

ENVIRONMENT ACT 1995

Environment Act 1995 (Liverpool City Council) Air Quality Direction 2024

The Secretary of State, in exercise of the power conferred by section 85(5) of the Environment Act 1995⁽¹⁾, 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 for securing that retained EU obligations under the Air Quality Standards Regulations 2010 are met.

Citation, commencement and application

1.—(1) This direction may be cited as the Environment Act 1995 (Liverpool City Council) Air Quality Direction 2024 and comes into force on the day after it is made.

(2) This direction applies to Liverpool City Council.

Interpretation

2. In this direction—

“the authority” means Liverpool City Council

“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⁽²⁾;

“local plan for NO₂ compliance” means the detailed scheme (excluding any associated mitigation measures) which the authorities identified as part of the AQP to deliver compliance with the legal limit value for nitrogen dioxide in the shortest possible time that was considered by the Secretary of State on 27 February 2024 the approved measures of which are summarised in Schedule 1.

Duty to implement the local plan for NO₂ compliance

3.—(1) The authority must take steps to implement the local plan for NO₂ compliance for the areas for which it is responsible.

(2) The authority must ensure that the local plan for NO₂ compliance is implemented so that—

- (a) compliance with the legal limit value for nitrogen dioxide is achieved in the shortest possible time, and by 2024 at the latest;
- (b) exposure to levels above the legal limit for nitrogen dioxide are reduced in the shortest possible time.

⁽¹⁾ 1995 c25.

⁽²⁾ S.I. 2010/1001. A copy of the plan is available at: <https://www.gov.uk/government/publications/air-quality-plan-for-nitrogen-dioxide-no2-in-uk-2017>.

Variation, revocation or suspension

4. The authorities must not vary, revoke or suspend their implementation of the local plan for NO₂ compliance pursuant to Article 4, without the prior written consent of the Secretary of State.

Guidance

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

Robbie Moore MP

Parliamentary under Secretary of State
Department for Environment, Food & Rural Affairs

27 February 2024

SCHEDULE 1

Article 4

Summary of local plan for NO₂ compliance measures

<i>Measures description</i>	<i>Deadlines</i>
- Hunter Street: Local signal validation and optimisation of signals	To be implemented as soon as possible and at least in time to bring forward compliance to 2024

EXPLANATORY NOTE

(This note is not part of the direction)

This direction directs Liverpool City Council to implement approved measure in their local plan for NO₂ compliance, in connection with 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 approved measure must now be implemented to ensure compliance with the legal limit value for nitrogen dioxide is achieved in the authority's areas in the shortest possible time. Under section 85(7) of the Environment 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.