

<b>CLEAN AIR (NORTHERN IRELAND) ORDER 1981 ENVIRONMENTAL BETTER REGULATIONS (2016 ACT) (COMMENCEMENT NO 2) ORDER (NI) 2016</b>	<b>6<sup>th</sup> December 2016</b>
<b>TO: ENVIRONMENTAL SERVICES COMMITTEE</b>	
<b>FOR INFORMATION</b>	

## 1.1 Background

The Clean Air (Northern Ireland) Order 1981 enables a District Council to establish a Smoke Control Zone, by means of an Order confirmed by the Department. The effect of a Smoke Control Order is to prohibit entirely the emission of smoke from chimneys in the area.

Ballysally Estate, Coleraine is designated as a Smoke Control Zone. The Smoke Control Zone was created to control the emissions of smoke from homes in the estate due to burning coal. Properties within the Ballysally Estate are only permitted to use authorised smokeless fuels for their heating and cooking appliances.

The occupier of any building in a Smoke Control Area from which smoke is emitted is guilty of an offence under the Clean Air (Northern Ireland) Order 1981 and may be fined up to £1,000 for non-compliance and Council is duty bound to investigate such complaints.

In a Smoke Control Zone you can only burn fuel from the list of authorised fuels, or any of the following 'smokeless fuels' unless you are using an exempt appliance.

- Anthracite
- Semi-anthracite
- Gas
- Low volatile steam coal

You can use oil or other liquid fuels in specially designated or adapted fireplaces.

Unauthorised fuels, such as wood can only be used if it has a moisture content of less than 20% and can be burned in exempt appliances such as some boilers, cookers and stoves.

You must only use the type of fuel the manufacture says can be used for the appliance.

You can use outdoor BBQs, chimneys, fireplaces and/or pizza ovens.

Any of these appliances that release smoke through a chimney of a building e.g. a summerhouse, can only burn authorised fuel and must be exempt.

On 1<sup>st</sup> November 2016, a new Commencement Order on smoke control provisions came into effect. In practice it means that the lists of legally permitted authorised fuels and exempted fireplaces for smoke control area in Northern Ireland, and in particular Ballysally Estate within the Borough of Causeway Coast and Glens Council will be those listed on the following web pages:

Authorised Fuels:

<https://smokecontrol.defra.gov.uk/fuels.php?country=northern-ireland>

Exempted Fireplaces:

<https://smokecontrol.defra.gov.uk/appliances.php?country=northern-ireland>