
Changes to legislation: Clean Air Act 1993, Paragraph 1 is up to date with all changes known to be in force on or before 20 March 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) View outstanding changes

SCHEDULES

SCHEDULE 2

SMOKE CONTROL ORDERS: EXPENDITURE ON OLD PRIVATE DWELLINGS

Grants for expenditure incurred in adaptation of fireplaces

- 1 (1) This paragraph applies if, after the making of a smoke control order by a local authority, the owner or occupier of, or any person interested in, an old private dwelling which is or will be within a smoke control area as a result of the order incurs relevant expenditure.
- (2) For the purposes of this paragraph “relevant expenditure” is expenditure on adaptations in or in connection with an old private dwelling to avoid contraventions of section 20 (prohibition of smoke emissions in smoke control area) which—
- (a) is incurred before the coming into operation of the order and with the approval of the local authority given for the purposes of this paragraph; or
 - (b) is reasonably incurred in carrying out adaptations required by a notice given under section 24(1) (power of local authority to require certain adaptations).
- (3) If the adaptations in question are carried out to the satisfaction of the local authority, the local authority—
- (a) shall repay to him seven-tenths of the relevant expenditure; and
 - (b) may, if they think fit, also repay to him the whole or any part of the remainder of that expenditure.
- (4) Where relevant expenditure is incurred by the occupier of a private dwelling who is not an owner of the dwelling and the adaptations in question consist of or include the provision of any cooking or heating appliance which can be readily removed from the dwelling without injury to itself or the fabric of the dwelling, the following provisions shall have effect as respects so much of the expenditure as represents the cost of the appliance, that is to say—
- (a) not more than seven-twentieths of that part of that expenditure shall be repaid until two years from the coming into operation of the order; and
 - (b) any further repayment of that part of that expenditure shall be made only if the appliance has not by then been removed from the dwelling and, if made, shall be made to the person who is the occupier of the dwelling at the end of the two years.
- (5) The approval of a local authority to the incurring of expenditure may be given for the purposes of this paragraph, if the authority think fit in the circumstances of any particular case, after the expenditure has been incurred.
- (6) This paragraph has effect subject to paragraph 4.

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Changes and effects yet to be applied to :

- Sch. 2 para. 1 omitted by [2024 asc 2 Sch. 1 para. 9\(a\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16(4A)(4B) inserted by [S.I. 2023/908 reg. 16](#)
- s. 19E-19H and cross-heading inserted by [2024 asc 2 s. 19\(2\)](#)
- s. 20(5D)-(5F) inserted by [2021 c. 30 Sch. 12 para. 10\(2\)](#)
- s. 21(4A)-(4D) inserted by [2021 c. 30 Sch. 12 para. 11\(2\)](#)
- s. 28B inserted by [2024 asc 2 s. 20](#)
- s. 63(2A) inserted by [2024 asc 2 Sch. 1 para. 20\(b\)](#)
- Sch. 1 para. 1A1B inserted by [2024 asc 2 Sch. 1 para. 21\(a\)](#)
- Sch. 1 para. 6B inserted by [2024 asc 2 Sch. 1 para. 21\(c\)](#)
- Sch. 1A para. 3(5) inserted by [2024 asc 2 Sch. 1 para. 4\(c\)](#)
- Sch. 1A para. 4(7) inserted by [2024 asc 2 Sch. 1 para. 5\(d\)](#)
- Sch. 5 para. 12A12B inserted by [2024 asc 2 Sch. 1 para. 22\(a\)](#)