

ENVIRONMENT ACT 1995

Environment Act 1995 (Feasibility Study for Nitrogen Dioxide Compliance) Air Quality Direction 2017

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 2017 and comes into force on 28 July 2017.

(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 dates specified in Schedule 2.



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

27 July 2017

(a) 1995 c25.

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

SCHEDULE 1

Paragraph 3

Relevant Authorities

Basildon Borough Council
Bath and North East Somerset Council
Bolton Metropolitan Borough Council
Bristol City Council
Bury Metropolitan Borough Council
Coventry City Council
Fareham Borough Council
Gateshead Metropolitan Borough Council
Guildford Borough Council
Manchester City Council
Middlesbrough Borough Council
New Forest District Council
Newcastle City Council
North Tyneside Council
Rochford District Council
Rotherham Metropolitan Borough Council
Rushmoor Borough Council
Salford City Council
Sheffield City Council
Stockport Metropolitan Borough Council
Surrey Heath Borough Council
Tameside Metropolitan Borough Council
Trafford Metropolitan Borough Council

SCHEDULE 2

Paragraph 3

Relevant Activities

<i>Activity</i>	<i>Description of activity</i>	<i>Deadlines</i>
Undertake as part of the UK plan for tackling roadside nitrogen dioxide concentrations 2017, a Feasibility Study in accordance with the HM Treasury's Green Book approach, to identify the option which will deliver compliance with legal limits	Initial Plan: Setting out the case for change and the first stage in identifying, exploring, analysing and developing options for measures which the local authority will implement to deliver compliance in the shortest possible time, with indicative costs for those	As soon as possible and by 31 March 2018 at the latest.

for nitrogen dioxide in the area for which the authority is responsible, in the shortest possible time.

options.

As above

Final Plan:
Identifying the preferred option for delivering compliance in the shortest possible time, and setting out value for money considerations and implementation arrangements

As soon as possible and by 31 December 2018 at the latest.

EXPLANATORY NOTE

(This note is not part of the direction)

This direction directs certain English Local Authorities 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 at for inspection at Nobel House, 17 Smith Square, London SW1P 3JR.