

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 30th March 2023

D. Kingstone . Licensing and Environmental Compliance Team Leader. (4329054)

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control area for the purposes of the Act, subject to consideration by the Council of any objections, which are not withdrawn.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

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

The Proposed Order if made by the Council would declare the whole of its administrative area 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, 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.)

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 six weeks from 30th 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: - London Borough of Sutton, Civic Offices, St Nichols Way, Sutton. SM1 1EA environmentalhealth@sutton.gov.uk Please ensure any objection quotes the title of the Proposed Order.

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
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- 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 197
- 1 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