
STATUTORY INSTRUMENTS

1987 No. 383 (S. 33)

CLEAN AIR

**The Smoke Control Areas (Exempted
Fireplaces) (Scotland) Order 1987**

<i>Made</i>	- - - -	<i>27th February 1987</i>
<i>Laid before Parliament</i>		<i>17th March 1987</i>
<i>Coming into force</i>	- -	<i>14th April 1987</i>

The Secretary of State, in exercise of the powers conferred on him by section 11(4) of the Clean Air Act 1956((1)), and of all other powers enabling him 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, hereby makes the following Order:

Citation, commencement and extent

1. This Order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1987, and shall come into force on 14th April 1987 and applies to Scotland only.

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

2. The classes of fireplace described in column (1) of the schedule to this order 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 or classes of fireplace).

New St. Andrew's House,
Edinburgh
27th February 1987

Michael Ancram
Parliamentary Under Secretary of State, Scottish
Office

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SCHEDULE

Article 2

(1) Class of fireplace	(2) Conditions
The Triancomatic 60 boiler manufactured by Trianco Redfyre Limited.	<p>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 24th July 1985 and which—</p> <ul style="list-style-type: none"> (a) in the case of the installation instructions bear the reference “No. 45576”; and (b) in the case of the user instructions bear the reference “No. 45574”. <p>2. No fuel shall be used other than the washed coals recommended in the manufacturer’s user instructions: reference “No. 45574”.</p>
The Worcester Coalstream 17.5 kw underfeed stoker manufactured by Worcester Engineering Company Limited.	<p>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 1st August 1985 and which—</p> <ul style="list-style-type: none"> (a) in the case of the installation instructions bear the reference “No. ZKLIT 140”; and (b) in the case of the user instructions bear the reference “No. ZKLIT 139”. <p>2. No fuel shall be used other than the washed coals recommended in the manufacturer’s user instructions: reference “No. ZKLIT 139”.</p>
The Corsair 300HW, 500HW and 750HW boilers manufactured by Erithglen Limited.	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: reference “001 August 1985”.

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.

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This Order exempts the Triancomatic 60 boiler manufactured by Trianco Redfyre Limited, the Worcester Coalstream 17.5 kw underfeed stoker manufactured by Worcester Engineering Company Limited and the Corsair 300HW, 500HW and 750HW boilers manufactured by Erithglen Limited from the provisions of that section subject to certain conditions as to installation, maintenance and operation.