

EXPLANATORY NOTE

(This note is not part of the direction)

This direction directs Cardiff Council to carry out the specified activities listed in the Schedule by the specified deadlines, in relation to 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. Under section 85(7) of that Act it is the duty of Cardiff Council to comply with a direction given to it. A copy of this direction is available from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

ENVIRONMENT ACT 1995

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

The Welsh Ministers, in exercise of the power conferred by section 85(5) of the Environment Act 1995(1), give the following direction.

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

The Welsh Ministers make this direction having determined that it is necessary in order to meet obligations placed upon the United Kingdom under the EU Ambient Air Quality Directive(2).

Title, commencement and application

1.—(1) The title of this direction is the Environment Act 1995 (Feasibility Study for Nitrogen Dioxide Compliance) Air Quality Direction 2019.

(2) This direction comes into force on 01 August 2019.

(3) This direction applies to Cardiff Council.

Interpretation

2. In this direction—

“specified authority” means Cardiff Council;

“specified activities” means the activities described in the Schedule.

Requirement to take certain steps

3. The specified authority must complete the specified activities by the dates specified in the Schedule.

Lesley Griffiths

Minister for Environment, Energy and Rural Affairs

Date 31 July 2019



(1) 1995 c. 25. The functions of the Secretary of State under section 85(5) were transferred to the National Assembly for Wales in relation to Wales by article 2 of, and Schedule 1, to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), the functions conferred on the Assembly are now exercisable by the Welsh Ministers.

(2) 2008/50/EC OJ No. L 152. 11.06.08. p.1.

SCHEDULE

Specified Activities

Articles 2 and 3

<i>Activity</i>	<i>Description of activity</i>	<i>Deadlines</i>
Further modelling of a Clean Air Zone option should be undertaken	A clearer rationale for the geographical scope and vehicle classification assessed. A clearer rationale for why the assumed Clean Air Zone was chosen, and clearer justification for its dismissal.	As soon as possible and by 31st October 2019 at the latest.
Redraft of final plan to better articulate the progressive development of the assessment leading to the identification of the preferred option, and the case for this.	Supplemental detail to be incorporated into the final plan to include clearer development of the case for the preferred option and justification for this. To also demonstrate why any complementary measures are essential to ensure compliance with the limit value along the road length.	As soon as possible and by 31st October 2019 at the latest.