

# **DEREGULATION ACT 2015**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Schedule 13: Other measures relating to animals, food and the environment***

##### **Part 4: Air quality**

757. Part 4 of the Environment Act 1995 outlines a regime for the domestic control of air pollution by local authorities. Part 4 of the Act extends to England and Wales and Scotland. Local authorities are required under section 82 of the Act to review the air quality and likely future air quality in their area. As part of this review, the local authority must assess whether the air quality standards and objectives are being achieved or are likely to be achieved. The local authority must identify any parts of its area within which those standards are not being achieved.
758. If air quality standards are not being achieved in any parts of its area, then the local authority must designate the relevant part as an Air Quality Management Area (section 83 of the Act). Section 84(1) of the Act requires that the local authority must undertake a further assessment of air quality (“Further Assessments”) in relation to the designated area to supplement information it already has.
759. Local authorities see Further Assessments as an unnecessary burden that is an impediment to speedy implementation of local action plans, which are required under section 84(2)(b) of the Act. This view has been confirmed in recent consultation where the majority of local authority respondents in England were content for the repeal of Further Assessments to go ahead.
760. [Part 4](#) of Schedule 13 repeals the requirement for local authorities to carry out a Further Assessment. This repeal forms part of the law of England and Wales only. It comes into force at the end of the period of 2 months beginning with the day on which the Act is passed. Scotland is making the repeals, to apply to Scotland, by means of their Regulatory Reform (Scotland) Act, which was passed by the Scottish Parliament on 16 January 2014.