

**Select Committee on the Environment, 25<sup>th</sup> January 2010**

**Report of the Director of The Urban Environment**

**An update on Air Quality within Dudley Metropolitan Borough**

**Purpose of Report**

- 1.1 This report is to provide members with an update on the current situation with respect to air quality within Dudley Metropolitan Borough. It addresses the following areas of work;
- Air Quality monitoring undertaken within Dudley MB
  - Areas identified as having poor air quality
  - Air Quality Management Area and Action Plan progress
  - Future initiatives for 2010

**Background**

- 2.1 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. The latest edition of the UK National Air Quality Strategy (NAQS) identifies nine key pollutants which can adversely affect human health including, 1,3-butadiene, benzene, carbon monoxide, lead, nitrogen dioxide, ozone, fine particles (PM- PM<sub>10</sub> and PM<sub>2.5</sub>), sulphur dioxide and polynuclear aromatic hydrocarbons (PAH). Objectives for seven of the nine pollutants addressed in the NAQS are prescribed in regulations as air quality objectives for the purposes of Local Air Quality Management (LAQM); ozone and PAH remain as national objectives not prescribed in regulation and presently remain outside the scope of LAQM.
- 2.2 Since the publication of the NAQS, Dudley MBC has either monitored or modelled concentrations of all NAQS pollutants (except for PAH) across the Borough. This work indicated that levels of benzene, sulphur dioxide, carbon monoxide, lead and 1, 3-butadiene easily met government objectives and these pollutants are no longer monitored on a permanent basis. The Council continues to monitor concentrations of nitrogen dioxide and fine particulates to comply with its obligations under LAQM and also continues to monitor ozone on a voluntary basis. No requirement to monitor PAH has been identified.
- 2.3 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.

2.4 Dudley MBC's 2008 Air Quality Annual Updating and Screening report was submitted in April 2009 and has been accepted by DEFRA. Exceedences of the annual mean objective for nitrogen dioxide were confirmed at the following locations:

- Netherton- Halesowen Road
- Cradley- Windmill Hill
- Wordsley- High Street
- Brierley Hill- High Street (prior to construction of new parallel route)
- Sedgley-High Street, Dudley Street
- Quarry Bank- High Street
- Pensnett- High Street
- Lye- Pedmore Road, Dudley Road
- Halesowen- Stourbridge Road, Hagley Road
- Dudley- New Street,
- Lower Gornal- Himley Road

In addition Birmingham Road, near to Burn Tree Island / Town Gate Retail Park has been identified as a location of exceedence since the submission of the 2008 Updating & screening Assessment report.

The major source of pollution in these areas has been positively identified as road traffic.

2.5 Additionally, breaches of the hourly objective for nitrogen dioxide in Halesowen Road, Netherton are now under further investigation with completion of this assessment scheduled for the first quarter of 2010. Further work required to improve air quality at this location will be integrated into the forthcoming Air Quality Action Plan.

2.6 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 Dudley Borough AQMA was completed in December 2007, amalgamating the former AQMAs of Brierley Hill and Sedgley.

2.7 Dudley MBC were required to draft an action plan for improving air quality across the Borough by December 31<sup>st</sup> 2009. A verbal report on progress will be made at the Committee meeting. When complete the Air Quality Action Plan will be submitted to DEFRA for approval. Consultation has been undertaken in some of the poorest air quality areas as part of the local centre regeneration schemes. A separate exercise has also been undertaken in Netherton to inform local road network improvements and these will be integrated into the Action Plan. Once acceptance of the action plan is confirmed by DEFRA it will be subject to widespread publicity, we anticipate that this will occur in the first half of 2010.

2.8 Air quality monitoring will continue during 2010 / 11, providing essential data to inform the review and assessment process. The monitoring station installed at Brierley Hill is continuing to monitor air quality improvements achieved with the

completion of the parallel route. A further progress report on this project was submitted & accepted by DEFRA in April 2009 and a further update is due in April 2010. The initial air quality monitoring results suggest that the parallel route project has made a significant improvement in air quality within Brierley Hill High Street and the surrounding area which previously formed the Brierley Hill Air Quality Management Area. Any additional actions required for Brierley Hill will be addressed as part of the new Dudley Borough Air Quality Action Plan.

Further monitoring is planned in the vicinity of Burnt Tree Island to monitor air quality impacts of the planned retail development expansion at Town Gate Retail Park by Tesco; this project is being fully funded via a Section 106 agreement with the developer to validate the results of their supporting assessment.

- 2.9 Following preparation of the Air Quality Action Plan, a Local Air Quality Strategy will be required which clearly states the Council's position on air quality and climate change issues. Further reinforcement of planning policy will be required to stimulate the uptake of measures to improve air quality and minimise carbon footprint within the development control process. Production of the Air Quality Strategy has been delayed due to the ongoing work on the Borough Air Quality Action Plan, once this matter is finalised the air quality strategy can also be completed. The strategy will outline the Council's aims and objectives in improving local air quality and the policies which will be needed to deliver these improvements and their integration into the various planning functions, including land-use (development planning and control), transport, economic, environmental and sustainable development. The strategy will be reviewed on a regular basis to reflect changes in local and national policy.
- 2.10 Dudley MBC has a statutory commitment to submit an Annual Progress Report on the Brierley Hill Air Quality Action Plan and a Detailed Assessment Report on Air Quality to DEFRA by the end of April 2010
- 2.11 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 and the health of all people residing and working within the Borough.

## **Finance**

- 3.1 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 each action plan activity is developed. No further revenue funding is available beyond existing budgets.

## Law

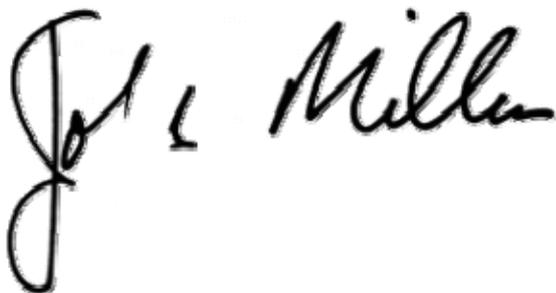
- 4.1 Dudley Metropolitan Borough Council has a statutory duty under the provisions of Part IV of the Environment Act 1995 to review and assess air quality in its area.

## Equality Impact

- 5.1 The content of this report complies with the Council's Equal Opportunities Policy. There is no specific effect on children and young people.

## Recommendation

- 6.1 It is recommended that members note the progress made with air quality monitoring and support the continued monitoring in 2010 / 2011 which will assist in furthering our understanding and making further improvements to the air quality within the Borough.

A handwritten signature in black ink, appearing to read 'John Millar', with a stylized, cursive script.

**John Millar**  
**Director of Urban Environment**

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### **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  
The Upgrading & Screening Assessment report 2009