
STATUTORY INSTRUMENTS

1991 No. 1282

CLEAN AIR

The Smoke Control Areas (Authorised Fuels) Regulations 1991

<i>Made</i>	- - - -	<i>30th May 1991</i>
<i>Laid before Parliament</i>		<i>6th June 1991</i>
<i>Coming into force</i>	- -	<i>1st July 1991</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 sections 11(2) and 34(1)(1) of the Clean Air Act 1956(2) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Smoke Control Areas (Authorised Fuels) Regulations 1991 and shall come into force on 1st July 1991.

Authorised fuels for the purposes of the Clean Air Act 1956

2. Anthracite, semi-anthracite, electricity, gas, low volatile steamcoals and the fuels described in Schedule 1 are declared to be authorised fuels for the purposes of the Clean Air Act 1956.

Revocations and savings

3.—(1) The Regulations listed in Schedule 2 are revoked.

(2) Fuel manufactured before 1st July 1991 which immediately before that date was authorised fuel for the purposes of the Clean Air Act 1956 shall continue to be authorised fuel for those purposes notwithstanding the revocation of the Regulations listed in Schedule 2.

30th May 1991

Michael Heseltine
Secretary of State for the Environment

(1) See the definition of "authorised fuel" and "the Minister" in section 34(1) of the Clean Air Act 1956. 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.
(2) 1956 c. 52.

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23rd May 1991

Michael Forsyth
Minister of State, Scottish Office

SCHEDULE 1

Regulation 2

AUTHORISED FUELS

1. Ancit 40 and Ancit 60 briquettes, manufactured by Coal Products Limited at Aberaman, Mid Glamorgan, which—
 - (a) comprise anthracite and coke breeze (as to approximately 75 per cent of the total weight) and coking coal (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving heat treatment, roll-pressing and further heat treatment at about 400°C;
 - (c) are unmarked cushion-shaped briquettes and have an average weight of 40 grammes (Ancit 40) or 60 grammes (Ancit 60); and
 - (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
2. Anthracine N20 briquettes, manufactured by Agglonord, Agglomération du Nord, at Oignies, France, which—
 - (a) comprise anthracite (as to approximately 95 per cent of the total weight) and starch as binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 150°C;
 - (c) are ovoids marked with one arrow and have an average weight of 20 grammes; and
 - (d) have a sulphur content not exceeding 0.8 per cent of the total weight.
3. Anthranor briquettes, manufactured by Agglonord, Agglomération du Nord, at Oignies, France, which—
 - (a) comprise anthracite (as to approximately 95 per cent of the total weight) and starch as binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 150°C;
 - (c) are cushion-shaped briquettes with rounded corners and have an average weight of 30 grammes; and
 - (d) have a sulphur content not exceeding 0.8 per cent of the total weight.
4. Antrex briquettes, manufactured by Agglonord, Agglomération du Nord, at Oignies, France, which—
 - (a) comprise anthracite;
 - (b) were manufactured from the anthracite by a process involving roll-pressing and heat treatment at about 180°C;
 - (c) are pillow-shaped ovoids with three small grooves on one side and have an average weight of 40 grammes; and
 - (d) have a sulphur content not exceeding 1 per cent of the total weight.
5. Centurion briquettes, manufactured by Greystone Heating Marketing Limited at Hamilton, Lanarkshire, which—
 - (a) comprise anthracite (as to approximately 90 per cent of the total weight) and molasses and phosphoric acid as binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 250°C;
 - (c) are unmarked ovoids and have an average weight of 35 grammes; and

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- (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
- 6. Clean Flame briquettes, manufactured by Taybrite Limited at Llanelli, Dyfed, which—
 - (a) comprise a blend of anthracite and semi-anthracite coal (as to approximately 94.5 per cent of the total weight) and hard grade bitumen binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 250°C;
 - (c) are unmarked pillow-shaped briquettes and have an average weight of 100 grammes; and
 - (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
- 7. Coalite manufactured by Coalite Products Limited at Bolsover, near Chesterfield, Derbyshire and at Grimethorpe, Yorkshire using a low temperature carbonisation process.
- 8. Coke manufactured by—
 - (a) Coal Products Limited at Avenue Coking and Chemical Works, Wingerworth, near Chesterfield, Derbyshire and sold as “Sunbrite” or “Beacon Beans”;
 - (b) Monckton Coke & Chemical Company Limited at Royston, near Barnsley, South Yorkshire and sold as “Sunbrite” or “Monckton Boiler Beans”;
 - (c) Association Cooperative Zelandaise de Carbonisation at Sluiskil, the Netherlands and sold as “Dutch (Sluiskil) Coke Doubles”.
- 9. Extracite briquettes, manufactured by Sophia-Jacoba Handelsgesellschaft mbH at Hückelhoven, Germany, which—
 - (a) comprise anthracite duff (as to approximately 95.5 per cent of the total weight) and ammonium lignosulphonate lye as binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 260°C;
 - (c) are cushion-shaped briquettes with a silvery appearance and are marked with the letters “S” and “J” and have an average weight of 40 grammes; and
 - (d) have a sulphur content of approximately 1.2 per cent of the total weight.
- 10. Fireglo briquettes, manufactured by Les Combustibles de Normandie at Caen, France, and by La Société Rouennaise de Defumage at Rouen, France, which—
 - (a) comprise washed Welsh duffs (as to approximately 92 per cent of the total weight) and coal pitch binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 330°C;
 - (c) are ovoids with three lines on one side and are smooth on the other side and have an average weight of 30 grammes; and
 - (d) have a sulphur content not exceeding 0.8 per cent of the total weight.
- 11. Flamelite pellets, manufactured by Alfred McAlpine Energy Limited at Rheola Works, Resolven, West Glamorgan, which—
 - (a) comprise pre-mixed anthracite duff and filter cake combined with a fixed proportion of starch-based binder;
 - (b) were manufactured from those constituents by a process involving extrusion and heat treatment at about 100°C;
 - (c) are unmarked pellets approximately 25mm in diameter and between 20mm and 35mm in length; and

- (d) have a sulphur content not exceeding 1 per cent of the total weight.
- 12.** Homefire briquettes, manufactured by Coal Products Limited at Coventry, Warwickshire, which—
- (a) comprise crushed bituminous coal;
 - (b) were manufactured from the coal by a process involving heat treatment at about 450°C and extrusion;
 - (c) are unmarked hexagonal briquettes and have an average weight of 200 grammes; and
 - (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
- 13.** Maxibrite briquettes, manufactured by Maxibrite Limited at Llantrisant, Mid Glamorgan, which—
- (a) comprise anthracite fines (as to approximately 99 per cent of the total weight) and bitumen as binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at between 270°C and 300°C;
 - (c) are cushion-shaped briquettes marked with the letter “M” and have an average weight of 35 grammes; and
 - (d) have a sulphur content of approximately 1 per cent of the total weight.
- 14.** New Taybrite briquettes, manufactured by Taybrite Limited at Llanelli, Dyfed, which—
- (a) comprise anthracite fines (as to approximately 94 per cent of the total weight) and bitumen as binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving agglomeration with steam, roll-pressing and heat treatment at about 280°C;
 - (c) are cushion-shaped briquettes imprinted with a flame motif and have an average weight of 47 grammes; and
 - (d) have a sulphur content of approximately 1 per cent of the total weight.
- 15.** Phurnacite briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, Humberside, which—
- (a) comprise anthracite duff (as to approximately 85 per cent of the total weight) and molasses and phosphoric acid as binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 300°C;
 - (c) are ovoid-shaped briquettes with two parallel indented lines running longitudinally around the briquette and have an average weight of 40 grammes; and
 - (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
- 16.** Pureheat ovoids, manufactured by Applied Industrial Materials Corporation (AIMCOR) at Rotterdam, the Netherlands, which—
- (a) comprise petroleum coke (as to 60 to 75 per cent of the total weight), bituminous coal (as to 10 to 20 per cent of the total weight), limestone (as to 6 to 10 per cent of the total weight) and a coal tar pitch binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing, carbonisation for 30 minutes at 550°C to 600°C and hardening in sand at about 500°C for a further 30 minutes;
 - (c) are ovoids with two indentations on one side and one indentation on the other side running parallel to the longest side and have an average weight of 90 grammes; and

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(d) have a sulphur content not exceeding 1.5 per cent of the total weight.

17. Sovereign briquettes, manufactured by the Monckton Coke & Chemical Company Limited at Royston, near Barnsley, South Yorkshire, which—

- (a) comprise anthracite (as to approximately 75 per cent of the total weight), coal and reactive coke (as to approximately 21 per cent of the total weight) and cold-setting resin binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving extrusion;
- (c) are unmarked hexagonal briquettes and have an average weight of 130 grammes; and
- (d) have a sulphur content not exceeding 2 per cent of the total weight.

18. Supertherm briquettes, manufactured by Thermac Fuels Limited at Shildon, County Durham, which—

- (a) comprise a blend (in the proportion of 19:1) of anthracite and medium volatile coal (as to approximately 93 per cent of the total weight) and cold-setting organic binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving roll-pressing;
- (c) are unmarked ovoids and have an average weight of 160 grammes; and
- (d) have a sulphur content not exceeding 1.5 per cent of the total weight.

19. Thermac briquettes, manufactured by Thermac Fuels Limited at Shildon, County Durham, which—

- (a) comprise anthracite (as to approximately 90 per cent of the total weight) and cold-setting organic binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving roll-pressing;
- (c) are unmarked pillow-shaped briquettes and have an average weight of 48 grammes; and
- (d) have a sulphur content not exceeding 1.5 per cent of the total weight.

20. Thermobrite briquettes and Thermaglow briquettes, manufactured by Volkseigener Betrieb Gaskombinat “Fritz Selbmann” Schwarze Pumpe at Lauchhammer, Germany, which—

- (a) comprise milled lignite;
- (b) were manufactured from the lignite by a process involving extrusion, drying and heat treatment at a temperature greater than 900°C;
- (c) are unmarked briquettes which are produced in three sizes: Thermobrite or Thermaglow Large, Thermobrite or Thermaglow Doubles and Thermobrite or Thermaglow Beans; and
- (d) have a sulphur content not exceeding 2 per cent of the total weight.

SCHEDULE 2

Regulation 3

REVOCATIONS

England and Wales

Regulations revoked	Reference
The Smoke Control Areas (Authorised Fuels) Regulations 1956	S.I. 1956/2023

Regulations revoked	Reference
The Smoke Control Areas (Authorised Fuels) Regulations 1963	S.I. 1963/1275
The Smoke Control Areas (Authorised Fuels) (No. 2) Regulations 1965	S.I. 1965/1951
The Smoke Control Areas (Authorised Fuels) Regulations 1969	S.I. 1969/1798
The Smoke Control Areas (Authorised Fuels) (No. 2) Regulations 1970	S.I. 1970/1545
The Smoke Control Areas (Authorised Fuels) Regulations 1971	S.I. 1971/1004
The Smoke Control Areas (Authorised Fuels) (No. 2) Regulations 1971	S.I. 1971/1199
The Smoke Control Areas (Authorised Fuels) (No. 3) Regulations 1971	S.I. 1971/1875
The Smoke Control Areas (Authorised Fuels) (No. 4) Regulations 1971	S.I. 1971/2135
The Smoke Control Areas (Authorised Fuels) Regulations 1978	S.I. 1978/99
The Smoke Control Areas (Authorised Fuels) Regulations 1981	S.I. 1981/192
The Smoke Control Areas (Authorised Fuels) Regulations 1982	S.I. 1982/639
The Smoke Control Areas (Authorised Fuels) Regulations 1985	S.I. 1985/1812
The Smoke Control Areas (Authorised Fuels) (No. 2) Regulations 1986	S.I. 1986/1480
The Smoke Control Areas (Authorised Fuels) (No. 2) Regulations 1987	S.I. 1987/2159
The Smoke Control Areas (Authorised Fuels) Regulations 1988	S.I. 1988/1607
The Smoke Control Areas (Authorised Fuels) Regulations 1990	S.I. 1990/319

Scotland

Regulations revoked	Reference
The Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 1982	S.I. 1982/449
The Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 1986	S.I. 1986/892
The Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 1988	S.I. 1988/1270

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EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 11 of the Clean Air Act 1956 makes the occupier of a building within a smoke control area guilty of an offence if smoke is emitted from the chimney of that building unless it can be proved that the emission of smoke was caused solely by the use of an authorised fuel. These Regulations revoke all previous authorised fuel Regulations and specify all fuels which are currently authorised fuels for the purposes of the 1956 Act. The specified fuels are authorised for use in any part of Great Britain. Although most of the fuels in these Regulations have previously been authorised fuels, there have been changes in the way in which the fuels are described in many cases. The descriptions reflect current manufacturing methods.

Ancit 40 and 60 briquettes, anthracite, electricity, Extracite briquettes, Flamelite pellets, gas, low volatile steam coals, Maxibrite and New Taybrite briquettes continue to be authorised for use in any part of Great Britain. Anthracine N20, Antrex, Fireglo, Sovereign, Thermac, Thermaglow and Thermobrite briquettes were only previously authorised for use in England and Wales but may now also be used in Scotland. Centurion briquettes and semi-anthracite were only previously authorised for use in Scotland but may now also be used in England and Wales.

Anthranor, Clean Flame, Phurnacite and Supertherm briquettes and Pureheat ovoids are authorised for use for the first time in any part of Great Britain.

Homefire briquettes, Sunbrite, Beacon Beans, Monckton Boiler Beans, Dutch (Sluiskil) Coke Doubles and Coalite are authorised for use in any part of Great Britain by name for the first time.

Fuel which was manufactured before 1st July 1991 and which was authorised by Regulations revoked by these Regulations may be used notwithstanding the revocation.