
STATUTORY INSTRUMENTS

2002 No. 3153

The Environment (Northern Ireland) Order 2002

PART III

AIR QUALITY

Air quality

Further provisions in relation to designated areas

13.—^{F1}(1)

^{F2}(2) Where an order under Article 12 comes into operation, the district council which made the order shall] prepare, in accordance with the following provisions, a written plan (in this Part referred to as an “action plan”) for the exercise by the council, in pursuit of the achievement of air quality standards and objectives in the designated area, of any powers exercisable by the council.

(3) A district council shall, before finally determining the content of the action plan, send to the Department and each relevant authority—

(a) a copy of any order (together with any map or plan referred to therein) made by it under Article 12; ^{F3} and]

^{F4}(b)

^{F4}(c)

(d) a copy of the proposed action plan.

(4) Where a relevant authority has received the proposed action plan under paragraph (3), it shall, within the relevant period, submit to the district council—

(a) proposals for the exercise (so far as relating to the designated area) by the authority, in order to comply with or in pursuit of the achievement of air quality standards and objectives, of any powers exercisable by the authority; and

(b) a statement of the time by which it proposes to implement each of the proposals

(5) Subject to paragraph (8), an action plan shall, in addition to the measures proposed by the district council under ^{F5}paragraph (2)] , also include a statement of—

(a) the proposals submitted pursuant to paragraph (4)(a);

(b) the times set out in the statement submitted pursuant to paragraph (4)(b);

(c) the time by which the district council in question proposes to implement each of the measures proposed by it comprised in the plan.

(6) Subject to paragraph (7), a district council may from time to time revise an action plan.

(7) Before a district council revises an action plan under paragraph (6), it shall provide the Department and each relevant authority with a copy of the proposed revision, and paragraphs (4) and (5) shall apply to a revision of the action plan as they apply to the making of the action plan.

(8) Where a relevant authority disagrees with a district council about the contents of a proposed action plan or revision of an action plan—

- (a) either of them may refer the matter to the Department;
- (b) on any such reference the Department may confirm the council's proposed action plan or revision of the action plan, with or without modifications (whether or not proposed by the authority) or reject it and, if it rejects it, it may also exercise any of its powers under Article 14; and
- (c) the council shall not finally determine the content of the action plan, or the revision of the action plan, except in accordance with the Department's decision on the reference or in pursuance of directions under Article 14.

(9) When the content of the action plan or the revision of the action plan is finally determined, the district council shall send a copy of the action plan or revision of the action plan to the Department and each relevant authority.

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| <p>F1 Art. 13(1) repealed (12.4.2016) by Environmental Better Regulation Act (NorthernIreland) 2016 (c. 13), ss. 17(2), 27(1), Sch. 2</p> <p>F2 Words in art. 13(2) substituted (12.4.2016) by Environmental Better Regulation Act (NorthernIreland) 2016 (c. 13), ss. 17(3), 27(1)</p> <p>F3 Word in art. 13(3)(a) inserted (12.4.2016) by Environmental Better Regulation Act (NorthernIreland) 2016 (c. 13), ss. 17(4), 27(1)</p> <p>F4 Art. 13(3)(b)(c) repealed (12.4.2016) by Environmental Better Regulation Act (NorthernIreland) 2016 (c. 13), ss. 17(5), 27(1), Sch. 2</p> <p>F5 Words in art. 13(5) substituted (12.4.2016) by Environmental Better Regulation Act (NorthernIreland) 2016 (c. 13), ss. 17(6), 27(1)</p> |
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Changes to legislation:

There are currently no known outstanding effects for the The Environment (Northern Ireland) Order 2002, Section 13.