

1982 No. 448 (S. 55)

CLEAN AIR

**The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order
1982**

<i>Made - - - -</i>	<i>18th March 1982</i>
<i>Laid before Parliament</i>	<i>7th April 1982</i>
<i>Coming into Operation</i>	<i>28th April 1982</i>

In exercise of the powers conferred on me by section 11(4) and (8) of the Clean Air Act 1956(a), and of all other powers enabling me in that behalf, and being satisfied that fireplaces of the classes described can be used for burning fuel other than authorised fuel without producing a substantial quantity of smoke, I hereby make the following order:—

Citation and commencement

1. This order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1982 and shall come into operation on 28th April 1982 and applies to Scotland only.

Interpretation

2. In this order:—

“fireplace” includes any furnace, grate or stove, whether open or closed; and

“the standard conditions” mean the conditions specified in article 4 of this order.

Classes of fireplace exempt from section 11 of the Clean Air Act 1956

3. In Scotland any class of fireplace numbered and described in column (1) of Schedule 1 hereto shall, upon the standard conditions and such further conditions (if any) as are specified in column (2) against that class, be exempted from the provisions of section 11 of the Clean Air Act 1956 (which enables local authorities to establish smoke control areas in which emission of smoke is an offence, but provides for the exemption of certain fireplaces).

4. The standard conditions shall be that the fireplace is installed, maintained and operated:—

(a) so as to minimise the emission of smoke at all times; and

(a) 1956 c. 52.

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- (b) in accordance with the manufacturer's instructions (if any) or, in the use of the class of fireplace numbered 5 in Schedule 1 hereto, in accordance with such instructions of the National Coal Board.

Revocations

5. The orders set out in Schedule 2 hereto are hereby revoked.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.
18th March 1982.

Article 3

SCHEDULE 1

Column 1 Class of Fireplace	Column 2 Conditions
<p>1. Any fireplace specially designed or adapted for combustion of liquid fuel.</p> <p>2. Any fireplace (other than a fireplace fired by pulverised fuel) constructed on or after 31 December 1956 and installed before 28th April 1982 and equipped with mechanical stokers, or adapted between those dates for use with such stokers.</p> <p>3. Any fireplace designed to burn coal (other than a fireplace fired by pulverised coal) with a heating capacity exceeding 150,000 British thermal units per hour constructed and installed on or after 31 December 1956 and equipped with mechanical stokers or adapted on or after that date for use with such stokers.</p>	<p>No fuel shall be used other than that for which the mechanical stoker was designed.</p>
<p>4. The fireplace known as the Fulgora Slow Combustion Stove, manufactured by Fulgora Stoves Limited.</p>	<p>No fuel shall be used other than wood waste in clean condition.</p>
<p>5. The fireplace known as the Housewarmer and manufactured for the National Coal Board formerly by Ideal Standard Limited and latterly by Stelrad Group Limited.</p>	<p>No fuel shall be used other than selected washed house coal (the singles size marketed under the name "Housewarm" by agreement with the National Coal Board).</p>
<p>6. The fireplace known as the Wood Chip Fired Air Heater manufactured formerly by Air Plants Limited and now by Air Plants (Sales) Limited.</p>	<p>No fuel shall be used other than clean wood waste of a size within the limits referred to in the manufacturer's instructions.</p>
<p>7. The fireplace known as the Hounsell Sawdust Burning Stove previously manufactured by John Hounsell (Engineers) Limited.</p>	<p>No fuel shall be used other than wood waste in clean condition.</p>
<p>8. The fireplace known as the Triancomatic T.80 and manufactured formerly by Trianco Limited and now by Trianco Red-fyre Limited.</p>	
<p>9. The fireplace known as the Rayburn CB34 and manufactured formerly by Glynwed Foundries Limited and now by Glynwed Appliances Limited.</p>	<p>No fuel shall be used other than selected washed coal singles marketed under the name "Housewarm" by agreement with the National Coal Board.</p>
<p>10. The fireplace known as the Parkray Coal-master and manufactured formerly by Radiation Parkray Limited and now by T.I. Parkray Limited.</p>	

Column 1 Class of Fireplace	Column 2 Conditions
<p>11. The fireplace known as the Trianco TGB17 and manufactured formerly by Trianco Limited and latterly by Trianco Redfyre Limited.</p> <p>12. The fireplace known as the Rayburn Prince 101 and manufactured formerly by Glynwed Foundries Limited and now by Glynwed Appliances Limited.</p> <p>13. The fireplace known formerly as the Rayburn Prince Model H and now known as the Rayburn Prince 301 and manufactured formerly by Glynwed Foundries Limited and now by Glynwed Appliances Limited.</p>	<p>No fuel shall be used other than selected washed coal singles marketed under the name "Housewarm" by agreement with the National Coal Board.</p>
<p>14. The fireplace known as the Rayburn Prince 76 and manufactured formerly by Glynwed Domestic and Heating Appliances Limited and now by Glynwed Appliances Limited.</p>	<p>No fuel shall be used other than selected washed coal doubles and trebles.</p>
<p>15. The fireplace known as the Riley Nihot Woodchip Fired Air Heater type NMO 11 manufactured formerly by Clarke Chapman Limited International Combustion Division-Riley Unit and now by NEI International Combustion Limited, Riley Equipment.</p>	<p>No fuel shall be used other than clean wood waste of a size within the limits of the manufacturer's specifications and containing not more than 5 per cent sander dust.</p>
<p>16. The fireplace known as the Spänex Wood Fired Air Heater (types UL50, UL75 and UL100 only) manufactured by Spänex Sander GmbH Co KG of Volpriehausen, Solling in the Federal Republic of Germany.</p>	<p>No fuel shall be used other than clean wood waste containing not more than 5 per cent sander dust and not more than 1 per cent plastic contamination.</p>
<p>17. The fireplace known as the Rayburn Coalglo C-30 and manufactured by Glynwed Appliances Limited.</p>	<p>No fuel shall be used other than selected washed coal doubles and trebles.</p>

Article 5

SCHEDULE 2

Column 1 Orders Revoked	Column 2 References
The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1970	S.I. 1970/1190
The Smoke Control Areas (Exempted Fireplaces;) (Scotland) (No 2) Order 1970	S.I. 1970/1762
The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1971	S.I. 1971/1281
The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1972	S.I. 1972/611
The Smoke Control Areas (Exempted Fireplaces) (Scotland) No 2 Order 1972	S.I. 1972/1005
The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1974	S.I. 1974/83
The Smoke Control Areas (Exempted Fireplaces) (Variation) (Scotland) Order 1974	S.I. 1974/1325
The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1975	S.I. 1975/1386
The Smoke Control Areas (Exempted Fireplaces) (Scotland) (No 2) Order 1975	S.I. 1975/1643
The Smoke Control Areas (Exempted Fireplaces) Scotland Order 1981	S.I. 1981/249

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 11 of the Clean Air Act 1956 empowers local authorities to declare the whole or any part of their district to be a smoke control area in which the emission of smoke is generally prohibited.

This Order consolidates with amendments the orders which exempt classes of fireplace from the provisions of that section upon conditions as to proper operation. This Order also exempts a class of fireplace known as the Rayburn Coalglø C-30 manufactured by Glynwed Appliances Limited from the provisions of Section 11 of the Act subject to certain conditions as to the method of operation to be followed and the type of fuel to be used.

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