

ENVIRONMENT & INFRASTRUCTURE

ENVIRONMENTAL PROTECTION

ROYAL BOROUGH OF KINGSTON UPON THAMES

Notice is hereby given that The Mayor, and Burgesses of the London Borough of Sutton (the Council), in the exercise of its powers under Part III of the Clean Air Act 1993 (the Act), as amended: -

(a) on 1st day of December 2022, made an Order entitled "the London Borough of Sutton Smoke Control Orders (Revocation) Order 2022" (the Revocation Order); and

(b) propose to make an order entitled "the London Borough of Sutton Smoke Control Order 2022" (the Proposed Order) declaring that the whole of the administrative area of the Council shall be a smoke control area for the purposes of the Act, subject to consideration by the Council of any objections, which are not withdrawn.

The effect of the Revocation Order is revoke all but one of the existing smoke control orders in operation in the administrative area of the Council set out in the First Schedule, subject to confirmation by the Secretary of State. If confirmed, it will remove all smoke controls for those parts of the Council's administrative area previously declared smoke control areas, except one.

If the Revocation Order is confirmed, with or without modification, it will not come into operation any earlier than six months from the date of confirmation.

The Proposed Order if made would declare the whole of the administrative area of the Council to be a smoke control area and revoke the order specified in the Second Schedule. The effect of this would be that if, on any day after the Proposed Order comes into operation: -

1. smoke is emitted from a chimney of any building or vessel moored within the administrative area of the Council, the occupier of that building, or moored vessel, is liable a civil financial penalty of between £175 and £300, subject to any objection on the grounds specified by Section 19A of, and Schedule 1A to the Act.

2. any person who: -

a. acquires any controlled solid fuel for use in a building or fireplace, other than an approved fireplace at the time of acquisition;

b. offers controlled solid fuel for sale by retail where the fuel is to be taken away by the purchaser

c. fails to take reasonable steps to notify potential purchasers that it is an offence to acquire controlled solid fuel for any of the uses in 2.a. above

d. sells any controlled solid fuel by retail for delivery to a building covered by the Proposed Order will be guilty of a criminal offence and liable on summary conviction to level 3 fine on the standard scale (£1,000) for the offences under 2.a., or an unlimited fine for the other offences in 2.b.-d., subject to the statutory defence set out in Section 19B(6) of the Act in the case of a 2.d. offence.

(Note: An "approved fireplace" means a fireplace of a type specified in a list published by the Secretary of State "controlled solid fuel" means any solid fuel other than an approved fuel. approved fuel" means a solid fuel specified in a list published by the Secretary of State.)

3. The order specified in the Second Schedule revoked by the Proposed Order will cease to have effect from the date the Proposed Order comes into operation.

If the Proposed Order is made, it will come into operation on the date specified in the order being not less than six months after it is made, or such later date as the Council may specify.

Copies of the Revocation Order and the Proposed Order may be inspected free of charge at the Civic Offices, St. Nicholas Way, Sutton SM1 1EA at all reasonable times during the period of eight weeks from 1st December. Alternatively, either may be viewed on the Council's Website: <https://sutton.citizenspace.com/++preview++/environment/consolidation-of-smoke-control-orders/>

Within that period any person who will be affected by the Revocation Order, or the Proposed Order, may object by notice in writing as follows:

Objections to the confirmation of the Revocation Order must be sent to the Secretary of State at: -

Air Quality and Industrial Emissions, DEFRA, Seacole Building, 2 Marsham Street, London SW1P 4DF; Air.Quality@defra.gov.uk.

Objections to the making of the Proposed Order must be sent to: - Pollution Control, Environmental Health, London Borough of Sutton, Civic Offices, St Nichols Way, Sutton. SM1 1EA; environmentalhealth@sutton.gov.uk.

FIRST SCHEDULE

Municipal Borough of Beddington and Wallington (No. 1) Smoke Control Order 1959

Municipal Borough of Beddington and Wallington (No. 2) Smoke Control Order 1961

Municipal Borough of Beddington and Wallington (No. 3) Smoke Control Order 1962

Municipal Borough of Beddington and Wallington (No. 4) Smoke Control Order 1963

Municipal Borough of Beddington and Wallington (No. 5) Smoke Control Order 1964

Carshalton Urban District Council (No. 1) Smoke Control Order 1960

Carshalton Urban District Council (No. 2) Smoke Control Order 1961

Carshalton Urban District Council (No. 3) Smoke Control Order 1962

Carshalton Urban District Council (No. 4) Smoke Control Order 1963

Carshalton Urban District Council (No. 5) Smoke Control Order 1964

Sutton and Cheam Borough Council (No. 1) Smoke Control Order 1963

Sutton and Cheam Borough Council (No. 2) Smoke Control Order 1963

Sutton and Cheam Borough Council (No. 3) Smoke Control Order 1964

London Borough of Sutton (No. 14) Smoke Control Order 1965

London Borough of Sutton (No. 15) Smoke Control Order 1966

London Borough of Sutton (No. 16) Smoke Control Order 1966

London Borough of Sutton (No. 17) Smoke Control Order 1967

London Borough of Sutton (No. 18) Smoke Control Order 1968

London Borough of Sutton (No. 19) Smoke Control Order 1968

London Borough of Sutton (No. 20) Smoke Control Order 1968

London Borough of Sutton (No. 21) Smoke Control Order 1969

London Borough of Sutton (No. 22) Smoke Control Order 1969

London Borough of Sutton (No. 23) Smoke Control Order 1971

London Borough of Sutton (No. 24) Smoke Control Order 1970

London Borough of Sutton (No. 25) Smoke Control Order 1971

London Borough of Sutton (No. 26) Smoke Control Order 1971

London Borough of Sutton (No. 27) Smoke Control Order 1972

London Borough of Sutton (No. 28) Smoke Control Order 1973

London Borough of Sutton (No. 29) Smoke Control Order 1973

London Borough of Sutton (No. 30) Smoke Control Order 1973

London Borough of Sutton (No. 31) Smoke Control Order 1974

London Borough of Sutton (No. 1) Smoke Control (Variation) Order 1974

Any other smoke control order made, pursuant to Section 11 of the Clean Air Act 1956, before 13th November 1980, by the Council, or the former Carshalton Urban District Council, or the Municipal Borough of Beddington and Wallington, or the Sutton and Cheam Borough Council.

SECOND SCHEDULE

London Borough of Sutton (No. 1) Smoke Control (Variation) Order 1983.

Dated this 1st day of December 2022.

D. Kingstone. Licensing and Environmental Compliance Team Leader.
(4227431)

ROYAL BOROUGH OF KINGSTON UPON THAMES

Notice is hereby given that The Mayor and Burgesses of the Royal Borough of Kingston upon Thames (the Council), in the exercise of its powers under Part III of the Clean Air Act 1993 (the Act), as amended: -

(a) on 1st day of December 2022, made an Order entitled "the Royal Borough of Kingston upon Thames Smoke Control Orders (Revocation) Order 2022" (the Revocation Order); and

(b) propose to make an order entitled "the Royal Borough of Kingston upon Thames Smoke Control Order 2022" (the Proposed Order) declaring that the whole of the administrative area of the Council shall be a smoke control area for the purposes of the Act, subject to consideration by the Council of any objections, which are not withdrawn.