

Clean Air Act 1993 – Part III
Newcastle-under-Lyme Smoke Control (Revocation) Order 2024 &
The Newcastle-under-Lyme Borough Council (Whole Borough) Smoke Control Order 2024

Notice is hereby given that the Borough Council of Newcastle under Lyme (the Council), in the exercise of its powers under Part III of the Clean Air Act 1993 (the Act), as amended:

- (a) on the 10th October 2023, made an Order entitled, "the Borough of Newcastle under Lyme Smoke Control Orders (Revocation) Order 2023" (the Revocation Order);

And

- (b) on the 10th October 2023, made an Order entitled, "The Newcastle under Lyme Borough Smoke Control Order 2023" (the Proposed Smoke Control 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control area for the purposes of the Act, subject to consideration by the Council of any objections, which are not withdrawn.

1. The effect of the **Newcastle-under-Lyme Smoke Control (Revocation) Order 2024** is to revoke all existing smoke control orders in operation in the administrative area of the Council set out in the Schedule 1, 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.

2. The effect of **The Newcastle-under-Lyme Borough Council (Whole Borough) Smoke Control Order 2024**, if made, would declare the whole of the administrative area of the Council to be a smoke control area as set out in the Schedule 2, subject to confirmation by the Secretary of State.

The effect of this would be that if, on any day after the order comes into operation: -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 up to £300, subject to any objection on the grounds specified by Section 19A of, and Schedule 1A to the Act;

3. any person who: -

- acquires any controlled solid fuel for use in a building or fireplace, other than an approved fireplace at the time of acquisition;
- offers controlled solid fuel for sale by retail where the fuel is to be taken away by the purchaser;
- 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;
- 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. 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 Newcastle under Lyme Borough Council, Castle House, Barracks Road, Newcastle under Lyme. ST5 2BL at all reasonable times during the period of six weeks from 12th January 2024. Alternatively, either may be viewed on the Council's Website www.newcastle-staffs.gov.uk/smoke_control_order_consultation 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 proposed 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 or by email to Air.Quality@defra.gov.uk
- Objections to the making of the Proposed Order must be sent to: - Regulatory Services, Environmental Protection Team, Newcastle-under-Lyme Borough Council, Castle House, Newcastle under Lyme. ST5 2BL or by email to environmental_health@newcastle-staffs.gov.uk

Signed _____
Martin Hamilton - Chief Executive Date 12th January 2024

This order also contains the following:-

- Schedule 1 – Smoke Control Orders to be revoked
- Schedule 1a - Maps showing locations of smoke control areas to be revoked.
- Schedule 2 – Map of area to be included within a Smoke Control Order

Schedule 1 – Smoke Control Orders to be Revoked via the Newcastle-under-Lyme Smoke Control (Revocation) Order 2023



NEWCASTLE-UNDER-LYME
BOROUGH COUNCIL

Newcastle under Lyme Borough Council

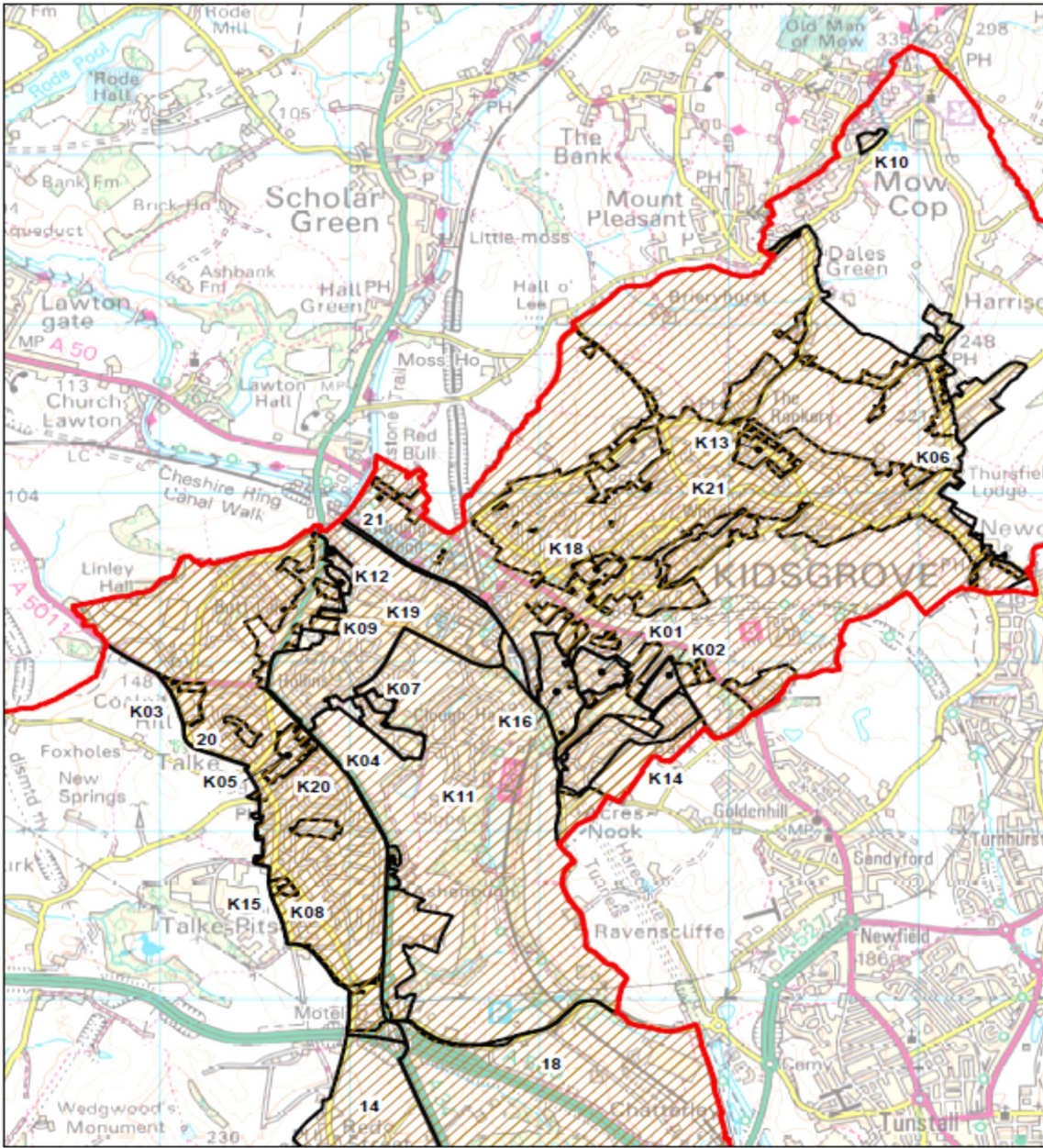
Smoke Control Area Orders in force (Refer to schedule 1a for locations)

Order Name	Date Made	Effective from	Legislation	London Gazette Link
The Westlands (No. 1) Newcastle-under-Lyme (Area No. 1) Smoke Control Order, 1960	14th June 1960	six weeks from 29th July 1960	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/42105/page/5243
The Westlands and Clayton Newcastle-under-Lyme (Area No. 2) Smoke Control Order, 1962	2nd April 1962	six weeks from 17th day of April 1962	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/42651/page/3200
The Westlands and Clayton Newcastle-under-Lyme (Area No. 3) Smoke Control Order, 1963	7th January 1963	December 1st 1963	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/42901/page/723/data.pdf
The Westlands Newcastle-under-Lyme (Area No. 4) Smoke Control Order, 1964	20th March 1964	1st July 1965	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/43291/supplement/3018
The Newcastle-under-Lyme (Area No. 5) Smoke Control Order, 1965	25th May 1965	1st July 1965	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/43677/page/5540
The Knutton, Newcastle-under-Lyme (Area No. 6) Smoke Control Order, 1966	1st March 1966	1st July 1967	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/43924/page/2862
The Newcastle-under-Lyme (Area No. 7) Smoke Control Order, 1967	16th August 1967	1st July 1968	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/44396/page/9507
The Newcastle-under-Lyme (Area No. 8) Smoke Control Order, 1968	13th November 1968	1st September 1969	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/44719/page/12416
The Newcastle-under-Lyme (Area No. 9) Smoke Control Order 1971	5th November 1971	1st December 1971	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/45524/page/12667
The Newcastle-under-Lyme (Area No. 9) Smoke Control Order, 1971	5th November 1971	31st December 1973	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/45530/page/12942
The Newcastle-under-Lyme (Area No. 9A) Smoke Control Order, 1975	23rd January 1975	6 weeks from the 7th February 1975	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/46486/page/1776
The Newcastle-under-Lyme (Newcastle No. IQ Area) Smoke Control Order, 1977	11th November 1977	6 weeks from 28th November 1977	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/47383/supplement/14519

The Newcastle-under-Lyme (Area No. 11) Smoke Control Order 1979	8th June 1979	6 weeks from 28th June 1979.	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/47885/page/7803
The Newcastle-Under-Lyme (Area No. 12) Smoke Control Order 1981	23rd July 1981	6 weeks from 3rd August 1981.	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/48707/page/10466
The Newcastle-under-Lyme (Area No. 13) Smoke Control Order 1983	17th January 1983	6 weeks from 31st January 1983.	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/49243/page/983
Newcastle-under-Lyme (Area No. 14) Smoke Control Order 1984	24th October 1984.	1st April 1985	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/49906/page/14351
The Newcastle-under-Lyme (Area No. 15) Smoke Control Order 1985	22nd October 1984	6 weeks from 9th November 1984	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/49916/page/14823
The Newcastle under Lyme (Area No 16) Smoke Control order 1985	1st October 1985	6 weeks from 16th October 1985	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/50282/page/13970
The Newcastle-under-Lyme (Area No. 17) Smoke Control Order 1987	13th October 1986	6 weeks from 23rd October 1986	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/50724/page/15022
The Newcastle-wider-Lyme (Area No. 18) Smoke Control Order 1989	11th November 1988	6 weeks from 24th November 1988	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/51533/page/12895
The Newcastle-under-Lyme (Area No. 19) Smoke Control Order 1993	19th April 1993	6 weeks from 29th April 1993	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/53287/page/7390
The Newcastle-under-Lyme (Kidsgrove Area No. 19) Smoke Control Order 1977	13th January 1978	6 weeks from the 2nd February 1978.	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/47448/page/1032
The Newcastle-under-Lyme (Area No. 19) Smoke Control Order 1992	22nd January 1992.	6 weeks from 30th January 1992	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/52818/page/1475
The Kidsgrove (Area No. 20) Smoke Control Order 1993	19th April 1993.	6 weeks from 29th April 1993	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/53287/page/7389
The Newcastle-under-Lyme (Kidsgrove Area No. 20) Smoke Control Order 1992	22nd January 1992.	6 weeks from 30th January 1992.	Section 11 of the Clean Air Act, 1956	https://www.thegazette.co.uk/London/issue/52818/page/1474
The Kidsgrove (Area No. 21) Smoke Control Order 1994	18th April 1994	6 weeks from 27th April 1994	Section 18 of the Clean Air Act, 1993	https://www.thegazette.co.uk/London/issue/53655/page/6243

- Schedule 1a - Maps showing locations of smoke control areas to be revoked.

Smoke Control Areas

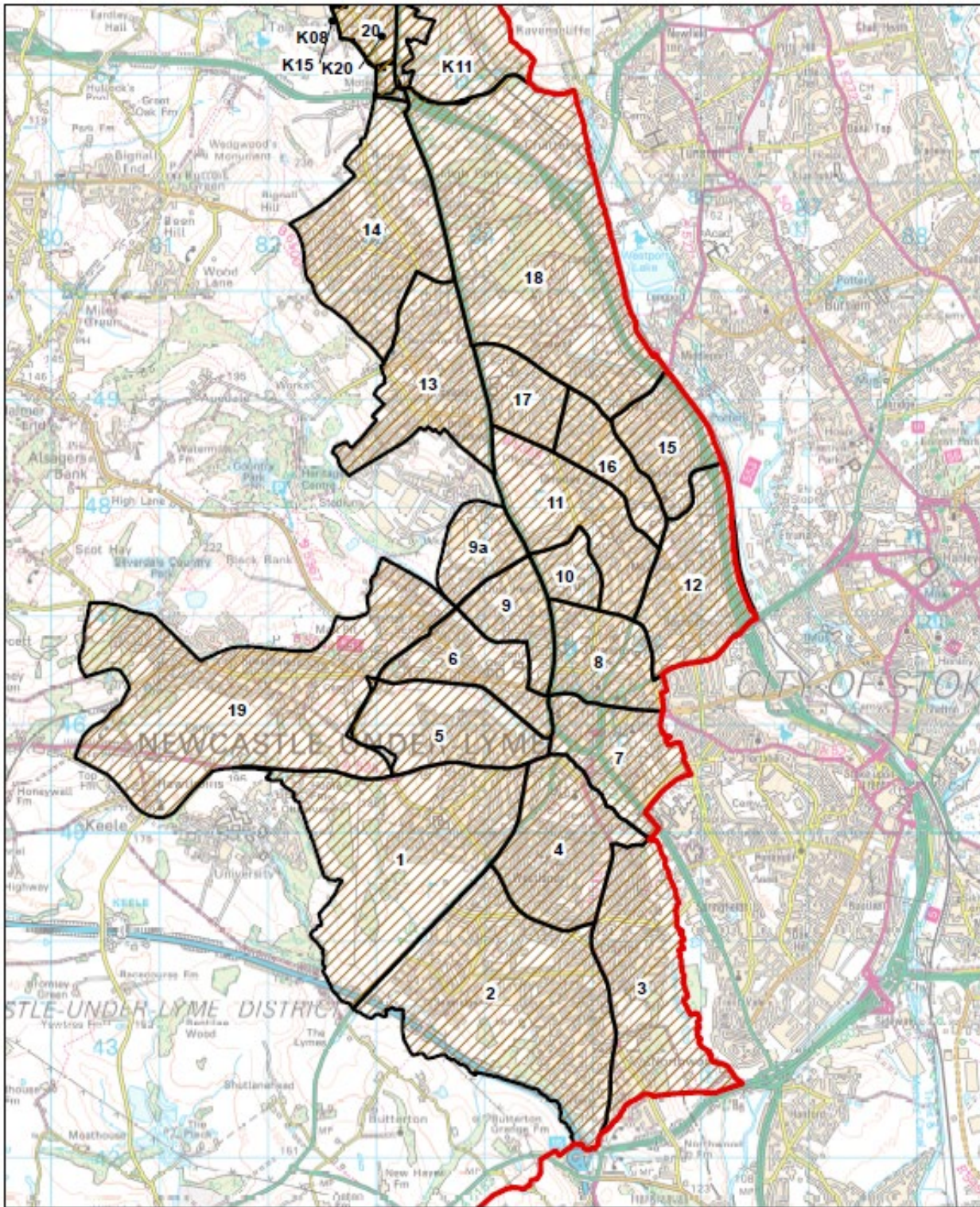


Legend



- Local Authority Boundary
- Smoke_Zone_edits

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Smoke Control Areas

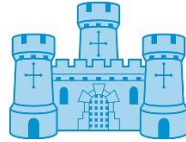


Legend

-  Local Authority Boundary
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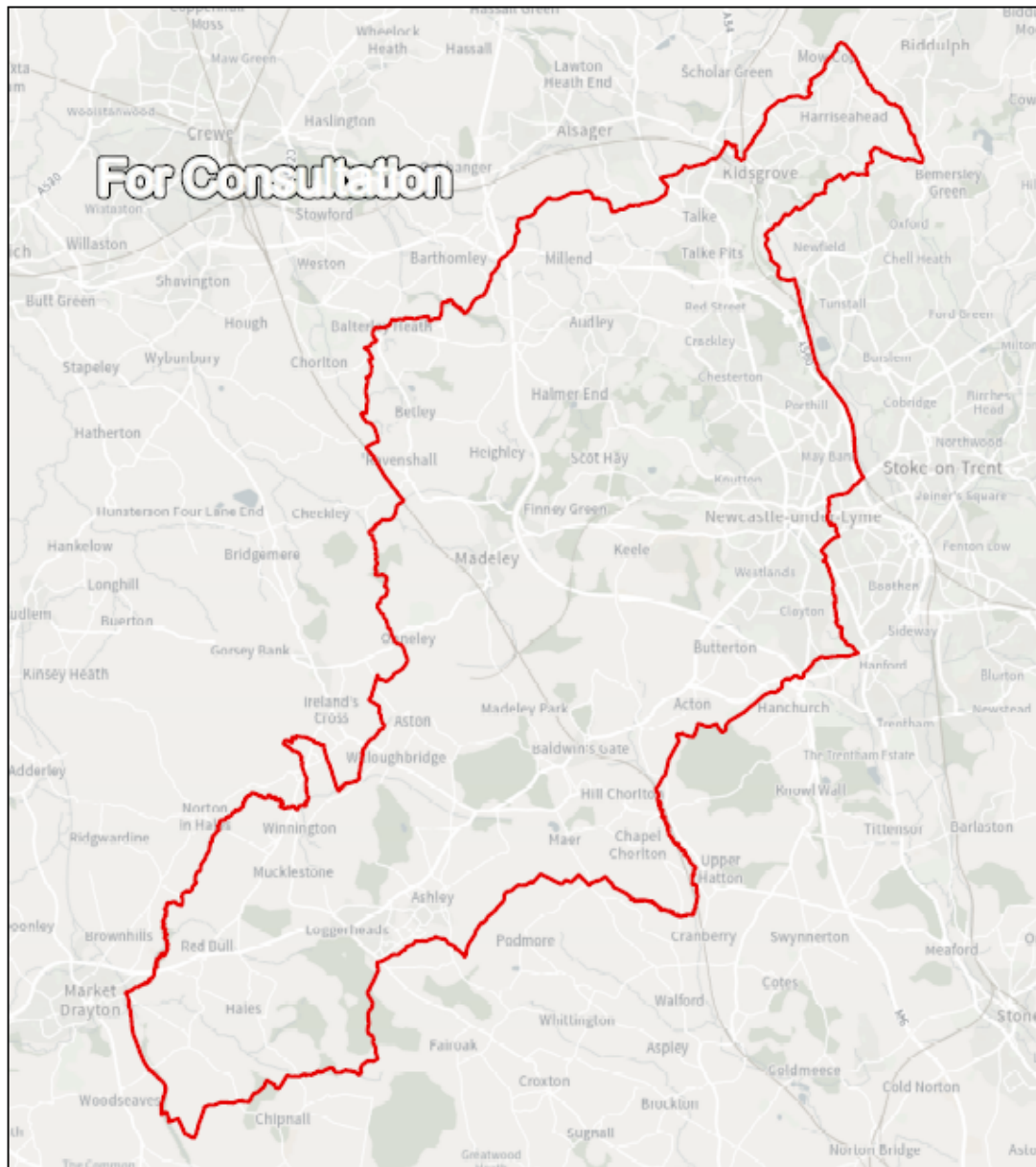
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Schedule 2 –
Area proposed to be included in the Newcastle under Lyme smoke control order 2023

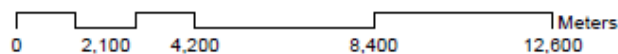


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Clean Air Act 1993.
Newcastle under Lyme Number 1 Smoke Control Order
xxxxxxx 2023.



Proposed smoke control area delineated in red - this also applies to moored vessels on the canal network within the Borough



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