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D I R E C T I O N

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## ENVIRONMENT ACT 1995

### Environment Act 1995 (Bristol City Council) Air Quality Direction 2021

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 the retained EU obligations in relation to nitrogen dioxide limit values in section 17(1) of, and Schedule 2 to, the Air Quality Standards Regulations 2010 (b).

#### **Citation, commencement and application**

1.—(1) This direction may be cited as the Environment Act 1995 (Bristol City Council) Air Quality Direction 2021 and comes into force on the day after it is made.

(2) This direction applies to Bristol City Council.

#### **Interpretation**

2. In this direction—

“the 2000 Act” means the Transport Act 2000(c);

“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(d);

“the authority” means Bristol City Council;

“local plan for NO<sub>2</sub> compliance” means the detailed scheme which the authority identified as part of the AQP to deliver compliance with the legal limit value for nitrogen dioxide in the shortest possible time that was approved by the Secretary of State on 1 November 2021 and is summarised in Schedule 1;

“full business case” means a document that sets out detailed proposals for a scheme which has been identified through a local plan as the authority’s preferred scheme to deliver compliance with the legal limit value for nitrogen dioxide in the shortest possible time. It sets out the commercial and contractual arrangements, affordability, and management arrangements to ensure successful delivery of the scheme;

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(a) 1995 c.25.

(b) S.I. 2010/1001.

(c) 2000 c.38.

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

“local transport policies” has the meaning given by section 108(5) of the 2000 Act(a).

### **Revocation of previous direction**

3. The Environment Act 1995 (Bristol City Council) (No. 2) Air Quality Direction 2020 is hereby revoked.

### **Duty to implement the local plan for NO<sub>2</sub> compliance**

4—(1) The authority must take steps to implement the local plan for NO<sub>2</sub> compliance for the areas for which it is responsible.

(2) The authority must ensure that the local plan for NO<sub>2</sub> compliance is implemented so that—

- (a) compliance with the legal limit value for nitrogen dioxide is achieved in the shortest possible time, and by 2023 at the latest;
- (b) exposure to levels above the legal limit for nitrogen dioxide are reduced as quickly as possible.

### **Variation, revocation or suspension**

5 The authority must not vary, revoke or suspend its implementation of the local plan for NO<sub>2</sub> compliance pursuant to Article 4, without the prior written consent of the Secretary of State.

### **Guidance**

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

Jo Churchill MP

Parliamentary Under Secretary of State for the Environment  
Department for the Environment Food & Rural Affairs

1 November 2021

## **SCHEDULE 1**

Article 2

### **Summary of local plan for NO<sub>2</sub> compliance measures**

<i>Measures description</i>	<i>Deadlines</i>
Charging Clean Air Zone Class D with the closure of Cumberland Road inbound to general traffic and detailed VMS (Variable Message Sign)	To be implemented as soon as possible and at least in time to bring forward compliance to 2023.

(a) Section 108(5) was inserted by section 7(1) and (2) of the Local Transport Act 2008 (c.26).

## **EXPLANATORY NOTE**

*(This note is not part of the direction)*

This direction directs Bristol City Council to implement its local plan for NO<sub>2</sub> compliance in connection with its duties in respect of air quality under Part 4 of the Environment Act 1995 and as part of the UK plan for tackling roadside nitrogen dioxide concentrations 2017.

The local plan for NO<sub>2</sub> compliance was considered by the Secretary of State on 1 November 2021, and the approved measures must now be implemented to ensure compliance with the legal limit value for nitrogen dioxide is achieved in the authority's area in the shortest possible time. 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.