

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part IV of the Environment Act 1995 (“the 1995 Act”) requires local authorities in Scotland to review air quality within their areas. Such reviews must be accompanied by an assessment of whether any of the prescribed air quality objectives detailed in the associated regulations are being achieved or are likely to be achieved within the relevant period.

These Regulations amend the Air Quality (Scotland) Regulations 2000, which prescribe the relevant periods for the purpose of that review and set the air quality objectives to be achieved by the end of those periods.

Regulation 2(2) and (3) amends Regulation 3 of the Air Quality (Scotland) Regulations 2000 by inserting a relevant period for the new air quality objectives.

Regulation 2(4) amends the table in the Schedule to the Air Quality (Scotland) Regulations 2000 (the air quality objectives table) by setting new air quality objectives for benzene, carbon monoxide and PM10 and by prescribing the relevant period for their achievement. The new objective for carbon monoxide replaces the current objective, whereas the new objectives for benzene and PM10 supplement the current objectives.

The new objectives are set out in the addendum to the Air Quality Strategy for England, Scotland, Wales and Northern Ireland, to be published by the Scottish Executive in accordance with section 80 of the 1995 Act. Guidance entitled ‘Review and Assessment: Pollutant Specific Guidance LAQM TG4’ contains the recommended methodology to be used by local authorities in undertaking their air quality review and assessment.