



Environment Act 1995

1995 CHAPTER 25

PART IV

AIR QUALITY

82 Local authority reviews.

- (1) Every local authority shall from time to time cause a review to be conducted of the quality for the time being, and the likely future quality within the relevant period, of air within the authority's area.
- (2) Where a local authority causes a review under subsection (1) above to be conducted, it shall also cause an assessment to be made of whether air quality standards and objectives are being achieved, or are likely to be achieved within the relevant period, within the authority's area.
- (3) [^{F1}This subsection applies to a local authority where], on an assessment under subsection (2) above, it appears that any air quality standards or objectives are not being achieved, or are not likely within the relevant period to be achieved, within the local authority's area^{F2}...
- [^{F3}(4) Where subsection (3) applies to a local authority, it must identify any parts of its area in which it appears that air quality standards or objectives are not likely to be achieved within the relevant period.
- (5) Where subsection (3) applies to a local authority in England, it must also—
 - (a) identify relevant sources of emissions that it considers are, or will be, responsible (in whole or in part) for any failure to achieve air quality standards or objectives in its area,
 - (b) in the case of a relevant source within the area of a neighbouring authority, identify that authority, and
 - (c) in the case of a relevant source within an area in relation to which a relevant public authority or the Agency has functions of a public nature, identify that person in relation to that source.

Changes to legislation: Environment Act 1995, Section 82 is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (6) For the purposes of subsection (5), a source is “relevant” if—
- (a) it is within the area of the local authority,
 - (b) it is within the area of a neighbouring authority in England, or
 - (c) it is within an area in relation to which a relevant public authority or the Agency has functions of a public nature and the local authority considers that the exercise of those functions is relevant to the source of the emissions.]

Textual Amendments

- F1** Words in s. 82(3) substituted (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 11 para. 5(2)(a)** (with s. 144); S.I. 2022/48, reg. 4(c)
- F2** Words in s. 82(3) omitted (1.5.2022) by virtue of Environment Act 2021 (c. 30), s. 147(3), **Sch. 11 para. 5(2)(b)** (with s. 144); S.I. 2022/48, reg. 4(c)
- F3** S. 82(4)-(6) inserted (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 11 para. 5(3)** (with s. 144); S.I. 2022/48, reg. 4(c)

Modifications etc. (not altering text)

- C1** S. 82 functions made exercisable concurrently (E.W.) (1.4.2011) by The Greater Manchester Combined Authority Order 2011 (S.I. 2011/908), arts. 1, 10, **Sch. 3 para. 3**
- C2** S. 82 functions made exercisable concurrently (E.W.) (8.5.2017) by The West Midlands Combined Authority (Functions and Amendment) Order 2017 (S.I. 2017/510), arts. 1(2), **17**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 82(1) words inserted by [2024 asc 2 s. 16\(2\)](#)
- s. 82(2) words inserted by [2024 asc 2 s. 16\(4\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)