

ENVIRONMENT ACT 1995

Environment Act 1995 (Feasibility Study for Nitrogen Dioxide Compliance) Air Quality Direction 2019

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 necessary in order to meet obligations placed upon the UK under the EU Ambient Air Quality Directive^(b).

Citation, commencement and application

1.—(1) This direction may be cited as the Environment Act 1995 (Feasibility Study for Nitrogen Dioxide Compliance) Air Quality Direction 2019 and comes into force on the day after it is made.

(2) This direction applies to England.

Interpretation

2. In this direction—

“specified authorities” means the local authorities listed in Schedule 1;

“specified activities” means the activities described in Schedule 2;

Requirement to take certain steps

3. Each of the specified authorities must complete the specified activities by the date specified in Schedule 2.

Guidance

4. Each of the specified authorities in taking steps under this direction must have regard to relevant guidance issued by the Secretary of State.

Thérèse Coffey MP
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs
19 March 2019

(a) 1995 c25.

(b) 2008/50/EC OJ No. L 152, 11.06.08, p.1.

SCHEDULE 1

Paragraph 3

Specified Authorities

Kirklees Council
Sandwell Metropolitan Borough Council
Sefton Metropolitan Borough Council

SCHEDULE 2

Paragraph 3

Specified Activities

<i>Description of activity</i>	<i>Deadlines</i>
To conduct a feasibility study and provide the Secretary of State with a document setting out, for each road-link within the specified authority's area projected to have a NO ₂ exceedance in 2019 or 2020 in the national PCM model (other than those for which Highways England is the highway authority), the nature of the exceedance and, where they exist, recommended measure(s) that would achieve compliance with the relevant statutory NO ₂ limit values in the shortest possible time. For each recommended measure the specified authority must provide the information set out in Annex XV to the EU Ambient Air Quality Directive and Schedule 8 to the Air Quality Standards Regulations 2010(a) and specifically the timetable for implementation, an estimate of the improvement in air quality and the expected time it will take to make that improvement.	As soon as possible and by 31 July 2019 at the latest.

EXPLANATORY NOTE

(This note is not part of the direction)

This direction directs Kirklees Council, Sandwell Metropolitan Borough Council and Sefton Metropolitan Borough Council to carry out the specified activities listed in Schedule 2 in relation to their duties in respect of air quality under Part 4 of the Environment Act 1995 by the specified deadlines. Under section 85(7) of that Act 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.

a S.I.2010/1001