

## WBHEES 07

# Midland Metro

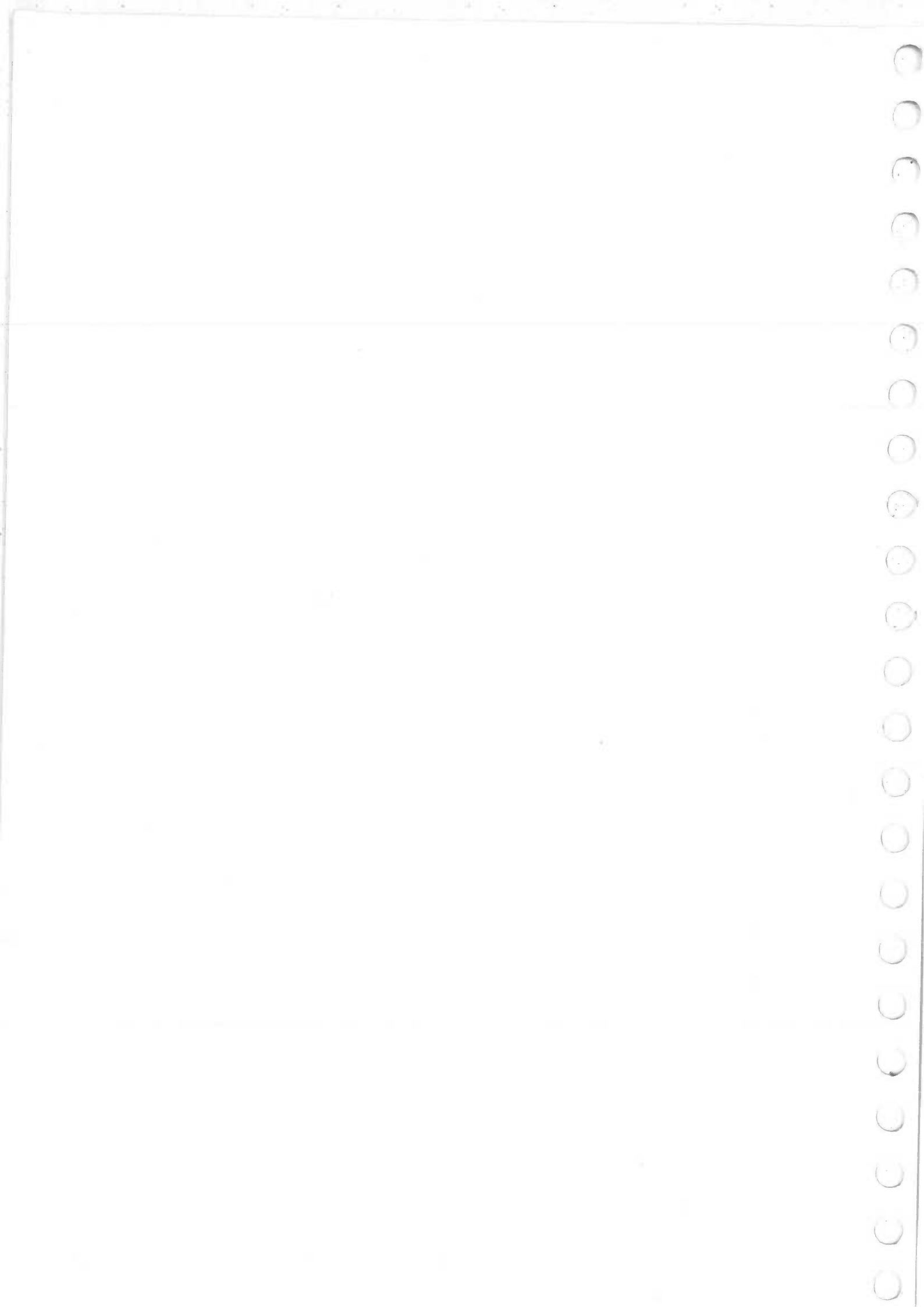
(Wednesbury to Brierley Hill and Miscellaneous Amendments) Order



TRANSPORT AND WORKS ACT 1992

## Environmental Statement Volume 1 - Main Report

Applicant  
West Midlands Passenger Transport Executive (Centro),  
Centro House, 16 Summer Lane, Birmingham B19 3SD



the Metro

birmingham

brierley hill

wednesbury

dudley

broad street

arena central

five ways

# Midland Metro

(Wednesbury to Brierley Hill and Miscellaneous Amendments) Order

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## Environmental Statement Volume 1 - Main Report



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Centro House,  
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Centro

Midland Metro: Wednesbury to  
Brierley Hill Scheme  
*Environmental Statement – Volume 1  
Main Report*

April 2003

Reference 0000326

For and on behalf of Environmental Resources Management
Approved by: <u>STEVE PURNELL</u>
Signed: <u></u>
Position: <u>PARTNER</u>
Date: <u>4 APRIL 2003</u>

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# 1 INTRODUCTION

## 1.1 ABOUT THIS DOCUMENT

Centro, the West Midlands Passenger Transport Executive (WMPTE), is promoting an extension to the existing Line 1 of the Midland Metro light rail system, which runs for approximately 11 km from Line 1 at Wednesbury to Great Bridge, Horseley Heath, Dudley Port, Dudley town centre and Merry Hill, before terminating at Brierley Hill town centre (hereafter referred to as the Wednesbury to Brierley Hill scheme). The alignment follows a mothballed heavy rail corridor <sup>(1)</sup>, development land and existing highway.

The route of the proposed Wednesbury to Brierley Hill scheme is illustrated in *Figure 1.1* in *Volume 2* of this report.

This document is an Environmental Statement (ES) and reports the findings of the Environmental Impact Assessment (EIA) that has been undertaken for the proposed scheme. In doing so, it describes the environmental impacts resulting from the construction and operation of the scheme and, where appropriate, the measures which are intended to mitigate <sup>(2)</sup> these impacts. The means by which mitigation measures will be secured is also described.

This ES has been prepared by Environmental Resources Management (ERM) on behalf of Centro. ERM is an independent environmental consultancy with extensive experience of undertaking EIAs for major transport infrastructure schemes such as this.

## 1.2 THE PROPOSED SCHEME

The scheme runs through the Metropolitan Boroughs of Sandwell and Dudley. Between Wednesbury and Dudley the alignment follows the mothballed heavy rail corridor until Tipton Road in Dudley, where it passes through Dudley town centre on street, before re-joining the railway corridor at Cinder Bank after running adjacent to the Dudley Southern Bypass. The alignment then continues on the railway corridor before leaving the mothballed railway for a second time, at Harts Hill. The scheme passes through the Waterfront Development and Merry Hill Centre before terminating at Brierley Hill. The system will operate light rail vehicles similar to those currently in use on Line 1 and will be powered by an overhead electricity supply.

The scheme will include up to 17 stops, of which four are provisional subject to development taking place. Four park and ride sites are also proposed.

(1) Although the rail corridor has not been in use for several years, it is not formally designated as being disused. For the purpose of this ES, 'corridor' is taken to mean all of the land under Network Rail's ownership, referred to as the South Staffordshire Junction Line and the Oxford, Worcester and Wolverhampton Line.

(2) Measures taken in order to avoid, reduce and, if possible, remedy any significant adverse effects on the environment.

The scheme will be served by an existing depot facility located in Wednesbury adjacent to Line 1 of the Midland Metro, although works will be required to expand sidings and maintenance facilities at the site. A detailed description of the proposed scheme is provided in *Section 2*.

### 1.3

#### *THE REQUIREMENTS FOR AN ENVIRONMENTAL STATEMENT*

The Wednesbury to Brierley Hill scheme is being promoted under the Transport and Works Act 1992. In order to obtain the necessary powers to construct and operate the scheme, Centro is applying to the First Secretary of State for a Transport and Works Order (TW Order).

It should be noted that the Midland Metro (No. 2) Act 1992 authorised a route from Wolverhampton via Walsall and Wednesbury to Brierley Hill. In January 1999, the section of the alignment from Wolverhampton via Walsall to Wednesbury was relinquished. The powers for the remainder of the route from Wednesbury to Brierley Hill were retained, but expired in March 2002.

The procedures for Order applications are described in The Transport and Works (Applications and Objections Procedure) Rules 2000 (hereafter referred to as "the Applications Rules")<sup>(1)</sup>. The Applications Rules require that, when an application for an Order is made, it should usually be accompanied by an ES. Tramways are included on the list of projects described in Schedule 2 of the regulations<sup>(2)</sup>. Consequently, the provision of an ES is not mandatory in all cases. However, the regulations state that "*for linear transport schemes, the likelihood of significant effects will generally depend on the estimated emissions, traffic, noise and vibration and degree of visual intrusion and impact on the surrounding ecology. EIA is more likely to be required for new development over 2 km in length*". The regulations also state that EIA is likely to be required where the area of the works exceeds 1 hectare. The proposed Wednesbury to Brierley Hill Extension scheme exceeds both of these criteria.

This ES has been prepared in accordance with the Applications Rules to accompany Centro's application for an Order for the Wednesbury to Brierley Hill scheme.

### 1.4

#### *STRUCTURE OF THE ENVIRONMENTAL STATEMENT*

The ES has been prepared in a single volume, accompanied by a separate Non-technical Summary of the whole report. Following this introduction, the ES is structured as follows:

(1) The Transport and Works (Applications and Objections Procedures) (England and Wales) Rules 2000, Statutory Instrument 2000 No. 2190.

(2) DETR and the National Assembly for Wales (November 2000) *Environmental Impact Assessment: A guide to procedures*.

- *Section 2* provides a description of the Wednesbury to Brierley Hill scheme including its operation, the construction programme and the main alternatives considered during the design of the scheme;
- *Section 3* sets out the approach to the EIA;
- *Section 4* explains the planning policy context for the scheme;
- *Section 5* describes the existing, planned and proposed land uses adjacent to the scheme;
- *Section 6* identifies the permanent or long term effects of the scheme;
- *Section 7* identifies the temporary or short term effects of the scheme; and
- *Section 8* provides a summary of the key effects of the scheme, a list of key mitigation measures and the means by which these will be implemented.

The main text is followed by a series of appendices that provide supporting technical information, as described below:

- *Appendix A* - Information to be included in Environmental Statements;
- *Appendix B* - Bodies Consulted on the Scoping Report;
- *Appendix C* - Consultation Material;
- *Appendix D* - Draft Code of Construction Practice;
- *Appendix E* - Details of Noise and Vibration Assessment Methodologies;
- *Appendix F* - Cultural Heritage; and
- *Appendix G* - Ecology and Nature Conservation.

The Non-technical Summary provides an overview of the scheme and the relevant issues for wider readership.

## 1.5

### *THE ROLE OF THE ENVIRONMENTAL STATEMENT*

The Applications Rules define an ES as a statement that contains:

- *“a description of the project comprising information on the site, design and size of the proposed works;*
- *an outline of the main alternatives to the proposed works studies by the applicant and an indication of the main reason for his choice, taking into account the environmental effects;*
- *the data required to identify and assess the main effects which the proposed works are likely to have on the environment;*

- *a description of the measures proposed to be taken in order to avoid, reduce, and if possible, remedy any significant adverse effects on the environment of the proposed works; and*
- *a non-technical summary of the information described above"*

and "*such of the information referred to in Schedule 1 [of the Applications Rules] as may be reasonably required in order to assess the environmental effects of the proposed works and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile*".

An overview of the way in which this information is provided in this ES is set out in *Appendix A*.

Taking account of these information requirements, the key objectives of the EIA have been to:

- establish and review the existing, or baseline, environmental conditions and policies pertaining to the site of the scheme and the surrounding area;
- identify and assess the environmental effects of the activities involved in construction and operation of the proposed scheme;
- develop, in conjunction with Centro, measures that will be taken to remove, minimise or reduce these effects to acceptable levels; and
- provide a framework for consultation with public authorities and interested parties.

## 1.6 CONSULTATION

### 1.6.1 General

Consultation with statutory bodies and interested parties is an important part of assessing the environmental impacts of a scheme. Consultation is important since it helps to facilitate a full understanding of the baseline environment and potential nature of impacts, and ensures that the scheme is designed to maximise the benefits it can deliver. The Guide to the Transport and Works Act <sup>(1)</sup> notes that adequate and timely consultation is an essential part of the Order authorisation process, providing helpful feedback into the design development programme. In addition, the UNECE's <sup>(2)</sup> Aarhus Convention requires that the public must participate in decisions about development that may have a significant effect on the environment. The European Commission is preparing a Directive to give effect to the Convention across the European Member States. This would lead to a

(1) Department of the Environment, Transport and the Regions (2001) *A Guide to the Transport and Works Act 1992 Procedures*, DETR, HMSO.

(2) United Nations Economic Commission for Europe.

revision of the EIA Directive (85/337/EEC as amended by 97/11/EC) to provide for early and effective opportunities for the public to participate in the development consent procedure. Centro, in conjunction with ERM, has adopted this principle and has undertaken a full programme of consultation.

The consultation process has also included a continuous dialogue with a number of key parties, including Sandwell Metropolitan Borough Council (SMBC) and Dudley Metropolitan Borough Council (DMBC) <sup>(1)</sup>.

The aim of this consultation has been to ensure that the views of the relevant statutory authorities and other persons likely to be affected by the scheme are identified early on in the EIA process and taken into account in the ES.

### 1.6.2 *Scoping Report*

A Scoping Report setting out the proposed scope of the EIA has been issued to a range of bodies with a potential interest in the Wednesbury to Brierley Hill scheme. Although the undertaking of a scoping study is not a requirement of the Transport and Works Act, it is generally recognised as good EIA practice and was fully supported by Centro.

A description of the scoping exercise that was undertaken is provided in *Section 3.5*. A list of those bodies consulted on the Scoping Report, together with a summary of their responses, is provided in *Appendix B*.

### 1.6.3 *Key Consultees*

Meetings have been held with a number key consultees including:

- Dudley town centre businesses;
- Waterfront businesses;
- Merry Hill traders;
- Newby Foundries;
- Dudley Zoo and Castle;
- Black Country Living Museum;
- Environment Agency;
- Bloor Homes;
- bus operators;
- Dudley Taxi Alliance;
- Round Oak Rail;
- Brierley Hill Leisure Centre; and
- Brierley Hill Buddhist Temple.

Dialogue has been maintained with a number of the consultees throughout the development of the project.

(1) Centro (2003) *Midland Metro Wednesbury Brierley Hill, Consultation Report*.

#### 1.6.4

#### *Public Consultation*

In addition to consultation on the Scoping Report, Centro has undertaken rigorous public consultation with a wide range of community and business interests. In early 2002 a public consultation exercise was undertaken. The aim of this consultation was to present Centro's proposals for the scheme to residents in the vicinity of the alignment, and to seek comments and obtain feedback on the proposed route. Property owners and occupiers located within around 200 m of the route were invited to attend open meetings, via an information pack sent to over 3,500 properties in February 2002. A copy of the information leaflet sent out to residents is provided in *Appendix C*.

A series of seven open meetings were held between February and April 2002, at which officers from Centro, SMBC and DMBC were at hand to explain the proposals and obtain feedback. Each meeting, chaired by a Passenger Transport Authority Councillor or a Centro officer, included a short presentation and a video followed by a question and answer session. Feedback forms were also completed by those attending the meetings.

Exhibitions have also been held throughout the development of the project as part of a general programme of awareness raising. These have taken place at locations such as the Merry Hill Centre and Dudley market, and have been staffed by officers from SMBC, DMBC and Centro. A dedicated hotline has also been established to enable members of the public to speak to a project team member or to request additional information.

#### 1.6.5

#### *Additional Consultation*

##### *General*

A number of additional consultation meetings and exercises have been undertaken with individual residents. These meetings were held as a result of specific concerns raised at the open meetings and exhibitions described in *Section 1.6.4* above. A description of the issues raised, summarised for the Consultation Report <sup>(1)</sup> for the scheme, is provided below.

##### *Great Bridge*

Following a poor response to information packs sent to residents in this area, a questionnaire was hand-delivered to properties located in close proximity to this proposed stop. As a result and following concerns over the use of a proposed secondary access to this stop, the access has been removed from the scheme.

##### *Residents of Bramah Way, St Helen's Avenue, Mansion Drive and Daisy Close*

At a meeting held at Great Bridge School in March 2002, concerns were raised regarding the possible widening of the corridor in this area. In particular,

(1) Centro (2003) op. cit.

residents were worried that they may lose land from their gardens as a result. In order to clarify this issue a letter was delivered to all properties to assure residents that land take from their properties would not be required.

#### *Heath Close*

Following the meeting at Great Bridge School described above, a number of residents from Heath Close raised concerns relating to Centro's proposal to break through from a disused private walkway linking Horseley Heath and the railway corridor to Heath Close. A petition was also raised objecting to this aspect of the scheme, and as a result, it was subsequently removed. All residents have been informed of this decision via hand delivered letters.

#### *Birmingham New Road*

Following a meeting at Coneygre Community Centre in March 2002, a meeting with residents from Lindley Avenue was held to discuss specific concerns regarding the proposed Birmingham New Road stop. In particular, the following issues were raised:

- perceived parking problems caused by users of the proposed stop parking on adjacent streets;
- noise and visual intrusion;
- a perceived decrease in property values;
- possible future use of the alignment for freight; and
- the use of an existing walkway.

Centro is undertaking a study to look at potential parking and traffic impacts at all stops, and will also provide comprehensive signing to park and ride sites. The potential for noise and visual impacts to occur are considered in Sections 6.4 and 6.6 of this ES respectively. Following the meeting described above, Centro agreed to undertake a survey of the area around the stop to determine whether there was support for the principle of the stop. The results showed that a large majority were in favour of the stop.

#### *Pedmore Road*

A number of concerns were raised at a meeting at Woodside Community Centre in March 2002, including:

- perceived parking (including disabled parking) and traffic impacts;
- the possible future use of the corridor for freight operations; and
- the location of the stop.