

ENVIRONMENT ACT 1995

The Environment Act 1995 (Greater Manchester) Air Quality Direction 2022

The Secretary of State, in exercise of the power conferred by section 85(5) of the Environment Act 1995(a), gives the following direction.

In accordance with section 85(6) a copy of this direction will be published in the London Gazette.

The Secretary of State makes this direction having determined that it is appropriate for securing that obligations in the Air Quality Standards Regulations 2010(b) relating to the quality of air are met.

Citation, commencement and application

1.—(1) This direction may be cited as the Environment Act 1995 (Greater Manchester) Air Quality Direction 2022 and comes into force on the day after it is made.

(2) This direction applies to—

- (a) Bolton Metropolitan Borough Council;
- (b) Bury Metropolitan Borough Council;
- (c) Manchester City Council;
- (d) Oldham Metropolitan Borough Council;
- (e) Rochdale Borough Council;
- (f) Salford City Council;
- (g) Stockport Metropolitan Borough Council;
- (h) Tameside Metropolitan Borough Council;
- (i) Trafford Metropolitan Borough Council;
- (j) Wigan Metropolitan Borough Council.

Interpretation

2. In this direction—

“the AQP” means the UK plan for tackling roadside nitrogen dioxide concentrations 2017, drawn up by the Secretary of State in accordance with regulation 26(1) of the Air Quality Standards Regulations 2010(c);

“the authorities” means the local authorities specified in paragraph 1(2);

“local plan for NO₂ compliance” means the detailed scheme (excluding any associated mitigation measures) which the authorities identified in accordance with the AQP to deliver compliance with

(a) 1995 c25.

(b) S.I. 2010/1001.

(c) A copy of the plan is available at: <https://www.gov.uk/government/publications/air-quality-plan-for-nitrogen-dioxide-no2-in-uk-2017>.

the legal limit value for nitrogen dioxide in the shortest possible time that was considered by the Secretary of State on 16th March 2020, the approved measures of which are a Charging Clean Air Zone Class C with additional measures.

Duty to review measures

- 3.—(1) The authorities must, for the areas for which they are responsible—
- (a) review the measures specified in the local plan for NO₂ compliance and associated mitigation measures; and
 - (b) determine whether to propose any changes to the detailed design of those measures, or any additional measures.
- (2) The authorities must ensure that the local plan for NO₂ compliance, with any proposed changes, will secure that—
- (a) compliance with the legal limit value for nitrogen dioxide is achieved in the shortest possible time and no later than 2026; and
 - (b) exposure to levels above the legal limit for nitrogen dioxide is reduced as quickly as possible.
- (3) The authorities must as soon as possible and by 1st July 2022 at the latest—
- (a) complete the review, and
 - (b) submit to the Secretary of State—
 - (i) details of any proposals to revise the detailed design of the measures in the local plan for NO₂ compliance or associated mitigation measures, or to add any new measures to the local plan for NO₂ compliance;
 - (ii) the date or dates on which the authorities propose that the measures should come into effect; and
 - (iii) evidence that the local plan for NO₂ compliance, with any proposed changes, will satisfy the requirements in sub-paragraph (2).

Revocation of previous direction

4. The Environment Act 1995 (Greater Manchester) Air Quality Direction 2020 is revoked.

Guidance

5. The authorities, in taking steps under this direction, must have regard to relevant guidance issued by the Secretary of State.

Date 8 February 2022

Jo Churchill MP
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the direction)

This direction directs Bolton Metropolitan Borough Council, Bury Metropolitan Borough Council, Manchester City Council, Oldham Metropolitan Borough Council, Rochdale Borough Council, Salford City Council, Stockport Metropolitan Borough Council, Tameside Metropolitan Borough Council, Trafford Metropolitan Borough Council and Wigan Metropolitan Borough Council

(together “the authorities”) to review the detailed design of measures in their local plan for NO₂ compliance and to prepare and submit to the Secretary of State by 1st July 2022 any proposed changes to those measures.

A previous direction requiring the authorities to implement the measures in their local plan is revoked to enable this review to be carried out.

Under section 85(7) of the Environment Act 1995 it is the duty of a local authority to comply with a direction given to it. A copy of this direction is available for inspection at Seacole Building, 2 Marsham Street, London, SW1P 4DF.