



Clean Air Act 1993

1993 CHAPTER 11

PART III

SMOKE CONTROL AREAS

Adaptation of fireplaces

[^{F1}26A Duty of local authority to reimburse for adaptations of vessels in England

- (1) This section applies where—
 - (a) a local authority in England makes a smoke control order,
 - (b) as a result of the order a vessel will, when the order comes into operation, be within a smoke control area and subject to the operation of Schedule 1A,
 - (c) the owner or occupier of the vessel has a right to moor the vessel at a single mooring place within that area for the period which—
 - (i) begins on the day on which the smoke control order is made, and
 - (ii) ends six months after it comes into operation, and
 - (d) the owner or occupier does not have access to a mains electricity or gas supply at the mooring place.
- (2) If—
 - (a) before the coming into operation of the order, the owner or occupier incurs expenditure on adaptations to or in connection with the vessel to avoid the imposition of a penalty under Schedule 1A,
 - (b) the expenditure is incurred with the approval of the local authority given for the purpose of this section, and
 - (c) the adaptations are completed to the satisfaction of the local authority,the authority must pay to the owner or occupier of the vessel 70% of the expenditure.
- (3) That amount must be paid in equal instalments every month for a period of six months.
- (4) But the duty to pay instalments under this section ceases if, at any time after the coming into operation of the smoke control order—

Changes to legislation: Clean Air Act 1993, Section 26A is up to date with all changes known to be in force on or before 20 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (a) the owner or occupier of the vessel ceases to have the right to moor the vessel at the single mooring place mentioned in subsection (1)(c), or
- (b) the vessel is absent from the smoke control area for a period of, or periods together totalling, three months.]

Textual Amendments

F1 S. 26A inserted (E.W.) (1.5.2022) by [Environment Act 2021 \(c. 30\)](#), s. 147(3), **Sch. 12 para. 5** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16(4A)(4B) inserted by [S.I. 2023/908 reg. 16](#)
- s. 19E-19H and cross-heading inserted by [2024 asc 2 s. 19\(2\)](#)
- s. 20(5D)-(5F) inserted by [2021 c. 30 Sch. 12 para. 10\(2\)](#)
- s. 21(4A)-(4D) inserted by [2021 c. 30 Sch. 12 para. 11\(2\)](#)
- s. 28B inserted by [2024 asc 2 s. 20](#)
- s. 63(2A) inserted by [2024 asc 2 Sch. 1 para. 20\(b\)](#)
- Sch. 1 para. 1A1B inserted by [2024 asc 2 Sch. 1 para. 21\(a\)](#)
- Sch. 1 para. 6B inserted by [2024 asc 2 Sch. 1 para. 21\(c\)](#)
- Sch. 1A para. 3(5) inserted by [2024 asc 2 Sch. 1 para. 4\(c\)](#)
- Sch. 1A para. 4(7) inserted by [2024 asc 2 Sch. 1 para. 5\(d\)](#)
- Sch. 5 para. 12A12B inserted by [2024 asc 2 Sch. 1 para. 22\(a\)](#)