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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Part IV of the Environment Act 1995 requires local authorities to review the quality of air within their area. The reviews have to consider the air quality for the time being and the likely future air quality during the “relevant period” (a period to be prescribed by regulations). Such reviews have to be accompanied by an assessment of whether any prescribed air quality standards or objectives are being achieved or are likely to be achieved within the relevant period.

These Regulations prescribe the relevant period referred to above (regulation 3(2)) and set out the air quality objectives to be achieved by the end of that period (regulation 4 and the Schedule). The objectives are the same as those set out in the Air Quality Strategy for England, Scotland, Wales and Northern Ireland (CM4548, January 2000), published by the Secretary of State in accordance with section 80 of the 1995 Act.

Where any of the prescribed objectives are not likely to be achieved within any part of a local authority’s area within the relevant period, the authority concerned will have to designate that part of its area as an air quality management area (section 83(1) of the 1995 Act). An action plan covering the designated area will then have to be prepared setting out how the authority intends to exercise its powers in relation to the designated area in pursuit of the achievement of the prescribed objectives (section 84(2) of the 1995 Act). The Regulations prescribe the period within which a county council will have to submit proposals to a district council which is preparing an action plan within the county council’s area (regulation 3(1)).

These Regulations replace the provisions of the Air Quality Regulations 1997 in relation to England. The 1997 Regulations are therefore revoked to the extent that they apply to England.