

ENVIRONMENT ACT 1995

Environment Act 1995 (Annual Status Report) Local Air Quality Management Direction 2024

The Secretary of State, in exercise of the power conferred by section 85(3) of the Environment Act 1995(a), gives the following direction.

In accordance with section 85(6) a copy of this direction will be published in the London Gazette.

Citation, commencement and application

1.—(1) This direction may be cited as the Environment Act 1995 (Annual Status Report) Local Air Quality Management Direction 2024 and comes into force on the day after it is made.

(2) This direction applies to the specified authorities.

Interpretation

2. In this direction—

“the Act” means the Environment Act 1995;

“annual status report” means a written document including a review of the quality for the time being, and the likely future quality within the relevant period, of air within the authority’s area, including an assessment of whether air quality standards and objectives are being achieved, or likely to be achieved within the relevant period, within the specified authority’s own area, in accordance with section 82 of the Act.

“air quality objectives” has the same meaning as under section 91 the Act, being those concentration limits as set out under the Air Quality (England) Regulations 2000;

“air quality standards” has the same meaning as under section 91 the Act;

“guidance” means the Local Air Quality Management Policy Guidance (PG22) and the Local Air Quality Management Technical Guidance (TG22) issued pursuant to section 88 of the Act;

“specified authorities” means the local authorities listed in Schedule [1].

Duty to produce and submit an annual status report

3. —(1) Each of the specified authorities must produce and submit to the Secretary of State as soon as possible and at the latest within 90 days of the date this direction comes into force, its annual status report for the year 2023, containing an air quality objectives compliance assessment for 2022 in relation to the area for which it is responsible.

(2) When submitting its annual status report, each specified authority must provide the Secretary of State with a report completed as detailed in the relevant guidance.

Guidance

4. The specified authority, in taking steps under this direction, must have regard to its statutory duties, including any relevant guidance issued by the Secretary of State.



Robbie Moore MP

Parliamentary Under Secretary of State for the Environment
Department for the Environment Food & Rural Affairs

1 February 2024

SCHEDULE 1

Paragraph 2

Specified Authorities

Copeland Borough Council

West Lancashire Borough Council

SCHEDULE 2

Summary of Duty

Paragraph 3

<i>Duty description</i>	<i>Deadlines</i>
annual status report 2023	To be submitted to the Secretary of State as soon as possible and at the latest within 90 days of the date this direction comes into force.

EXPLANATORY NOTE

(This note is not part of the direction)

This direction directs each of the specified authorities to produce and submit as soon as possible and at the latest within 90 days of the date this direction comes into force, their Annual Status Report in connection with duties in respect of air quality under Part 4 of the Environment Act 1995.

Section 82 of the Environment Act 1995 provides that every local authority shall from time to time review the air quality within its area. The statutory guidance explains how local authorities are expected to carry out their legal duties. It stipulates that air quality assessments must be carried out each year, in the form of an annual status report, to provide an update on progress in achieving reductions below air quality objective concentrations and to ensure the quality of air is maintained at a safe level for members of the public.

In the Local Air Quality Management Policy Guidance, updated in August 2022, a new reminder and warning system for local authorities behind on their reporting duties was introduced, culminating in a Secretary of State direction under section 85 of the Environment Act 1995 to the relevant Chief Executive.

Under section 85(7) of the Environment Act 1995 it is the duty of a local authority to comply with a direction given to it. A copy of this direction is available at for inspection at Seacole Building, 2 Marsham Street, London, SW1P 4DF.