**Email sent to officers in the Noise and Pollution Control Team in 2018 after re-declaration of Leicester City as a SCA:**

**Subject:** Smoke control area enquiries

Following publicity of the re-declaration of the smoke control area in Leicester on 1 June 2018, we may receive an increase in queries about what it means and how it will affect Leicester residents/businesses.

The following points will answer most questions that we may receive:

* Nothing changes/has changed on 1 June 2018, the whole of Leicester has been a smoke control area since 1975
* Due to an upward trend in solid fuel burning and use of wood-burning appliances, Leicester City Council decided to raise awareness of the smoke control area in Leicester by re-declaring it under a new smoke control order
* Smoke control areas have got nothing to do with garden bonfires – they concern exclusively smoke emitted from the chimney/stack/flue of any building within the designated ‘area’
* The offence is visible smoke.  So if you can burn a fuel in a wood-burner or open fire without generating smoke you are not committing an offence in the smoke control area.  This is unlikely however as most fuels generate smoke
* It is a defence in a smoke control area if demonstrated that only an ‘authorised smokeless fuel’ is being used or if burning was being conducted in an ‘exempt appliance’.  Authorised fuels and exempt appliances should not generate smoke
* Starting a fire from cold will always generate some smoke.  Therefore a short period of grace is acceptable as long as the smoke isn’t dark smoke
* Exempt appliances can only be classed as exempt if they are: installed, maintained and operated in accordance with the original operating instruction manual (for which they received the exemption).  This will include the type of fuels you can burn (there are many exempt appliances so people will need to get the right device for the type of fuel they wish to burn)

If inquirers currently burn logs/coal in an open fire the advice is:

* They must stop
* Purchase only authorised smokeless fuel
* Buy an exempt appliance for the type of fuel they want to burn

If inquirers currently burn in a wood-burning appliance the advice is:

* Check to see if the appliance is on the exempt appliance list, then only burn a fuel for which the device is exempt
* If the device is not on the exempt appliance list, only burn an authorised smokeless fuel
* Replace the device for an exempt appliance for the type of fuel the resident/business intends to burn

Burning this way is often carried out to either heat a room/premises or dispose of waste material.  It is important that an exempt appliance is bought for this purpose

If inquirers are thinking about buying a wood-burner or opening out a fireplace the advice is:

* Wood-burning appliances are far more efficient than open fires and direct more of the heat generated into the premises instead of up a stack and out of a chimney.  Inquirers should be directed to the exempt appliance list
* Residents keen on burning in an open fire must only burn authorised smokeless fuels.  These fuels generate less heat than inherently smoky fuels.  Burning in open fires should therefore be discouraged in a smoke control area

Allowing smoke to emit from the chimney of a building is the offence.  Perpetrators of a smoke offence could expect a fine of up to level 3 (£1000) on the standard scale (for each offence caused)

Inquirers should be directed to the Government web pages on smoke control areas for the list of authorised fuels and exempt appliances at:

<https://www.gov.uk/smoke-control-area-rules>

<https://smokecontrol.defra.gov.uk/fuels.php?country=england> (authorised fuels)

<https://smokecontrol.defra.gov.uk/appliances.php?country=england> (exempt appliances)