



IN THE SUPREME COURT OF THE UNITED KINGDOM

29 April 2015

Before:

Lord Neuberger
Lord Mance
Lord Clarke
Lord Sumption
Lord Carnwath

R (on the application of ClientEarth) (Appellant) v Secretary of State for the Environment, Food and Rural Affairs (Respondent)

AFTER hearing Counsel for the Appellant and Counsel for the Respondent on 16 April 2015 and

AFTER consideration of the written submissions filed by the parties

THE COURT ORDERED that

- 1) The appeal be allowed
- 2) The Respondent prepare and publicly consult upon new replacement draft Air Quality Plans in respect of the zones and agglomerations set out in Schedule 1 to this Order in accordance with Article 23(1) of Directive 2008/50/EC on ambient air quality and cleaner air for Europe and Regulations 26 and 28 of the Air Quality Standards Regulations 2010 (SI 2010/1001)
- 3) The public consultation on the draft Air Quality Plans last for a minimum of 40 working days
- 4) The new Air Quality Plans be delivered to the European Commission not later than 31 December 2015
- 5) The claim be remitted to the Administrative Court for the purposes set out in paragraph 6 of this Order only

- 6) The parties each have liberty to apply to the Administrative Court for—
 - (i) variation of the timetable set out in paragraphs 3 and 4 of this Order
 - (ii) determination of any legal issues which arise between the parties in the course of preparation of the plans described in paragraph 2 and 4 of this Order

- 7) The parties file written submissions on costs within 28 days of the date of this Order.

Louise de Branco.

Registrar
29 April 2015

Schedule 1

Zones and agglomerations for which new air quality plans are to be prepared and consulted upon as set out in paragraphs 2 and 3 of this Order.

1. Greater London Urban Area
2. West Midlands Urban Area
3. Greater Manchester Urban Area
4. West Yorkshire Urban Area
5. Teesside Urban Area
6. The Potteries
7. Kingston upon Hull
8. Southampton Urban Area
9. Glasgow Urban Area
10. Eastern
11. South East
12. East Midlands
13. North West & Merseyside
14. Yorkshire & Humberside
15. West Midlands
16. North East.