



Environment Act 1995

1995 CHAPTER 25

PART IV

AIR QUALITY

[^{F1}83A Duties of English local authorities in relation to designated areas

- (1) This section applies in relation to a local authority in England.
- (2) A local authority must, for the purpose of securing that air quality standards and objectives are achieved in an air quality management area designated by that authority, prepare an action plan in relation to that area.
- (3) An action plan is a written plan that sets out how the local authority will exercise its functions in order to secure that air quality standards and objectives are achieved in the area to which the plan relates.
- (4) An action plan must also set out how the local authority will exercise its functions to secure that air quality standards and objectives are maintained after they have been achieved in the area to which the plan relates.
- (5) An action plan must set out particular measures the local authority will take to secure the achievement, and maintenance, of air quality standards and objectives in the area to which the plan relates, and must in relation to each measure specify a date by which it will be carried out.
- (6) A local authority may revise an action plan at any time, and must revise an action plan if it considers that there is a need for further or different measures to be taken to secure that air quality standards and objectives are achieved or maintained in the area to which the plan relates.
- (7) Subsections (8) to (10) apply where a district council in an area for which there is a county council is preparing an action plan, or a revision of an action plan.

Status: Point in time view as at 01/05/2022.

Changes to legislation: Environment Act 1995, Section 83A is up to date with all changes known to be in force on or before 12 June 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)

- (8) Where the county council disagrees with the contents of the proposed plan, or the proposed revision of a plan, a referral of the matter may be made to the Secretary of State by—
- (a) the county council;
 - (b) the district council preparing the plan or revision.
- (9) The Secretary of State may, on a reference made under subsection (8), confirm (with or without modifications) or reject the proposed action plan, or revision of an action plan.
- (10) Where a reference has been made under subsection (8), the district council may not finally determine the proposed action plan or revision of an action plan, except in accordance with the decision of the Secretary of State on the reference or in pursuance of a direction made by the Secretary of State under section 85.]

Textual Amendments

- F1** S. 83A inserted (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), Sch. 11 para. 6 (with s. 144); S.I. 2022/48, reg. 4(c)

Status:

Point in time view as at 01/05/2022.

Changes to legislation:

Environment Act 1995, Section 83A is up to date with all changes known to be in force on or before 12 June 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.