
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 58

CLEAN AIR

**The Smoke Control Areas (Exempted
Fireplaces) (Scotland) Order 1999**

Made - - - - - *10th September 1999*
Laid before the Scottish
Parliament - - - - - *10th September 1999*
Coming into force - - - - - *1st October 1999*

The Scottish Ministers, in exercise of the powers conferred upon them by section 21 of the Clean Air Act 1993⁽¹⁾ and of all other powers enabling them in that behalf, being satisfied that the classes of fireplace exempted by this Order can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1999 and shall come into force on 8th October 1999.

Classes of fireplace exempted from section 20 of the Clean Air Act 1993

2. The classes of fireplace described in the first column of the Schedule to this Order shall, upon the conditions specified in the corresponding entry in the second column of that Schedule, be exempted from the provisions of section 20 of the Clean Air Act 1993 (which prohibits smoke emissions in smoke control areas).

Amendment of earlier Order

3. In the Schedule to the Smoke Control Areas (Exempted Fireplaces) Order 1996⁽²⁾ in the entry relating to the Dovre woodstove fireplaces, for the description “The Dovre woodstove models 500G and 700G manufactured by Dovre Castings Limited” there shall be substituted “The Dovre woodstove models 500CBW and 700CBW manufactured by Dovre Castings Limited, including those models when referred to by their former reference numbers, 500G and 700g respectively”.

(1) 1993 c. 11. The functions of the Secretary of State under section 21 were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
(2) S.I.1996/1108.

Status: This is the original version (as it was originally made).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

St Andrew's House,
Edinburgh
10th September 1999

SARAH BOYACK
A member of the Scottish Executive

SCHEDULE

Article 2

| <i>Class of fireplace</i> | <i>Conditions</i> |
|--|--|
| The Dunsley Yorkshire Stove manufactured by Dunsley Heat Limited. | <ol style="list-style-type: none">1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 5th August 1998 and bearing the reference "A/22160".2. No fuel shall be used other than—<ol style="list-style-type: none">(a) untreated dry wood;(b) peat or peat briquettes with, in either case, less than 25 per cent moisture;(c) Union Coal Briketts, manufactured by Rheinbraun AG of Germany and comprising lignite compressed into briquettes of approximately 15 centimetres in length with square ends and with a sulphur content not exceeding 1 per cent of the total weight;(d) CPL Wildfire, manufactured by Coal Products Limited, Coventry, which comprise bituminous coal with a volatile content of 32 per cent to 36 per cent (as to approximately 96 per cent of the total weight) and a cold cure resin binder (as to the remaining weight); are manufactured from those constituents by a process involving roll-pressing; have an average weight of between 80 and 90 grammes or between 160 and 170 grammes; and have a sulphur content not exceeding 1.8 per cent of the total weight. |
| The I.D.L, M and H incinerators, manufactured by the Incinerator Doctor. | <ol style="list-style-type: none">1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated February 1999 and bearing the reference "I.D.E.I."2. No fuel shall be used other than paper, cardboard, untreated dry wood, foliage, floor sweepings, and other waste containing no more than 20 per cent by weight of restaurant and cafeteria waste and less than 5 per cent by weight of coated paper, plastic or rubber waste. |
| The Osier wood burning stove, manufactured by Reinhart von Zschock. | <ol style="list-style-type: none">1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 30th September 1997 and bearing the reference "CSC/OS/001". |

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

| <i>Class of fireplace</i> | <i>Conditions</i> |
|--|--|
| The Trash X incinerator, models TX25, TX35, TX50, TX35L and TX50L, manufactured by Roscoe Fabrications Limited. | <p>2. No fuel shall be used other than untreated dry wood.</p> <p>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated 1998 and bearing the reference “TX/1998”.</p> <p>2. No fuel shall be used other than paper, card, untreated dry wood and cotton waste.</p> |
| The Wood Stone Ovens, models WS-MS-4-W (Mt. Chuckanut), WS-MS-5-W (Mt. Adams), WS-MS-6-W (Mt. Baker) and WS-MS-7-W (Mt. Rainier), manufactured by the Wood Stone Corporation, USA. | <p>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated 8th September 1998 and bearing the reference “BPWS version 1”.</p> <p>2. No fuel shall be used other than untreated dry wood.</p> |

EXPLANATORY NOTE

(This note is not part of the Order)

Section 20 of the Clean Air Act 1993 generally prohibits the emission of smoke in smoke control areas. The Scottish Ministers may by order made under section 21 of the Act exempt specified classes of fireplace from the provisions of section 20 if they are satisfied that fireplaces can be used for burning fuel (other than authorised fuels) without producing any smoke or a substantial quantity of smoke.

Article 2 of this Order exempts the classes of fireplaces listed in the first column of the Schedule to the Order from the provisions of section 20, subject to the conditions listed in the second column of that Schedule. Article 3 amends an earlier order under section 21 to take account of a change in the reference numbers of exempted fireplaces manufactured by Dovre Castings Limited.