

EXPLANATORY NOTE

(This note is not part of the direction)

This direction directs Caerphilly County Borough 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 Caerphilly County Borough 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 Caerphilly County Borough Council .

Interpretation

2. In this direction—

“specified authority” means Caerphilly County Borough 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>
Implementation of preferred option	Implementation of the demolition option in accordance with the timetable set out in the Final Plan.	To commence immediately and without delay.
Further modelling of a Clean Air Zone option should be undertaken	Further work to better assess the potential of a Clean Air Zone to reach compliance in the soonest time possible.	As soon as possible and by 29th February 2020 at the latest.
Further modelling of complementary measures should be undertaken	Further work to assess the potential for complementary measures alongside the preferred option to increase certainty that compliance can be achieved in the soonest time possible.	As soon as possible and by 29th February 2020 at the latest.