STATUTORY INSTRUMENTS

# 2015 No. 307

# CLEAN AIR, ENGLAND

## The Smoke Control Areas (Exempted Fireplaces) (England) Order 2015

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| *Made - - - -* | *16th February 2015* |
| *Laid before Parliament* | *19th February 2015* |
| *Coming into force - -* | *6th April 2015* |

The Secretary of State makes the following Order in exercise of the powers conferred by section 21 of the Clean Air Act 1993(**1**).

The Secretary of State is satisfied that the fireplaces exempted by this Order can be used for burning fuel other than authorised fuels(**2**) without producing any smoke or a substantial quantity of smoke.

### Citation, application and commencement

**1.** This Order—

(a) may be cited as the Smoke Control Areas (Exempted Fireplaces) (England) Order 2015;

(b) applies in England; and

(c) comes into force on 6th April 2015.

### Fireplaces exempted from the provisions of section 20 of the Clean Air Act 1993

**2.** The fireplaces listed in Schedule 1 are exempt from the provisions of section 20 of the Clean Air Act 1993 (prohibition on emission of smoke in smoke control area), subject to the conditions listed in that Schedule.

### Revocations

**3.**—(1) The Orders listed in Part 1 of Schedule 2 are revoked.

(2) The Orders listed in Part 2 of Schedule 2 are revoked in relation to England.

(**1**) 1993 c. 11.

(**2**) Fuels declared by the Secretary of State to be authorised fuels for the purposes of Part 3 of the Clean Air Act 1993 under section 20(6) of that Act are specified in S.I. 2014/2366 .

*Dan Rogerson*
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

16th February 2015

## SCHEDULE 1

Article 2

### Exempted Fireplaces

| *Fireplace* | *Conditions* | |
|---|---|---|
| | The fireplace must be installed, maintained and operated in accordance with the following specifications: | Permitted fuels (other than authorised fuels): |
| Any fireplace (other than a fireplace fired by pulverised fuel) constructed on or after 31st December 1956 and installed before 1st May 1970 and equipped with mechanical stokers, or adapted between those dates for use with such stokers | The manufacturer's instructions as to operation (if any) | The fuel for which the mechanical stoker was designed |
| Any fireplace designed to burn coal (other than a fireplace fired by pulverised coal) with a heating capacity exceeding 150,000 British thermal units per hour constructed and installed on or after 31st December 1956 and equipped with mechanical stokers or adapted on or after that date for use with such stokers | The manufacturer's instructions as to operation (if any) | The fuel for which the mechanical stoker was designed |
| Any fireplace specially designed or adapted for combustion of liquid fuel | The manufacturer's instructions as to operation (if any) | The liquid fuel for which the fireplace was designed or adapted |
| 100SE Smoke Exempt Woodburning Stove manufactured by ESSE Engineering Limited, Long Ing, Barnoldswick, Lancashire, BB18 6BN | The manufacturer's instruction manual dated February 2009, reference: 100SE Issue 1.<br><br>A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 50% open position. | Untreated dry wood with a maximum moisture content of 20% maximum length of 200 mm and maximum width or diameter of 120 mm |
| 18i and 60i stoves manufactured by Jetmaster Fires Limited, Unit 2 Peacock Trading Estate, Goodwood Road, Eastleigh, Hampshire, SO50 4NT | Installation and use instruction manual dated February 2010, reference: Part No 106870 Issue No. 1. | Wood logs[(1)] |

**(1)** The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.

(**1**)

| *Fireplace* | *Conditions* | |
|---|---|---|
| | Supplementary instruction manual dated May 2010, reference: Part No 106872 Issue No. 1.<br><br>The appliance must be fitted with a mechanical stop to prevent closure of the air control beyond the 40% open position. | |
| Aarrow I Series 400 wood-burning inset roomheater and 400 T F wood-burning stove manufactured by Arada Limited, The Fireworks, Weycroft Avenue, Axminster, Devon, EX13 5HU | Operating and Installation Manual dated July 2014, reference: Part No. AFS 1589de.<br><br>The appliance must be fitted with a mechanical stop to prevent air control lever closure beyond the 10 mm open position. | Wood logs[(1)] |
| Aarrow I Series 500 wood-burning inset roomheater manufactured by Arada Limited, The Fireworks, Weycroft Avenue, Axminster, Devon, EX13 5HU | Operating and Installation Manual dated July 2014, reference: Part No. AFS 1789de.<br><br>The appliance must be fitted with a mechanical stop to prevent air control lever closure beyond the 9 mm open position. | Wood logs[(1)] |
| Aarrow I Series 600 wood-burning inset roomheater manufactured by Arada Limited, The Fireworks, Weycroft Avenue, Axminster, Devon, EX13 5HU | Operating and Installation Manual dated July 2014, reference: Part No. AFS 1789de.<br><br>The appliance must be fitted with a mechanical stop to prevent air control lever closure beyond the 9 mm open position. | Wood logs[(1)] |
| Aarrow I Series 750 wood-burning inset roomheater manufactured by Arada Limited, The Fireworks, Weycroft Avenue, Axminster, Devon, EX13 5HU | Operating and Installation Manual dated July 2014, reference: Part No. AFS 1789de.<br><br>The appliance must be fitted with a mechanical stop to prevent air control lever closure beyond the 7 mm open position. | Wood logs[(1)] |

**(1)** The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.

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| *Fireplace* | *Conditions* | |
|---|---|---|
| Aarrow Signature 5 SC, Aarrow Ecoburn 5 SC, Hamlet Solution 5 SC and Villager Espirit 5 SC Stoves manufactured by Arada Limited, The Fireworks, Weycroft Avenue, Axminster, Devon, EX13 5HU | Instruction manual dated April 2010, reference: Rev 02.<br><br>The appliance must be fitted with a mechanical stop to prevent closure of the air control beyond 20 mm from the closed position and 50 mm beyond the fully open position. | Wood logs[(1)] |
| Acquisitions Bloomsbury 5 kW stove manufactured by Esse Engineering Limited, Ouzedale Foundry, Long Ing, Barnoldswick, Lancashire, BB18 6BN | Instruction manual dated January 2012, reference: 01/12 (PP).<br><br>The fitting of a system to prevent closure of the air controls beyond the 50% open position must be implemented | Wood logs[(1)] |
| Acquisitions Bloomsbury SE 8kW Smoke Exempt multi-fuel stove manufactured by Esse Engineering Ltd, Ouzledale Foundry, Long Ing, Barnoldswick, Lancashire, BB18 6BN | Instruction manual dated 31st January 2014, reference: AB-8kW-I05-310114 | Wood logs[(1)] |
| Acquisitions Cannonbury 4 and 5 manufactured by Esse Engineering Limited, The Ouzledale Foundry, Long Ing, Barnoldswick, Lancashire, BB18 6BN | Installation and Operating Instruction manual dated 9th November 2010, reference: v71 of 09/11/2010. | Wood logs[(1)] |
| ACR Astwood Multifuel Stove AW1MF manufactured by ACR Heat Products Ltd, Unit 1 Weston Works, Weston Lane, Tyseley, Birmingham, B11 3RP | Instruction manual dated 28th January 2013, reference: AW1MF0101 Version 3.<br><br>A mechanical stop to prevent closure of the secondary air control lever beyond 12 mm open position must be implemented. | Wood logs[(1)] |
| Aduro 3D, 8D, 10D, 11D and Asgård 1D, 2D and 7D wood burning stoves manufactured | Instruction manual dated June 2011, reference: Pevex1001/AH/ver1. | Dry wood logs[(1)] |

**(1)** The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.

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