
 STATUTORY INSTRUMENTS

1983 No. 1573 (S.147)

CLEAN AIR

**The Smoke Control Areas (Exempted Fireplaces) (Scotland)
Order 1983**

<i>Made - - - -</i>	17th October 1983
<i>Laid before Parliament</i>	1st November 1983
<i>Coming into Operation</i>	22nd November 1983

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, commencement and extent

1. This order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1983, and shall come into operation on 22nd November 1983 and applies to Scotland only.

Class of fireplace exempted from section 11 of the Clean Air Act 1956

2. The class of fireplace described in column (1) of Schedule 1 hereto shall, subject to the conditions 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).

Variation of conditions for classes of fireplace exempted from section 11 of the Clean Air Act 1956

3. For the conditions specified in column (2) of Schedule 1 to the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1982(b), being conditions upon which certain fireplaces are exempted from the provisions of section 11 of the Clean Air Act 1956, there shall be substituted—

(a) against the classes of fireplace numbered 5, 9, 10, 12 and 13 in column (1) of the said Schedule, the following:—

“No fuel shall be used other than washed coal singles of nominal size 12.5mm to 28.0mm as marketed by the National Coal Board.”, and

(b) against the classes of fireplace numbered 8 and 11 in column (1) of the said Schedule, the following:—

“No fuel shall be used other than either washed coal pearls of nominal size 6.0mm to 16.0mm, or washed coal singles of nominal size 12.5mm to 28.0mm, as marketed by the National Coal Board.”.

(a) 1956 c.52.

(b) S.I. 1982/448.

Variation of class of fireplace exempted from section 11 of the Clean Air Act 1956

4. For the class of fireplace numbered 17 in column (1) and for the condition specified against that class in column (2) of Schedule 1 to the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1982, there shall be substituted the class of fireplace described in column (1) and the condition specified in column (2) of Schedule 2 hereto.

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

New St Andrew's House,
Edinburgh.
17th October 1983.

Article 2

SCHEDULE 1

(1) Class of Fireplace	(2) Conditions
The fireplace known as the Trianco "Coal King" Boiler and manufactured by Trianco Redfyre Limited.	1. The fireplace shall be installed, maintained and operated so as to minimise the emission of smoke at all times, and in accordance with the manufacturer's instructions dated May 1983 and which— <ul style="list-style-type: none"> (a) in the case of the installation instructions bear the reference '47664', and (b) in the case of the user instructions bear the reference '47665'. 2. No fuel shall be used other than selected washed coal doubles.

SCHEDULE 2

Article 4

(1) Class of Fireplace	(2) Conditions
The fireplace known as the Rayburn Coalglo C-30 and manufactured, both as an inset model and as a free-standing model, by Glynwed Appliances Limited.	<ol style="list-style-type: none"> 1. The fireplace shall be installed, maintained, and operated so as to minimise the emission of smoke at all times, and in accordance with the manufacturer's instructions which— <ol style="list-style-type: none"> (a) in the case of the inset model, bear the date 1st September 1981 and the reference "Code 510", or (b) in the case of the free-standing model, bear the date 1st December 1982 and the reference "Code 510F". 2. No fuel shall be used other than selected washed coal doubles and trebles.

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—

- (a) exempts the Trianco "Coal King" Boiler manufactured by Trianco Redfyre Limited from the provisions of that section upon certain conditions as to proper operation;
- (b) varies the conditions on which a number of classes of fireplaces are exempted by Order from the provisions of section 11, with regard to the description of the fuel to be used to take account of a change in the method of marketing of fuel of the size specified; and
- (c) varies the description of one of the classes of fireplaces exempted by Order from the provisions of section 11 and the conditions applying thereto to clarify that the exemption applies to both the inset and free-standing models of the fireplace known as the Rayburn Coalglo C-30 manufactured by Glynwed Appliances Limited.

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