

ENVIRONMENT & INFRASTRUCTURE

ENVIRONMENTAL PROTECTION

ROYAL BOROUGH OF KINGSTON UPON THAMES

CLEAN AIR

NOTICE OF REVOCATION OF SMOKE CONTROL ORDERS & PROPOSAL TO MAKE BOROUGH WIDE SMOKE CONTROL ORDER N

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 8th day of March 2023, made an Order entitled "the Royal Borough of Kingston upon Thames Smoke Control Orders (Revocation) Order 2023" (the Revocation Order); and

(b) propose to make an order entitled "the Royal Borough of Kingston upon Thames Smoke Control Order 2023" (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control area for the purposes of the Act, subject to consideration by the Council of any objections, which are not withdrawn.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 Revocation Order

The effect of the Revocation Order is revoke all existing smoke control orders in operation in the administrative area of the Council set out in the 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.

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

The Proposed Order if made by the Council would declare the whole of its administrative area to be a smoke control area. 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, will be 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 (currently, £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; and "approved fuel" means a solid fuel specified in a list published by the Secretary of State.) 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 Guildhall, High Street, Kingston upon Thames, KT1 1EU at all reasonable times during the period of six weeks from 16th March 2023.

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

Please ensure any objection quotes the title of the Revocation Order.

Objections to the making of the Proposed Order must be sent to: - Pollution Control, Environmental Health, Royal Borough Kingston Upon Thames, Guildhall 2, High Street, Kingston upon Thames KT1 1EU Pollution_control@kingston.gov.uk

Please ensure any objection quotes the title of the Proposed Order.

SCHEDULE

The Kingston upon Thames (No. 1) Smoke Control Order 1961

The Kingston upon Thames (No.1) (Amendment) Smoke Control Order 1962

The Kingston upon Thames (No. 2) Smoke Control Order 1961

The Kingston upon Thames (No. 3) Smoke Control Order 1962

The Kingston upon Thames (No. 4) Smoke Control Order 1963

The Kingston upon Thames (No. 5) Smoke Control Order 1964

The Kingston upon Thames (No. 6) Smoke Control Order 1965

The Kingston upon Thames (No. 6) Smoke Control (Variation) Order 1966

The Kingston upon Thames (No. 7) Smoke Control Order 1965

The Kingston upon Thames (No. 8) Smoke Control Order 1965

The Kingston upon Thames (No. 9) Smoke Control Order 1966

The Kingston upon Thames (No. 10) Smoke Control Order 1966

The Kingston upon Thames (No. 11) Smoke Control Order 1967

The Kingston upon Thames (No. 12) Smoke Control Order 1967

The Kingston upon Thames (No. 13) Smoke Control Order 1967

The Kingston upon Thames (No. 14) Smoke Control Order 1968

The Kingston upon Thames (No. 15) Smoke Control Order 1968

The Kingston upon Thames (No. 16) Smoke Control Order 1969

The Kingston upon Thames (No. 17) Smoke Control Order 1969

The Kingston upon Thames (No. 18) Smoke Control Order 1970

The Kingston upon Thames (No. 19) Smoke Control Order 1970

The Kingston upon Thames (No. 20) Smoke Control Order 1971

The Kingston upon Thames (No. 21) Smoke Control Order 1971

The Kingston upon Thames (No. 21) Smoke Control (Variation) Order 1972

The Kingston upon Thames (No. 22) Smoke Control Order 1972

The Kingston upon Thames (No. 23) Smoke Control Order 1973

The Kingston upon Thames (No. 24) Smoke Control Order 1974

The Kingston upon Thames (No. 25) Smoke Control Order 1975

The Kingston upon Thames (No. 26) Smoke Control Order 1976

The Kingston upon Thames (No. 27) Smoke Control Order 1978

Malden and Coombe No. 2 Smoke Control Order 1961

Malden and Coombe No. 3 Smoke Control Order 1962

Malden and Coombe No. 5 Smoke Control Order 1964

Malden and Coombe Norbiton Estate No. 1 Smoke Control Order 1963

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 Borough of Kingston upon Thames, or the Borough of Malden and Coombe, or the Borough of Surbiton.

Dated this 16th March 2023

D. Kingstone. Licensing and Environmental Compliance Team Leader.
(4307974)

LONDON BOROUGH OF SUTTON

CLEAN AIR

NOTICE OF REVOCATION OF SMOKE CONTROL ORDERS & PROPOSAL TO MAKE BOROUGH WIDE SMOKE CONTROL ORDER

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 8th day of March 2023, made an Order entitled "the London Borough of Sutton Smoke Control Orders (Revocation) Order 2023" (the Revocation Order); and

(b) propose to make an order entitled "the London Borough of Sutton Smoke Control Order 2023" (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 Revocation Order