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 STATUTORY INSTRUMENTS
 

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**1990 No. 2457**

**CLEAN AIR**

**The Smoke Control Areas (Exempted Fireplaces) (No. 2)  
Order 1990**

<i>Made - - - -</i>	<i>4th December 1990</i>
<i>Laid before Parliament</i>	<i>10th December 1990</i>
<i>Coming into force</i>	<i>31st December 1990</i>

The Secretary of State for the Environment as respects England and Wales and the Secretary of State for Scotland as respects Scotland, in exercise of the powers conferred by section 11(4)(a) of the Clean Air Act 1956 (b), being satisfied that fireplaces of the classes described in the Schedule hereto can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke, hereby make the following Order:

**Title and commencement**

1. This Order may be cited as the Smoke Control Areas (Exempted Fireplaces) (No. 2) Order 1990 and shall come into force on 31st December 1990.

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

2. The classes of fireplace described in the Schedule shall, upon the conditions there specified, be exempted from the provisions of section 11 of the Clean Air Act 1956 (which empowers a local authority to declare the whole or any part of its district to be a smoke control area).

3rd December 1990

*Michael Heseltine*  
Secretary of State for the Environment

4th December 1990

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State,  
Scottish Office

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(a) See the definition of "the Minister" in section 34(1). The powers of the Minister as respects England and Wales are now vested in the Secretary of State by virtue of S.I. 1970/1681.  
(b) 1956 c.52.

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**SCHEDULE**


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<i>Class of fireplace</i>	<i>Conditions</i>
The Intrepid II woodstove manufactured by Vermont Castings, Inc.	<ol style="list-style-type: none"> <li>1. The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "AMENDED No. 20917C U.K. MAY 1990".</li> <li>2. No fuel shall be used other than 16" firewood that has been split, stacked and air-dried.</li> </ol>
The Spacewarmer B200 manufactured by Clearair Limited.	<ol style="list-style-type: none"> <li>1. The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "B200/DEC 83' ".</li> <li>2. No fuel shall be used other than hardwood or softwood offcuts, a mixture of offcuts (hardwood or softwood) and sawdust with no more than 50% of the mixture being sawdust, chipboard offcuts or plastic coated chipboard offcuts.</li> <li>3. The fireplace shall not be used to burn chipboard or plastic coated chipboard unless an afterburner, supplied by the manufacturer of the fireplace and capable of producing 50 megajoules of heat per hour, has been fitted to the fireplace.</li> </ol>
The Spacewarmer B500 manufactured by Clearair Limited.	<ol style="list-style-type: none"> <li>1. The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "B500/DEC 83' ".</li> <li>2. No fuel shall be used other than hardwood or softwood offcuts.</li> </ol>
The 'Turbo' Heat, models 1000 and 1200 manufactured by CBR Engineers Limited.	<ol style="list-style-type: none"> <li>1. The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "CBR 'TURBO' HEAT 1000 TO 1200 1990".</li> <li>2. No fuel shall be used other than hardwood or softwood offcuts, chipboard offcuts or plastic coated chipboard offcuts.</li> </ol>
The Talbott's Energy Saving Wood Waste Burning Automatic Warm Air Heaters, models T1.5/A, T3/A, T5/A and TM/A manufactured by Talbotts Heating Limited.	<ol style="list-style-type: none"> <li>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "T/A JANUARY 1990".</li> <li>2. No fuel shall be used other than hardwood or softwood shavings or sawdust.</li> </ol>

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**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. Specified classes of fireplace may be exempted from control by order.

This Order, which applies throughout Great Britain, exempts the classes of fireplace mentioned in the Schedule from the provisions of the section subject to conditions requiring compliance with the relevant manufacturer's instructions and subject to certain conditions as to installation, maintenance and operation.