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STATUTORY INSTRUMENTS

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**1987 No. 1394**

**CLEAN AIR**

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

*Made* - - - - *5th August 1987*

*Laid before Parliament* *12th August 1987*

*Coming into force* - - *2nd September 1987*

The Secretary of State, in exercise of the powers conferred on him by sections 11(4) and 33(1)(1) of the Clean Air Act 1956(2), and now vested in him(3), and of all other powers enabling him in that behalf, being satisfied that fireplaces of the class 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 makes the following Order:

**Title, commencement and extent**

1.—(1) This Order may be cited as the Smoke Control Areas (Exempted Fireplaces) Order 1987 and shall come into force on 2nd September 1987.

(2) This Order shall extend to England and Wales.

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

2. The class of fireplace described in the Schedule to this Order 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).

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(1) See the definition of “Minister” in section 34(1).

(2) 1956 c. 52.

(3) S.I.1970/1681.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Article 2

Class of fireplace	Conditions
The Babcock Worsley Fluidised Bed Combuster manufactured by Babcock Worsley Limited.	<p><b>1.</b> 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 30th April 1986 and which bear the reference "No. C06/0016".</p> <p><b>2.</b> No fuel shall be used other than the waste derived fuel recommended in the manufacturer's instructions.</p> <p><b>3.</b> The fireplace shall be operated as a single unit with—</p> <ul style="list-style-type: none"> <li>(a) the Tollemache Drier manufactured by Newell Dunford Limited; and</li> <li>(b) the Venturi Scrubber manufactured by Air Pollution Control Limited.</li> </ul>

5th August 1987

*Nicholas Ridley*  
One of Her Majesty's Principal Secretaries of State

## 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 fireplaces may be exempted from control by order. This Order, which applies to England and Wales, exempts from the provisions of the section the Babcock Worsley Fluidised Bed Combuster manufactured by Babcock Worsley Limited subject to certain conditions as to installation, maintenance and operation.