

CLEAN AIR ACT 1993 SECTION 18 NOTICE IN RESPECT OF THE LONDON BOROUGH OF WALTHAM FOREST SMOKE CONTROL ORDER 2025

Notice is hereby given that the London Borough of Waltham Forest ("the Council") of Waltham Forest Town Hall, Forest Rd, London E17 4JF proposes to revoke the London Borough of Waltham Forest Smoke Control Order [dates] and make an Order, in the exercise of its powers under Section 18 of the Clean Air Act 1993 ("the Act") to:

declare the whole of the administrative area of the Council to be a smoke control area for the purposes of the Act, subject to consideration by the Council of any objections, which are not withdrawn.

The new Order shall only come into operation after a date on which all Smoke Control Orders relating to areas within the London Borough of Waltham Forest are revoked by the London Borough of Waltham Forest.

Subject to a decision by the London Borough of Waltham Forest, the new Order shall come into operation on a date not less than six months after the confirmation by the London Borough of Waltham Forest.

The effect of this would be that if, on any day after the Proposed Order comes into operation:

1. 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 to a civil financial penalty of between £175 and £300, subject to any objection on the grounds specified by Section 19A of, and Schedule 1A to the Act.

2. any person who: -

- a. acquires any controlled solid fuel for use in a building or fireplace, other than an approved fireplace at the time of acquisition;
- b. offers controlled solid fuel for sale by retail where the fuel is to be taken away by the purchaser;
- c. 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;
- d. 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 a fine not exceeding Level 3 on the standard scale (£1,000) for the offences under 2.a., or an unlimited fine for the offences in 2.b., 2.c. or 2.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.)

Copies of the Proposed Order and accompanying plan may be inspected free of charge at Waltham Forest Town Hall, Forest Rd, London E17 4JF from [Dates]. Copies will also be available at all Council libraries during normal opening hours from [Dates]. Alternatively, a copy may be viewed on the Council's website <https://www.walthamforest.gov.uk/neighbourhoods/pollution/air-quality-waltham-forest>.

Within the period, [Date], any person who may be affected by the Order may raise an objection to the introduction of the new Smoke Control Order by writing to London Borough of Waltham Forest either by:

- by email [email]
- by post: [address]
- by responding to the online survey at: [link]