate that the improvements are permanent. This is straightforward for single individual AQMAs but would be more difficult for a whole borough declaration.
 - The emphasis may be taken off specific areas of exceedence if the whole Borough is declared as an AQMA.
14. **Advantages of a Borough Wide AQMA Declaration in Dudley**
 - It would be far simpler to make a single declaration and there would then be no further requirements for additional declarations or amendments.
 - All predicted AQ objective exceedences are due to road traffic sources and all action plans will therefore need to address traffic emissions on a Borough wide basis.
 - The importance of AQ is highlighted across the Borough, as is the need for it to be considered as a whole. Residents living in areas of good AQ would be reassured that the Borough wide AQMA would prevent worsening of AQ in their locality.
 - Declaration of the whole Borough will help promote behavioural changes to transport on a wider strategic basis in accordance with the Local Transport Plan (LTP)
 - It is Difficult to precisely determine exact boundaries for AQMA`s, the Borough boundary would form the whole of the AQMA if a Borough wide AQMA was declared.
 - With only one declaration and one consultation exercise required, officers can focus resources on improving AQ (the main purpose of LAQM) rather than expending resources on managing the administration process associated with declaration of many AQMA`s.
 - A single AQMA declaration would simplify the development control consultation process and widen the scope for Planning Obligations for Section 106 agreements.
 - A Borough wide AQMA would allow Dudley MBC to request travel plans, boosting travel plan membership, thereby improving the effectiveness of “soft options” presented as part of the Air Quality action plan.

Finance

15. Air Quality Monitoring work is funded from within existing budgets. The financial implications of resultant activities identified within Air Quality Action Plans will need to be identified and funding sources to deliver the plans explored, as action plans are developed.

Law

16. 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

17. There are no equality issues or matters specifically affecting young people to consider in this report.

Recommendation

18. It is recommended that this Committee consider the report and endorse the advantages of the declaration of a whole Borough AQMA and support such a declaration to Cabinet.

It is recommended that an Air Quality Strategy for DMBC is prepared and reported to this Committee.



John Millar
Director of the Urban Environment

Contact Officer: Tim Glews, Environmental Protection Manager
Telephone: 01384 814606
Email: tim.glews@dudley.gov.uk

List of Background Papers

The Environment Act 1995, Part iv
Air Quality Limit Values Regulations (as amended) 2001
Local Air Quality Management Guidance
Local Air Quality Management Policy Guidance
The United Kingdom National Air Quality Strategy
Dudley MBC Upgrading & Screening Assessment report. April 2006.