



# Environment (Air Quality and Soundscapes) (Wales) Act 2024

2024 asc 2

## PART 1

### AIR QUALITY

#### CHAPTER 2

##### OTHER PROVISION

PROSPECTIVE

#### *Local air quality management*

#### **16 Local authority air quality reviews**

- (1) Section 82 of the Environment Act 1995 (c. 25) (local authority reviews) is amended as follows.
- (2) In subsection (1), after “local authority” insert “, other than a local authority in Wales,”.
- (3) After subsection (1) insert—

“(1A) Every local authority in Wales must, in each calendar year, 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.”
- (4) In subsection (2), after “subsection (1)” insert “or (1A)”.

*Status: This version of this cross heading contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Environment (Air Quality and Soundscapes) (Wales) Act 2024, Cross Heading: Local air quality management. (See end of Document for details)*

### Commencement Information

**II** S. 16 not in force at Royal Assent, see [s. 30\(3\)](#)

## 17 Action plans in relation to air quality management areas

(1) After section 83A of the Environment Act 1995 (c. 25) insert—

### “83B Duties of Welsh local authorities in relation to designated areas

- (1) This section applies in relation to a local authority in Wales.
- (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 the authority—
  - (a) prepare an action plan in relation to that area, and
  - (b) send a copy of the action plan to the Welsh Ministers for approval.
- (3) An action plan is a written plan that—
  - (a) sets out how the local authority will exercise its functions to secure that air quality standards and objectives are achieved in the area to which the plan relates, and
  - (b) in relation to each standard and objective, specifies a date by which the local authority will aim to achieve the standard or objective.
- (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—
  - (a) 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
  - (b) in relation to each measure, specify a date by which it will be carried out.
- (6) A local authority—
  - (a) may prepare revisions to an action plan at any time, and
  - (b) must prepare revisions to 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 by the dates specified under subsection (3)(b), and are maintained, in the area to which the plan relates.
- (7) A local authority must send copies of revisions prepared under subsection (6) to the Welsh Ministers for approval.
- (8) An action plan, or a revision to an action plan, does not take effect unless the plan or revision is approved (with or without modifications) by the Welsh Ministers.”

(2) In section 84 of that Act—

*Status:* This version of this cross heading contains provisions that are prospective.

*Changes to legislation:* There are currently no known outstanding effects for the Environment (Air Quality and Soundscapes) (Wales) Act 2024, Cross Heading: Local air quality management. (See end of Document for details)

- (a) in subsection (1A), omit “or Wales”;
- (b) in the heading, omit “and Welsh”.

- (3) In section 91 of that Act, in the definition of “action plan” in subsection (1), after paragraph (a) insert—  
“(aa) in relation to Wales, in accordance with section 83B;”.

#### Commencement Information

**I2** S. 17 not in force at Royal Assent, see [s. 30\(3\)](#)

### 18 Welsh Ministers’ powers of direction

In section 85 of the Environment Act 1995 ([c. 25](#)) (reserve powers of the Welsh Ministers), in subsection (3)—

- (a) omit the “or” after paragraph (c);
- (b) after paragraph (d) insert—
  - “(e) that a local authority in Wales has failed to carry out a measure specified in an action plan by the date specified in the plan in relation to that measure, or
  - (f) that an air quality standard or objective has not been achieved, within a designated area in Wales, by the date specified in the action plan for the area as the date by which the standard or objective is expected to be achieved.”.

#### Commencement Information

**I3** S. 18 not in force at Royal Assent, see [s. 30\(3\)](#)

**Status:**

This version of this cross heading contains provisions that are prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Environment (Air Quality and Soundscapes) (Wales) Act 2024, Cross Heading: Local air quality management.