

## **Report to Environment and Licensing Committee**

**Subject:** Borough Wide Smoke Control Area Declaration

**Date:** 14<sup>th</sup> January 2025

**Author:** Director of Place

### **Wards Affected**

All wards

### **Purpose**

To advise Members of the outcome of the consultation on the proposals to review the Smoke Control Order areas within the Borough and introduce a borough wide smoke control area and to consider the revocation of all existing smoke control orders.

### **Key Decision**

Yes, the decision will be significant in terms of its effect on communities living or working in an area comprising two or more wards.

### **Recommendation(s)**

#### **THAT Members:**

- 1) Agree to make an Order (Appendix I) revoking all existing pre 1980 smoke control orders and authorise officers to undertake the relevant notification and publishing requirements and request confirmation from the Secretary of State.**
- 2) Agree and authorise officers to publish a notice in the Gazette and local newspaper for two weeks notifying of the council's intention to revoke all existing post 1980 smoke control orders, allowing six weeks for any objections to be received.**
- 3) Receive a report to the next suitable meeting of the committee for a decision whether to make such an order revoking the existing post 1980 smoke control orders, having regard to any objections made which are not subsequently withdrawn.**

- 4) Delegate authority to the Director of Place, in consultation with the Chair to make any minor amendments to the orders prior to their publication as may be deemed necessary.
- 5) Delegate authority to the Director of Place in consultation with the Chair, subject to no objections being received, to make the order revoking the post 1980 smoke control orders (Appendix II).
- 6) Subject to confirmation from the Secretary of State regarding the revoking of the pre 1980 smoke control orders and no objections being received regarding the revocation of the post 1980 smoke control orders, delegate authority to Director of Place, in consultation with the Chair to make the borough wide smoke control order attached at Appendix III to come into force in line with the revocations.

## 1 Background

- 1.1 Members may recall that at the meeting of the 3 October 2023 members agreed to a consultation regarding a change to the Smoke Control Areas, creating one Boroughwide area.

See **Background Papers**, report to E&L Committee regarding the proposed changes to GBC Smoke Control Areas (SCA).

- 1.2 There are currently 40 Smoke Control Areas (SCAs) in Gedling Borough that have been declared between 1961 and 1994. These SCAs were created under the Clean Air Act (CCA) to regulate smoke emissions from domestic chimneys, largely due to the burning of coal.

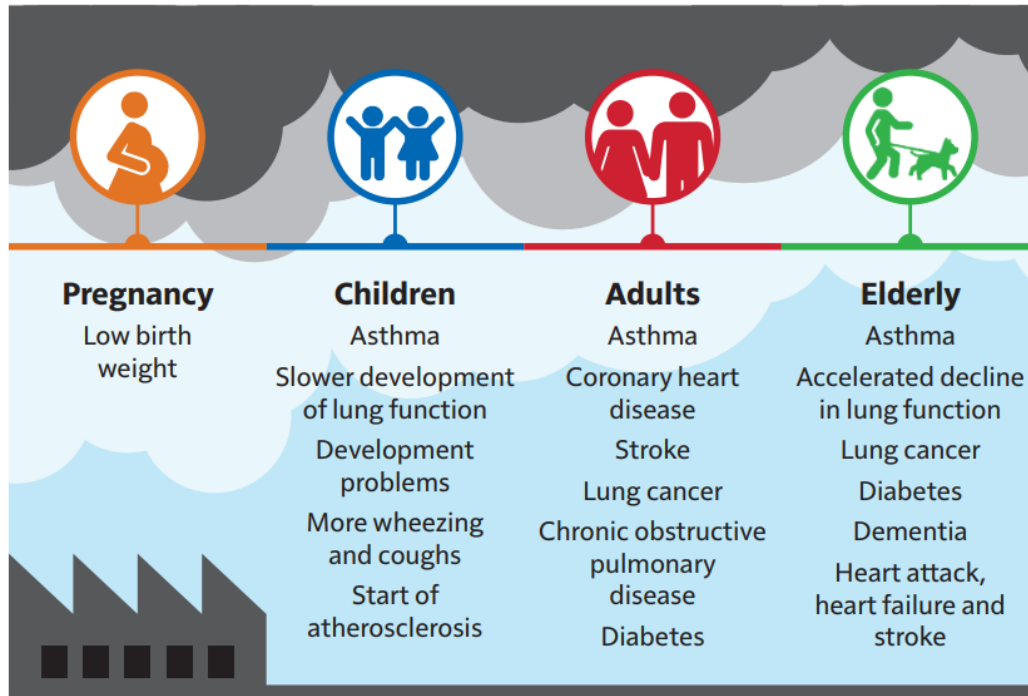
These orders geographically cover only 21% of the Borough but include 81% of the residential properties, covering most of the urban area and Calverton, Newstead and Bestwood villages.

The current SCAs do not cover the villages of Ravenshead, Linby, Papplewick, Lambley, Woodborough, Burton Joyce and Stoke Bardolph.  
See Map **Appendix IV**.

No amendments to these orders have taken place since their creation.

- 1.3 Air pollution in the form of fine Particulate Matter (PM10 and PM2.5) is considered a particularly harmful pollutant with regard to human health.

## The health impacts of air pollution



Source: Air Pollution - [Chief Medical Officer's Annual Report 2022 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

- 1.4 Solid fuels are by far the most polluting method of domestic heating, and wood burning has increased in popularity over recent years. Reasons for burning wood and other solid fuels vary, and include aesthetic as well as practical, ecological or economic reasons.
- 1.5 Domestic combustion is a major source of particulate matter pollution in 2021, accounting for 27% of PM<sub>2.5</sub> emissions. Most emissions from this source come from households burning wood in closed stoves and open fires.

In the 1970s, 1980s and 1990s, coal use in domestic combustion was the largest source of particulate matter emissions; coal now accounts for a very small proportion of emissions from this source (13% in 2021), while the use of wood as a fuel accounted for 75% of PM<sub>2.5</sub> emissions from domestic combustion in 2021.

The sale of traditional bituminous house coal was banned in England starting 1 May 2023. This ban applies to all types of house coal, be it bagged, loose, or in open bags.

Emissions of PM<sub>2.5</sub> from domestic wood burning increased by 124 per cent between 2011 and 2021, to represent 21% of total PM<sub>2.5</sub> emissions in 2021.

Source: [Emissions of air pollutants in the UK – Particulate matter \(PM<sub>10</sub> and PM<sub>2.5</sub>\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

- 1.6 The Environment Act 2021 established a legally binding duty on Government to bring forward new air quality targets for PM2.5 and made amendments to the CAA, changing the enforcement regime for domestic smoke from chimneys.

Following these changes DEFRA have encouraged LAs to review their SCAs and make changes where necessary.

- 1.7 For reference, **Appendix V** displays a map of the current SCAs in Nottinghamshire and the current situation with regard to how other LAs are reviewing their SCAs.

- 1.8 It is important to note that the CAA only relates to emissions of smoke from a chimney in a building. This means that this proposed change does not affect how the Council deals with complaints regarding:

- Bonfires
- Fire pits/Chimineas/pizza ovens
- Burning at building sites etc.

These types of complaints are dealt with under Statutory Nuisance powers, the Environmental Protection Act 1990, or the Council can use Community Protection Warnings or Notices (CPW/CPNs), under the Anti-social Behaviour, Crime and Policing Act 2014.

The CAA only refers to emissions of smoke, and no definition is given as to what this includes. Practically then this is generally enforced by LAs as visible smoke; the smell of smoke can be included but is very difficult to attribute and so enforce.

- 1.9 Currently smoke complaints for those **not** in a SCA are also dealt with using Statutory Nuisance powers or CPW/CPNs.

- 1.10 The Environment Act 2021 amended the CAA and the SCA framework, replacing the criminal offence with a civil penalty regime. This means LAs have powers to issue financial penalties for smoke emissions under the civil regime but also have an alternative option to pursue persistent offenders under a criminal regime through nuisance legislation (which has not been possible prior to the amendments made by the 2021 Act).

## **2 Implications of the Proposed Changes**

- 2.1 For those who have a DEFRA approved appliance/stove there should be no change, as long as the stove is operated and serviced correctly, they should be able to burn seasoned wood without causing an issue. The use of a DEFRA approved appliance is, however, now not a ground for exemption from the enforcement process (should smoke be found to be an issue).

- 2.2 For those with a multi-fuel stove they can burn approved ‘smokeless’ fuels in the place of wood. Again, the use of smokeless fuel is now not a ground for exemption from the enforcement process (should smoke be found to be an issue).
- 2.3 Residents who run the highest risk of enforcement are those who burn wood in a non-approved appliance (that cannot burn smokeless fuel) or a fireplace. If a fireplace is being used then the use of smokeless fuel instead of wood would be the alternative.

Should residents been found to be in breach of the CAA i.e.:

Officers witness smoke from the chimney, (primarily a complaint driven process) and the smoke is considered by the officer to be of a nature that enforcement action is required after exhausting all other avenues (operation of stove, maintenance, type of fuel, moisture content etc.).

then the only option would be to replace the stove with an DEFRA approved appliance or stop burning wood in a stove. There is no grant funding available to assist residents in the upgrade.

- 2.4 Creating a Boroughwide SCA will slowly improve the type of stoves fitted to homes new or replacement; as fitters will be aware of the requirements for DEFRA approved stoves to be fitted throughout Gedling Borough.
- 2.5 Overview of changes to Enforcement of Smoke Emissions from Chimneys:

<b>Current Enforcement Process Smoke from Chimneys in a Building</b>	
<b>Inside the current Smoke Control Areas</b>	<b>Outside the current Smoke Control Areas</b>
<p><b>Smoke from a Chimney</b> We use the CAA civil penalty regime (Section 19A)</p> <p>A three-stage process, if problem persists:</p> <ol style="list-style-type: none"> <li>1. Advice/warning letter</li> <li>2. Notice of Intent</li> <li>3. Financial Penalty (£175 for 1<sup>st</sup> offence)</li> </ol> <p>Repeat offences can be subject to an increased financial penalty of £300.</p> <p>Should the civil sanction be ineffective then the Council can now also look to use Anti-social Behaviour, Crime and Policing Act 2014 or EPA statutory nuisance powers, where appropriate.</p> <p><b>Acquisition and sale of controlled fuels</b> Additionally, Section 19B of the CAA gives powers to LAs to take action, via the Magistrates Court, in relation to the following:</p>	<p>We use <b>Environmental Protection Act 1990</b> Section 79 - Statutory nuisance powers,</p> <p>After the collection of evidence officers would make a judgment as to whether an abatement notice should be served.</p> <p>Failure to comply with the abatement notice could be a criminal offence.</p> <p>Where a smoke emission falls below the statutory nuisance threshold but is still found to be unreasonable, persistent and detrimental to the quality of life of those in the community (anti-social behaviour), additional powers under the <b>Anti-social Behaviour, Crime and Policing Act 2014</b> are available, Community Protection Notices</p>

<p>a) People who acquire fuel not permitted in a SCA (Not an approved fuel) **</p> <p>b) A person who offers fuel not permitted in a SCA for sale (both on site sales and delivery) and fails to take reasonable steps to notify purchasers that it is an offence to acquire the fuel (as above).</p> <p>**this applies only if they <u>do not</u> have a DEFRA approved appliance.</p> <p>A person found guilty of an offence is liable on summary conviction to a fine not exceeding £1000.</p>	
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<b>Proposed Enforcement Process</b>
<p><b>Inside the new Boroughwide Smoke Control Area</b></p> <p>Use the CAA civil penalty regime</p> <p>A three-stage process, if problem persists:</p> <ol style="list-style-type: none"> <li>1. Advice/warning letter</li> <li>2. Notice of Intent</li> <li>3. Financial Penalty (£175 for 1<sup>st</sup> offence)</li> <li>4. Repeat offences can be subject to an increased financial penalty of £300.</li> </ol> <p>Should the civil sanction be ineffective then the Council can now also look to use Anti-social Behaviour, Crime and Policing Act 2014 or EPA statutory nuisance powers, where appropriate <b>and/or</b> the following could be used, again if appropriate:</p> <p><b>Acquisition and sale of controlled fuels</b></p> <p>Section 19B of the CAA gives powers to LAs to take action, via the Magistrates Court, in relation to the following:</p> <ol style="list-style-type: none"> <li>a) People who acquire fuel not permitted in a SCA (Not an approved fuel)**</li> <li>b) A person who offers fuel not permitted in a SCA for sale (both on site sales and delivery) and fails to take reasonable steps to notify purchasers that it is an offence to acquire the fuel (as above).</li> </ol> <p>**this applies only if they <u>do not</u> have a DEFRA approved appliance.</p> <p>A person found guilty of an offence is liable on summary conviction to a fine not exceeding £1000.</p>

- 2.6 One of the reasons for the change is to treat all residents in the Borough the same and removing the statutory nuisance/CPN (criminal sanction) route, but for the most extreme cases.

2.7 The proposed revocation of the existing orders and the making of a borough-wide smoke control order will help support the enforcement of the new domestic fuel regulations providing an effective and holistic approach to tackling smoke pollution in Gedling.

2.8 The Environment Act 2021 also amended the CAA to now bring river and canal moored vessels within the legislation.

It is proposed that the new Borough-wide order would **not** also encompass moored vessels on the River Trent.

It is understood that GBC have 3 leisure moorings controlled by The Canals and Rivers Trust at Stoke Bardolph Lock. These are not permanent moorings and so there is not considered to be a significant impact at this location.

2.9 Between 1961 to 1994 the Council, made a number of smoke control orders covering various parts of the Borough relating to the issue at the time, which was the burning of domestic coal.

Since many of those smoke control orders were made there has been a significant amount of new residential development, expanding the urban fringe. Consequently, the existing orders do not fully reflect the current configuration of residential properties in the Borough and there are areas of land which are not included within any smoke control area. A map of the existing Smoke Control Orders is included at **Appendix IV**.

Given the age of many of the existing orders, the records are incomplete, or they may require variation to remove redundant provisions if they were to be effectively enforced.

2.10 As a consequence, this report seeks to revoke all the existing smoke control orders. Some of the existing smoke control orders pre-date the introduction of legislation that enabled local authorities to make their own orders. These Orders were made by the relevant authority at the time but confirmed by the Secretary of State. As such they can only be revoked by the Secretary of State.

2.11 Smoke Control Orders can only be varied or revoked by the making of another Order. Accordingly, this report seeks authority to make a Revocation Order revoking all the previous Orders made pre-1980. The decision whether to confirm the revocation order will be made by the Secretary of State. A copy of the draft Revocation Order is included at **Appendix I**.

2.12 Any objection to the revocation of one or more of the existing orders detailed in the Schedule to the Order must be made to the Secretary of State (DEFRA) who will consider the objection and make a determination whether to confirm the Revocation Order with or without modification.

- 2.13 This report also proposes that the Council authorises the publishing of the Council's intention to make an order to revoke the post 1980 Smoke Control Orders. If all previous orders are revoked the report proposes that the Council make a smoke control order to declare the whole Borough a smoke control area. A copy of the Draft Order is included at **Appendix II**.
- 2.14 Where the Council has the power to make an order it must first publicise its intention to make an order and invite objections, before considering whether to make it having regard to any objections
- 2.15 The procedure for making each of the orders varies slightly but both require a notice to be published in the London Gazette and in a local newspaper for two consecutive weeks, specifying that the order has been made, or is intended to be made, as applicable. The notices must set out the general effect of the order or intended order, where it may be inspected and how and where to object to the confirmation, or making of an order. In addition, the Council must post, and keep posted, for 6 weeks notices at conspicuous places so as to give publicity to the order or intention to make it.
- 2.16 The Committee will receive a further report following the expiry of the objection period to consider any objections made in respect of the Council's intention to revoke the post 1980 orders and also update the Committee on any objections to the revocation order made to the Secretary of State and whether the order is confirmed with or without modification by the Secretary of State. If any such objections are received the report will also ask for consideration on the making of the borough wide order.
- 2.17 In the event that the Council resolves to make the new smoke control order it cannot come into effect earlier than 6 months from the date of making although this date may be postponed, subject to a resolution to that effect being passed and certain publicity. If the Secretary of State confirms the Revocation Order the earliest, it can come into operation is 6 months from the date of confirmation. This commencement date can be postponed although any postponement for more than 12 months additionally requires the Secretary of State's consent.
- 2.18 The proposed borough-wide smoke control order will provide a sound footing for future proportionate enforcement action for smoke emissions if necessary.

### **3 Results of the Public Consultations**

- 3.1 The procedure to make a borough wide smoke control area order began in November 2023 and was repeated in August / September 2024 the statutory publishing requirements and two rounds of public consultation were undertaken, and this report seeks to notify members of the results to allow them to consider the making of a borough wide order subject to the revocation of the existing orders.



- 3.2 The combined response was 202 comments and/or responses to the survey. Of the 202 respondents 69% were not in favour of the proposal to extend the SCA to cover the whole Borough, 31% being in favour of the proposal.
- 3.3 The consultation also asked a question regarding extending the SCA to cover moored vessels on the River Trent. Here the response was 78% against and 22% in favour.
- 3.4 **Appendix VI** includes details of the consultation results, and the comments made.
- 3.5 From comments received, particularly the second round of consultation, there appears to be perhaps the misunderstanding that those living outside of the current SCAs can currently burn wood with no recourse. Therefore, they are not in favour of the perceived introduction of potential sanctions. Should a borough wide SCA be designated work on communication and education around the subject of the rules (what can/can't be burnt etc) is an area where the Council will look to carry out some work.
- 3.6 Many highlight that in rural areas there is a lack of a 'problem' with smoke emissions and therefore any health impacts these may have will be minimal.

Although this may be the case in some isolated rural areas, many rural village areas, not currently within SCA, are as densely populated as 'urban' areas and so the impact of smoke emissions is likely to be comparable.

- 3.7 The main issue of concern outlined in responses is that of rural fuel poverty and residents who have wood as their primary source of heating or, those that supplement their heating with a wood burning stove. Additionally in the second round of consultation the issue of the removal of the Winter Fuel Payment was also prevalent.

Census 21 data indicates that households with *wood only* as their central heating was 0.2% in Ravenshead, Newstead and Bestwood Village; 0.1% in Burton Joyce and Lambley.<sup>1</sup> Where this figure increases is where households report *two or more types of central heating (not inc. renewables)* this is likely to include a wood stove as one of those forms. The figures here rise to 8.4% in the more rural parts of the Borough.<sup>2</sup>

There is then a balance between the environmental and health benefits of the proposal (cutting particulate emissions) and the potential harm caused by fuel poverty. This can be handled through considered enforcement.

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<sup>1</sup> [Type of central heating in household - Census Maps, ONS](#)

<sup>2</sup> [Type of central heating in household - Census Maps, ONS](#)

## 4 Outcomes of the Consultation Exercise

### 4.1 Enforcement

Whilst the CAA and DEFRA guidance indicate that any smoke emissions from a chimney in a SCA would be a breach of the legislation there is clearly a need for a fair and proportionate approach to both parties involved.

4.2 DEFRA themselves have indicated that LAs are to take a proportionate level of enforcement and local policies can be introduced, e.g. to cover lighting up periods; where smoke may be emitted, as kindling may be used and the stove needs to get to operating efficiency.

4.3 A Draft Enforcement Policy is being developed by officers to be implemented should the boroughwide designation be made this will seek to give officers guidance on the process of enforcement regime and how to handle enforcement proportionally to ensure fairness to both parties.

### 4.4 Communication

There is clearly a number of misconceptions and mis-understanding regard what is allowed under the CAA. It can be a confusing legislative area with differing pieces of legislation used for differing types of complaints, i.e. smoke from chimneys, garden bonfires, fires on building sites etc. Then there are the more specific issues around:

- using the correct stove and fuel
- stove maintenance and operation
- wood moisture content etc.

4.5 We are not alone in having these issues with getting residents to understand these issues. As such we will work with other LAs in the County to come together and produce some consistent messaging for all LAs to use.

### 4.6 Fuel Poverty

The Equalities Impact Assessment (**Appendix VII**) has highlighted the issues around fuel poverty. The adopted Enforcement Policy for this area of work will ensure such issues are taken into account should enforcement action be considered.

4.7 We need to assist residents who are struggling with the cost of heating and will face fuel poverty by helping them to find clean and safe ways to heat their homes. This includes providing information and advice not only where they can get practical and financial help, but also energy efficiency measures that are likely to provide year on year savings

## **5 Proposal**

- 5.1 That Members make the Order attached at **Appendix I** revoking all existing pre 1980 smoke control orders and authorise officers to undertake the relevant notification and publishing requirements and request confirmation from the Secretary of State.
- 5.2 That Members approve the publishing of a notice and draft revocation order in the London Gazette and a local newspaper regarding the post 1980 smoke control orders
- 5.3 That Members agree in principle to the borough wide smoke control order attached at **Appendix III** being made.
- 5.4 That members authorise the Director of Place, in consultation with the Chair to make the revocation order and boroughwide order subject to no objections being received and confirmation from the Secretary of State.

## **6 Alternative Options**

- 6.1 To not approve the Smoke Control Order covering the whole of the Borough and consultation on the revocation notice for the existing 40 smoke control areas. This would leave the current 40 orders in place. However, this will mean that 19% of the borough's residential addresses are not covered by smoke control areas.

## **7 Financial Implications**

- 7.1 There are not considered to be any significant budget implications besides officer time in setting up the new order, revoking the existing orders advertising the new order and providing publicity around it. The publicity will predominantly be online using social media and the website in conjunction with the other LAs in Nottinghamshire.

Operationally any enforcement will be managed within the existing team budget.

## **8 Legal Implications**

- 8.1 The Council has a discretion under Section 18(2A) of the Clean Air Act 1993 (the Act) whether to declare the whole, or any part of its area to be a smoke control area; by a smoke control order.
- 8.2 A smoke control order—
  - (a) may make different provision for different parts of the smoke control area;
  - (b) may limit the operation of section 20 (prohibition of emissions of smoke) to specified classes of building in the area; and

(c) may exempt specified buildings or classes of building or specified fireplaces or classes of fireplace in the area from the operation of that section, upon such conditions as may be specified in the order;

and the reference in paragraph (c) to specified buildings or classes of building include a reference to any specified, or to any specified classes of, fixed boiler or industrial plant.

- 8.3 A smoke control order may be revoked or varied by a subsequent order.
- 8.4 Schedule 1 to the Act sets out the procedure which the Council must follow to make an Order, including publicising its intention to make an order and how objections may be made. If any objections are received and not withdrawn, the Council cannot make the order without first considering the objection. The Council has undertaken this exercise regarding the making of a new boroughwide order.
- 8.5 The Council, and its predecessors before the Council was created, made a number of orders covering various parts of the Borough. Some of those orders were made before 13th November 1980, when the requirements for the Secretary of State to confirm orders made by local authorities was removed. However, by Section 67(2) of, and Parts II and III of Schedule 5 to, the Act any revocation of a pre-13/11/80 order follows a modified procedure and must be confirmed by the Secretary of State.
- 8.6 Under the modified procedure the Council makes the order and then publicises its making and how objections to it may be made. The Secretary of State then considers the objections and may confirm the order with or without modification.
- 8.7 It is for this reason that the Council is proposing to make a new order declaring the whole of the Borough a smoke control area and two orders revoking all the existing smoke control orders (Pre and Post 1980).
- 8.8 On the basis that the Council exercises its powers in accordance with the relevant statutory provisions the risks are limited to either order being subject to objections which are not withdrawn and the costs of those objections being fully considered by the Council, or the Secretary of State before making, or confirming the orders, as appropriate, assuming the decision is to make or confirm the orders. There are the usual risks of further legal challenge.
- 8.9 Given the fact that two different orders are being made there is the risk that the Secretary of State does not confirm the revocation order, and the Council then cannot make a Borough wide order which would impliedly revoke the existing orders.

In that unlikely event the Council would need to make an order declaring those parts of the Borough which are not currently within a smoke control area, are subject to a smoke control order.

Alternatively, the Council could make an order revoking the existing orders and declaring the whole of the Borough a smoke control area. This would however leave the decision whether to confirm the combined order to the Secretary of State to determine.

## **9 Equalities Implications**

- 9.1 People with certain protected characteristics (the old, young and those with certain disabilities) are more vulnerable to air pollution. People in vulnerable groups are also known to live in areas with more air pollution, so the proposal may have a differentially positive impact on these groups. **Appendix VII.**
- 9.2 However, fuel poor households could be affected if using an open fire or burning cheap wood as a source of heating as opposed to potentially more expensive electricity, gas or oil.
- 9.3 The proposal would mean that people could only burn clean seasoned wood with the '*ready to burn*' logo in exempt appliances, or an authorised fuel. This could be more expensive for people who were reliant on foraging for wood as their main source of fuel.
- 9.4 Any Enforcement Policy will need to take into account issues relating to fuel poverty when making decisions on any enforcement action. A proportionate approach is one recommended by DEFRA and the Council would look to take action that is fair to both parties and ensure consistency of approach.
- 9.5 The Environmental Health and Technical Officers regulating this function have access to the information to refer residents for home energy efficiency and heating measures to mitigate any detrimental impacts on fuel poor households.
- 9.6 The proposal would not have any implications on the 81% of the Boroughs residential properties already covered by SCAs as they are already subject to the rules, the proposal just brings the rest of the Borough in line with this.

## **10 Carbon Reduction/Environmental Sustainability Implications**

- 10.1 A Climate Impact Assessment is presented in **Appendix VIII.**
- 10.2 Solid fuel can be burned sustainably if it is replaced like for like, although there are greener forms of heating should be encouraged over solid fuel. The proposal will encourage people not to burn solid fuel from unsustainable sources, helping to contribute to a net zero carbon Borough
- 10.3 Improving air quality in the borough will have co-benefits, such as the health & wellbeing and overall quality of life for residents. This declaration aligns with the Gedling Plan and the carbon management strategy by creating a cleaner greener and healthier Gedling.

## **11 Appendices**

- 11.1 Appendix I - Proposed Revocation Order (Pre 1980 smoke control orders)
- 11.2 Appendix II – Proposed Revocation Order (Post 1980 smoke control orders)
- 11.3 Appendix III – Proposed Smoke Control Order 2025
- 11.4 Appendix IV - Map of current smoke control areas.
- 11.5 Appendix V - Map of current smoke control areas in the County
- 11.6 Appendix VI - Consultation Responses
- 11.7 Appendix VII – Equalities Impact Assessment
- 11.8 Appendix VIII – Climate Impact Assessment

## **12 Background Papers**

- 12.0 Report to E&L Committee regarding the proposed changes to GBC Smoke Control Areas (SCA). Dated 03rd October 2023

## **13 Reasons for Recommendations**

- 13.1 The Council has a duty to assess air quality and where necessary take appropriate action to protect the health of those living and working in the Borough.
- 13.2 Particulate pollution is closely associated with domestic burning. The smaller particles (PM2.5) in particular have a significant impact on human health: causing coughs, dizziness, inflamed airways and shortness of breath.  
  
It increases the risk of pneumonia, COPD, dementia and lung cancer, as well as heart disease and stroke, leading to early death. It can also impact pregnancy and the development of children's lungs.
- 13.3 Smoke Control Areas can help to reduce PM2.5 emissions found in chimney smoke by requiring the use of either authorised fuel or by using DEFRA 'exempt appliances' for example certain burners and stoves. Unauthorised fuel must not be used in a smoke control area unless it is used in an exempt appliance.
- 13.4 Although a Borough wide smoke control area will not ban domestic solid fuel burning, it will require residents to take responsibility over the fuels they burn. In line with DEFRA policies the aim is to encourage residents to '*Burn Less and Burn Better*'.

In addition, any new solid fuel stove installations are much more likely to be 'exempt appliances'. This is because reputable stove installers currently advise householders in Smoke Control Areas to install DEFRA 'exempt appliances' or 'Ecodesign' appliances which already meet stricter smoke emission standards.

**Statutory Officer approval**

**Approved by:**

**Date:**

**On behalf of the Chief Financial Officer**

**Approved by:**

**Date:**

**On behalf of the Monitoring Officer**

## **Appendix I**

Proposed Revocation Order (Pre 1980 smoke control orders)



## Clean Air Act 1993

### THE GEDLING BOROUGH COUNCIL SMOKE CONTROL ORDERS (REVOCATION) ORDER 2025

The Gedling Borough Council (the Council) makes this Order in exercise of the powers conferred by section 18 of, and Schedule 1 to, the Clean Air Act 1993 as modified by section 67(2) of, and parts II and III of Schedule 5 to, that Act:

#### Citation

1. This Order may be cited as Gedling Borough Council Smoke Control Orders (Revocation) Order No.1 - 2025.

#### Commencement

2. This Order shall come into operation on [a date to be specified by the Secretary of State if the Order is confirmed, with or without modification, such date being not less than six months from the date of confirmation].

#### Revocation

3. (a) The smoke control orders specified in Schedule 1 to this Order; and  
(b) any other smoke control orders made pursuant to section 11 of the Clean Air Act 1956, before 13<sup>th</sup> November 1980, by the Council, Arnold Urban District Council and Carlton Urban District Council are hereby revoked.

THE COMMON SEAL of GEDLING )  
BOROUGH COUNCIL )  
was hereunto affixed on this day )  
of 2025 in the presence of:- )

# Schedule 1

## Revocations

### **Arnold Urban District Council**

The Arnold (No. 1) Smoke Control Order 1965  
The Arnold (No. 2) Smoke Control Order 1968  
The Arnold (No. 3) Smoke Control Order 1969  
The Arnold (No. 4) Smoke Control Order 1969  
The Arnold (No. 5) Smoke Control Order 1972  
The Arnold (No. 5A) Smoke Control Order 1972  
The Arnold (No. 12A) Smoke Control Order 1973

### **Carlton Urban District Council**

The Carlton (No. 1) Smoke Control Order 1961  
The Carlton (No. 2) Smoke Control Order 1967  
The Carlton (No. 2A) Smoke Control Order 1965  
The Carlton (No. 3) Smoke Control Order 1967  
The Carlton (No. 4) Smoke Control Order 1967  
The Carlton (No. 5) Smoke Control Order 1968  
The Carlton (No. 6) Smoke Control Order 1969  
The Carlton (No. 8) Smoke Control Order 1970  
The Carlton (No. 9) Smoke Control Order 1971  
The Carlton (No. 10) Smoke Control Order 1971  
The Carlton (No. 11) Smoke Control Order 1972

### **Gedling Borough Council**

The Gedling (No. 1) Smoke Control Order 1974  
The Gedling (No. 2) Smoke Control Order 1975  
The Gedling (No. 3) Smoke Control Order 1975  
The Gedling (No. 4) Smoke Control Order 1976  
The Gedling (No. 5) Smoke Control Order 1977  
The Gedling (No. 6) Smoke Control Order 1978  
The Gedling (No. 7) Smoke Control Order 1979  
The Gedling (No. 8) Smoke Control Order 1980

## **Appendix II**

Proposed Revocation Order (Post 1980 smoke control orders)

## Clean Air Act 1993

### THE GEDLING BOROUGH COUNCIL SMOKE CONTROL ORDERS (REVOCATION) ORDER 2025

The Gedling Borough Council (the Council) makes this Order in exercise of the powers conferred by section 18 of, and Schedule 1 to, the Clean Air Act 1993 as modified by section 67(2) of, and parts II and III of Schedule 5 to, that Act:

#### Citation

1. This Order may be cited as Gedling Borough Council Smoke Control Orders (Revocation) Order No.2 - 2025.

#### Commencement

2. This Order shall come into operation on **[insert date not less than six months from the date of making]**.

#### Revocation

3. The smoke control orders specified in Schedule 1 to this Order are hereby revoked.

THE COMMON SEAL of GEDLING )  
BOROUGH COUNCIL )  
was hereunto affixed on this day )  
of 2025 in the presence of:- )

# Schedule 1

## Revocations

### **Gedling Borough Council**

The Gedling (No. 9) Smoke Control Order 1981  
The Gedling (No. 10) Smoke Control Order 1982  
The Gedling (No. 11) Smoke Control Order 1983  
The Gedling (No. 12) Smoke Control Order 1984  
The Gedling (No. 13) Smoke Control Order 1985  
The Gedling (No. 14) Smoke Control Order 1986  
The Gedling (No. 15) Smoke Control Order 1987  
The Gedling (No. 16) Smoke Control Order 1988  
The Gedling (No. 17) Smoke Control Order 1988  
The Gedling (No. 18) Smoke Control Order 1990  
The Gedling (No. 19) Smoke Control Order 1991  
The Gedling (No. 20) Smoke Control Order 1992  
The Gedling (No. 21) Smoke Control Order 1993  
The Gedling (No. 22) Smoke Control Order 1993

## **Appendix III**

Proposed Smoke Control Order 2025

## Clean Air Act 1993

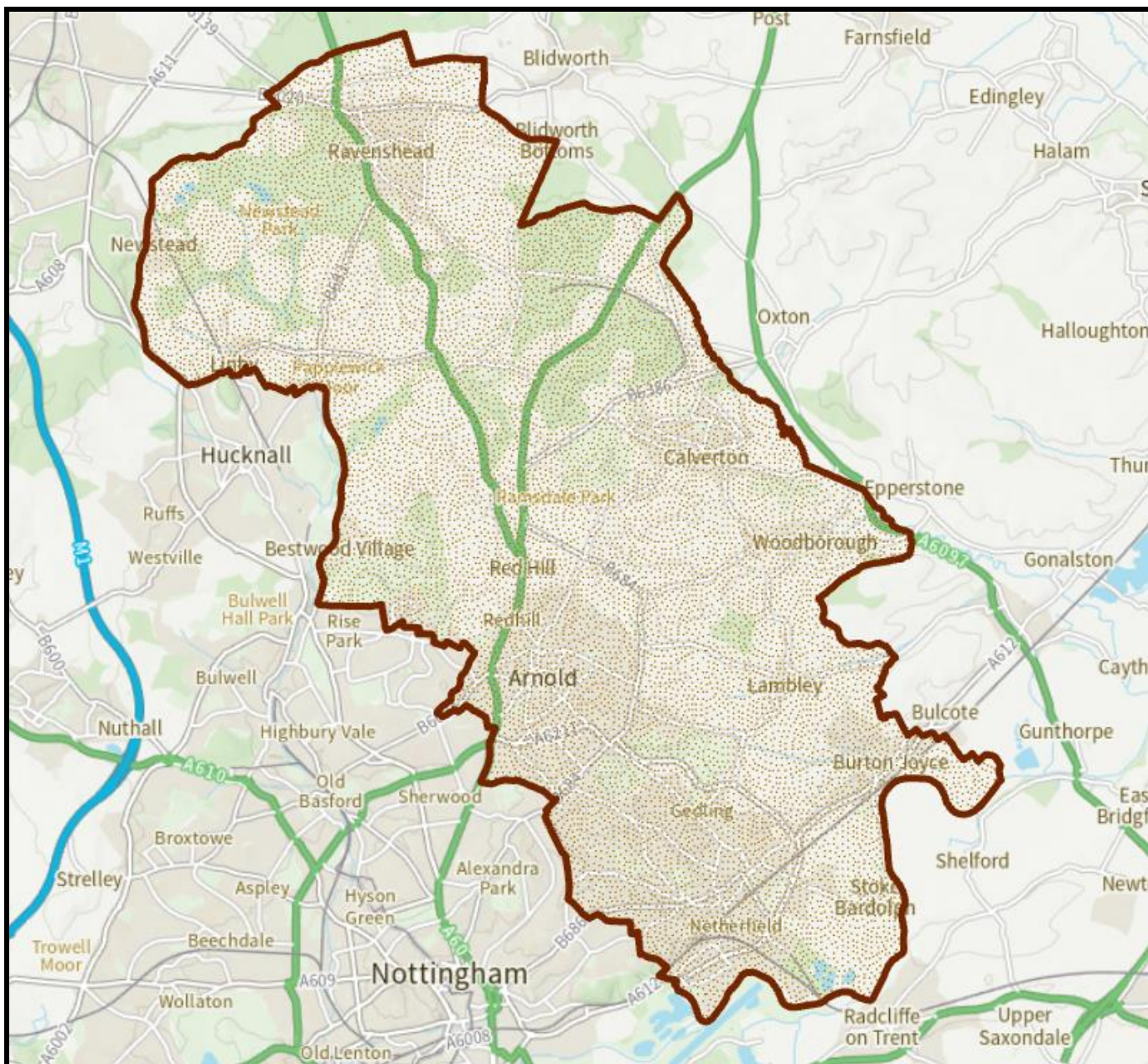
### THE GEDLING BOROUGH COUNCIL SMOKE CONTROL ORDER 2025

Gedling Borough Council ("the Council") in exercise of its powers under section 18 and 44 of, and Schedule 1 to, the Clean Air Act 1993 (as amended), hereby make the following Order:

1. This Order may be cited as The Gedling Borough Council Smoke Control Order 2025 ("the Order"). This Order will come into operation not less than six months from the date this Order is made and shall continue in force until varied or revoked.
2. The Council declares the whole of the area within its boundary to be a Smoke Control Area for the purposes of the Clean Air Act 1993. The extent of the smoke control area is shown in the attached map. The order applies to all buildings, fireplaces, fixed boilers or industrial plants within the smoke control area unless otherwise excluded from the operation of Schedule 1A to the Clean Air Act 1993.
3. Other than moored vessels which are excluded, there are no buildings, fireplaces, fixed boilers, industrial plants that are exempt from the operation of Schedule 1A to the Clean Air Act 1993 under this Order.

THE COMMON SEAL of GEDLING )  
BOROUGH COUNCIL )  
was hereunto affixed on this day )  
of 2025 in the presence of:- )

**MAP OF THE PROPOSED GEDLING BOROUGH COUNCIL**  
**SMOKE CONTROL AREA 2025**



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**MAP**

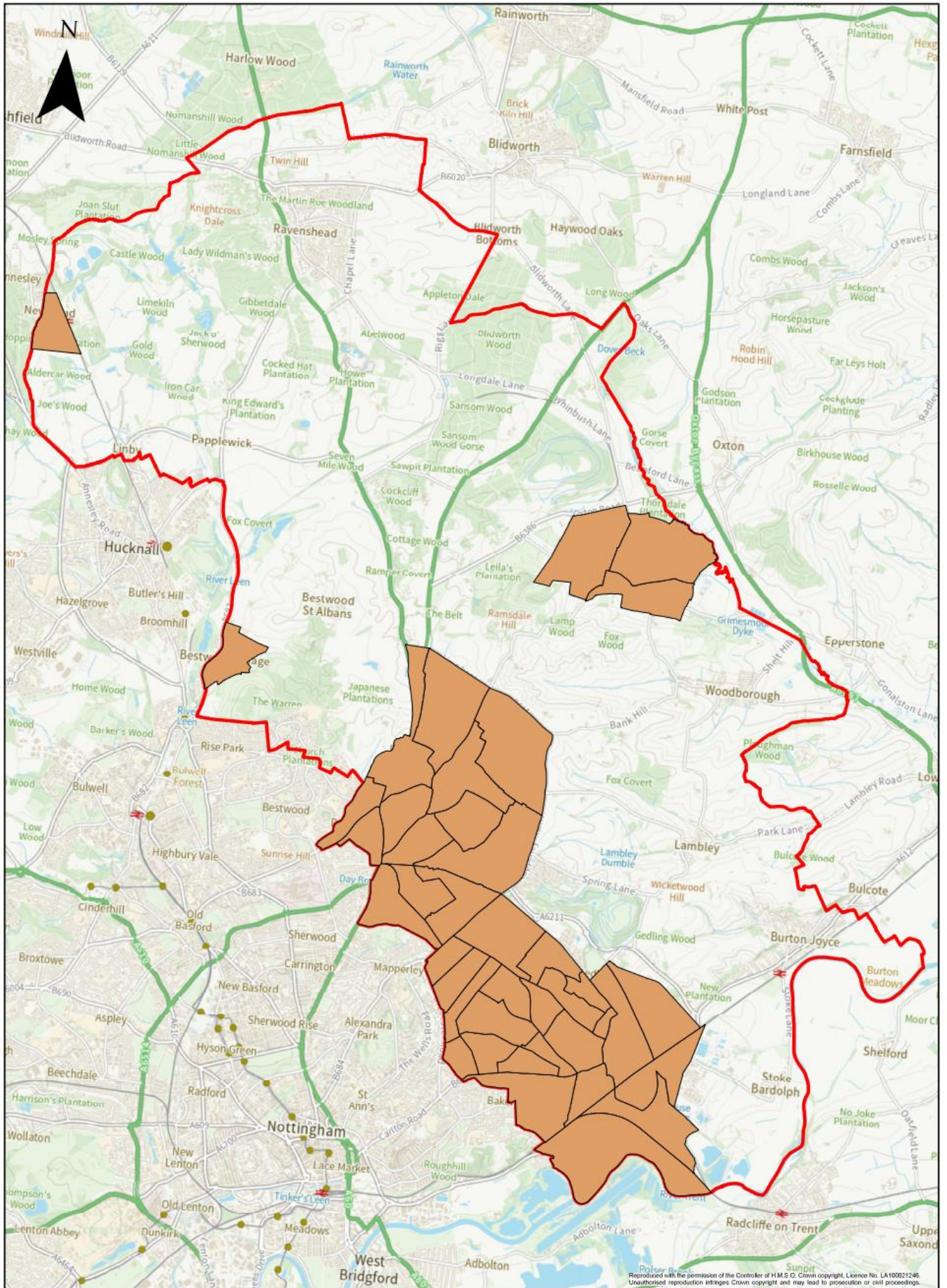


Area to be included in the Proposed Gedling Borough Smoke Control Area 2025



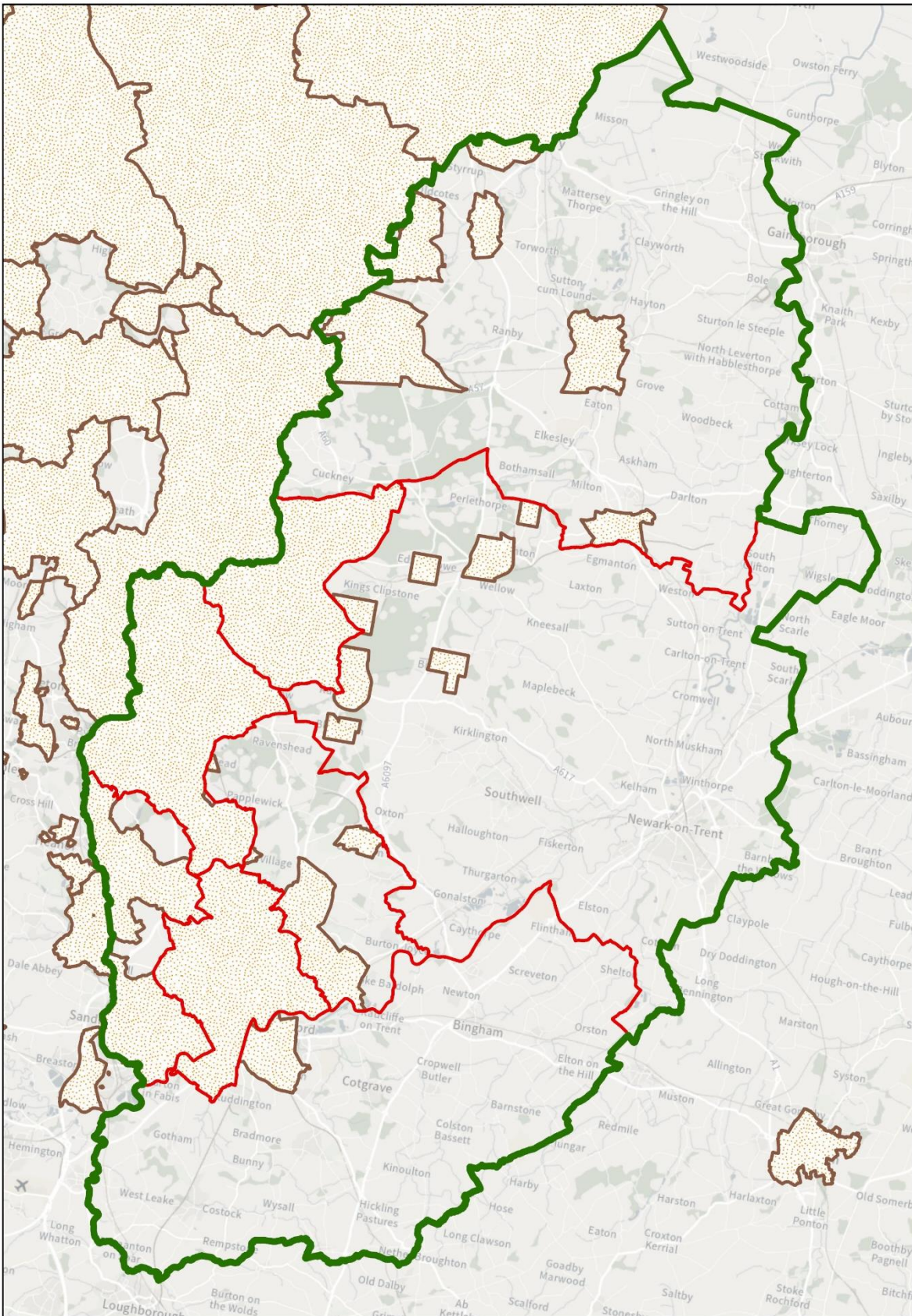
## **Appendix IV**

Map of current smoke control areas.



## **Appendix V**

Map of current smoke control areas in the County



**Map of smoke control areas in the County (current)**

**Broxtowe** – currently going through the process of moving to Borough wide.

**Rushcliffe** – public consultation on District wide – decision not to progress.

**Bassetlaw** – internal review of current areas.

**Newark and Sherwood** – no current plans to review or change.

**Ashfield, Mansfield and Nottingham City Councils** all have smoke control areas that are full district.

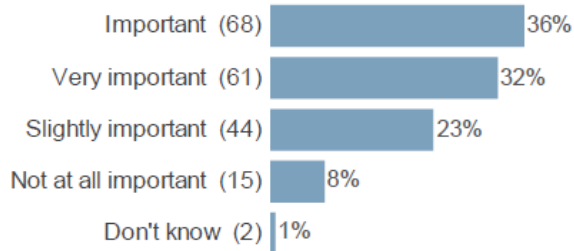
**Appendix VI**  
Consultation Responses

## Smoke Control Order combined 4

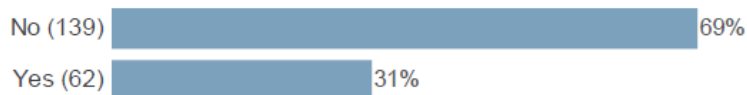
This report was generated on 01/10/24. Overall 201 respondents completed this questionnaire. The report has been filtered to show the responses for 'All Respondents'. A total of 201 cases fall into this category.

The following charts are restricted to the top 12 codes. Lists are restricted to the most recent 100 rows.

### How important is Air Quality to you?



### Do you feel our Smoke Control Order should be applied to all residents boroughwide equally, to protect health?



### Do you feel the new Smoke Control Order should include moored vessels using the River Trent?



### What is your postcode?

NG44PY	NG14 5DB	Ng4	NG14 5DG	NG4	NG145AS	NG14 6DD
Ng6	NG14 5BP	Ng14 6ef	Ng145ap	Ng44qe	Ng14 6dl	NG14 6EF
Ng4 4pj	Ng14 5el	Ng14	NG14	NG14	NG4 1GH	NG14 6DU
NG4	NG14 6DU	Ng44pl	NG14 6DA	Ng3	NG43FX	NG14 6DP
Ng145bl	NG4 2LZ	Ng4	Ng5 6th	NG4 4AQ	NG4 3FX	NG14 6DU
Ng14 6ex	NG14 6ER	Ng43jb	NG14 5GL	Ng4 2gl	NG145FS	NG14 NDP
Ng4 3hj	ng14 6dn	Ng4 4pj	Ng4 4AD	NG4 1GG	S45 9DZ	NG3 6AB
NG4	Ng14 6dn	NG4 4QB	NG14	Ng4 2el	NG4 4pp	Ng43jb
Ng14	NG4	NG41ED	Ng4 3eh	NG14 6EX	Ng44fp	NG14 6DW
Ng14	NG14 6EP	Ng4	NG4 4QE	NG14 5BL	Ng14 5bn	Ng14 6dp
Ng4	NG5 6NL	NG4 3LL	Ng145hw	NG146 DD	Ng3	NG146DT
Ng14 5ep	Ng14	Ng4	NG14 5EQ	NG4 4PE	NG14	NG4 4QE
NG4 4AY	NG145BG	NG14 5	NG14 6EF	NG14	NG4 1DL	NG14 5ER
Ng14	Ng3	Ng14 5dj	Ng14 6ef	NG36BN	NG15 0BT	NG44PE
Ng145FG	NG14 5GN					

## **Comments submitted during the Consultation Exercise themed by general areas of comment.**

<b>A Smoke Not an Issue in Rural Areas</b>		
<b>ref</b>	<b>Consultation Comments</b>	<b>Response to issues raised</b>
1	The rural area of Stoke Bardolph in the Old village boundary consists of less than 80 house. The impact that we are is marginal and of set again it being policed.	Enforcement costs will not change as the Council can use Statutory Nuisance/ASB powers now in areas not covered by SCAs. What changes is the powers we can use to enforce.
2	I consider the current legislation adequate. Rural areas have fewer cars and the air quality is already good. Once car emissions are addressed in a feasible way in towns maybe then the logic of this proposal will make sense	Domestic combustion is a major source of particulate matter emissions in 2021, accounting for 16 per cent of PM10 emissions and 27 per cent of PM2.5 emissions. Most emissions from this source come from households burning wood in closed stoves and open fires.  Road transport remains a major source of PM emissions (12 per cent of PM10 and 13 per cent of PM2.5 in 2021). <sup>3</sup>
3	Smoke from domestic heating is not a significant issue in my area, so why waste time and impose restrictions unnecessarily. It does not cover bonfires, which are the more significant issue.  A smoke control order would prevent me using my fireplace to burn logs, meaning they will have to be disposed of by transporting them to a disposal facility, costing money and CO2 emissions, where they will just decompose, releasing the same CO2 as if they had been burned (so net, an increase in CO2 due to transport).  I will also have to spend more on gas to heat me home, which will increase CO2. For the very few homes that actually emit particulates in this area, the trees will filter most of them before anyone has the opportunity to suffer any effects (I could quote a source on the difference between tree lined urban roads and those without trees, but having woods and forests nearby is far more significant, so urban studies are largely going to understate the effect).  A blanket order may make is easier for administration, but does not reflect the relevance of the problem or take into account the unexpected consequences of an order where it is not needed	The Clean Air Act only relates to smoke from chimneys in buildings. It does not cover bonfires, fire pits, pizza ovens or chimenea etc. Complaints of smoke from other activities are dealt with using the Environmental Protection Act and statutory nuisance provisions.  The Smoke Control Area order does not affect non-compliant stoves from burning smokeless authorised fuels. Those with non-compliant stoves are still permitted to use them with smokeless authorised fuels, as they do not emit excessive amounts of smoke. There should be no requirement to replace a non-compliant stove, only a requirement to use authorised fuel.  See comment 81.  Whilst trees can help elevate the impacts of pollution this will be a very site specific impact; not all rural residential areas benefit from a large canopy of trees.

<sup>3</sup> [Emissions of air pollutants in the UK – Particulate matter \(PM10 and PM2.5\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/emissions-of-air-pollutants-in-the-uk-particulate-matter-pm10-and-pm25)

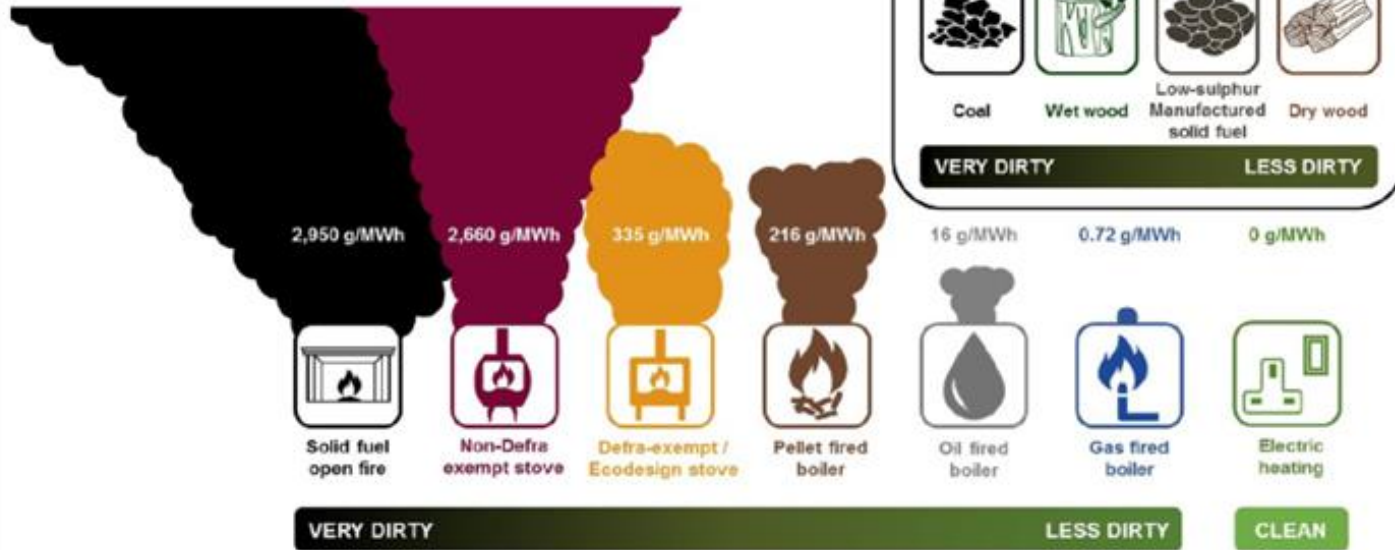
4	More expensive to rework and people need alternative ways to stay warm so restrictions will cause massive hardship.	Enforcement costs will not change as the Council can use Statutory Nuisance/ASB powers now in areas not covered by SCAs. What changes is the powers we can use to enforce.
5	As the last area to be included in a smoke controlled area was decades ago I would expect the effects from smoke are now reduced sufficiently and there is no massive health benefit to widening the controls all across the borough.	Smoke control areas were introduced largely to cover the issue of coal burning; hence why they tend to match areas around coal mining communities. The source has now changed and the health impacts from particulate matter are increasingly understood.
6	<p>The villages and isolated properties should not be forced into a smoke control zone which is only of real value in urban and suburban areas. The suggested extension is an infringement of liberty without sufficient justification; it being "easier" to have an order covering the whole borough is a superficial and limited justification for what would actually be a wholly disproportionate step.</p> <p>Population density is insufficient in the proposed areas for the particulates to have the effect they have in urban and suburban areas. There is rural poverty just as there is urban poverty, and taking away the main heating option in a lot of rural homes and boats would be oppressive and risk causing ill health through cold.</p> <p>The Council should concentrate on delivering their vital services rather than imposing this disproportionate order. The lack of genuine net benefit from the order means that its imposition would smack of posturing rather delivering for borough residents and boating visitors.</p>	<p>Currently about 80% of Gedling Borough residential properties are covered by Smoke Control Areas and these are enforced and regulated by our Pollution Control Officers. Expanding the existing smoke control areas is one of many measures that we are trying to use to tackle existing health inequalities across the borough. We want to ensure that all communities in Gedling benefit from these regulations.</p> <p>Census 21 data indicates that households with <i>wood only</i> as their central heating was 0.2% in Ravenshead, Newstead and Bestwood Village; 0.1% in Burton Joyce.<sup>4</sup> Where this figure increases is where households report <i>two or more types of central heating (not inc. renewables)</i> this is likely to include a wood stove as one of those forms. The figures here rise to 8.4% in the more rural parts of the Borough.<sup>5</sup></p> <p>The Council is not planning on including moored vessels into a new smoke control order.</p>
7	Burning of wood, especially collected from the local area, is a natural form of heating in rural areas and has been for thousands of years. Far less a pollutant than gas central heating.	See info graphic below

<sup>4</sup> [Type of central heating in household - Census Maps. ONS](#)

<sup>5</sup> [Type of central heating in household - Census Maps. ONS](#)



## Relative PM<sub>2.5</sub> emissions in your home from domestic heating methods



Smoke plumes are not to scale. Emission factors show emissions in the home – emissions during production of fuel or electricity are not included here. Emission factors taken from EMEP 2016 Guidebook (1A4 - small combustion tables). The following definitions were used: *Solid fuel open fire*: wood burned in an open fire; *Non-Defra approved stove*: wood in a conventional stove; *Defra-approved / Ecodesign stove*: wood in an advanced / ecolabelled stove; *Pellet fired boiler*: wood in pellet stoves and boilers; *Oil fired boiler*: fuel oil in a medium (<50kWth - <1MWh) boiler; *Gas fired boiler*: natural gas in a small (<50 kWth) boiler.

8

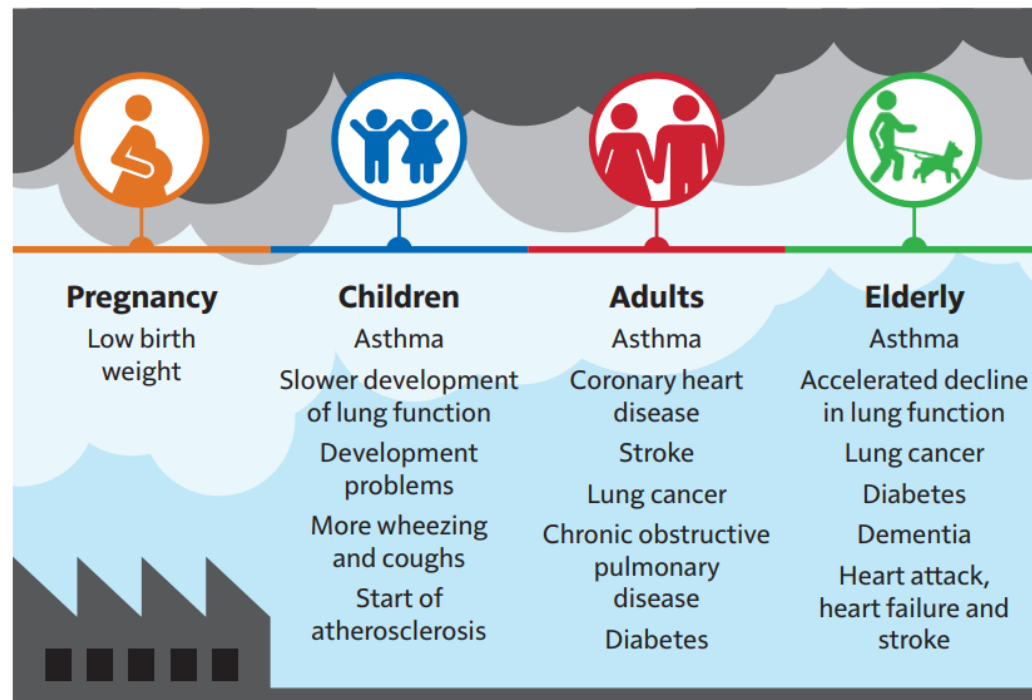
I don't think the policy should be changed. What about all the people who live in the smaller areas and have come to rely on solid fuel stoves as their main source of heat? Me included!

**We are not banning burning logs or other solid fuels.** Rather residents will need to follow the rules regarding what they can burn and in what type of stove/fireplace.

9	<p>We have made significant improvements to our house at huge expense to be more energy efficient.</p> <p>Solar panels, insulation, new double glazing etc. Our wood burning stove is still a necessity in winter that helps keep the whole house warm whilst preventing us from burning gas via our boiler.</p> <p>We live in a non-densely populated area, (Lambley) where smoke and pollution is not an issue. A smoke control order in Lambley will leave us cold in the winter despite our home improvements or will cost us significantly more in burning gas which remains at sky high prices as we enter our later years</p>	<p>Changing the SCA will not directly prevent a resident from burning logs; however, should we receive a complaint, and smoke is witnessed from the chimney, then enforcement action may be taken following the Enforcement Policy. The enforcement of SCA is largely a complaint driven process.</p> <p>Currently, if a complaint is received then it would be assessed and enforcement using statutory nuisance/ASB powers; the change here is one of which piece of legislation is used.</p> <p>The Smoke Control Area order does not affect non-compliant stoves from burning smokeless authorised fuels. Those with non-compliant stoves are still permitted to use them with smokeless authorised fuels, as they do not emit excessive amounts of smoke. There should be no requirement to replace a non-compliant stove, only a requirement to use authorised fuel.</p>
10	<p>A smoke control order is not required outside of town centres. Rural villages have no issue from stoves and many rural properties rely on stoves to heat them</p>	
11	<p>This is a non-issue waste of time and resources. The amount of people that burn anything is likely low and this is just a way to penalise multifuel burner users.</p>	<p>It may indeed be the case that remote rural properties burning are having less of an effect on the surrounding air quality compared with more urban environments. However, more densely populated village environments could be impacted by emissions of smoke.</p>
12	<p>It's such a minute amount, this is all about controlling us. A much better way to improve air quality is to make traffic lights allow traffic to flow instead of the constant stop start which is unnecessary and raises emissions dramatically</p>	<p>Currently the villages of Bestwood, Calverton and Newstead are within Smoke Control Orders; but the remaining villages are not, which is because the original smoke control orders were placed to solve the issue of coal burning (in predominately colliery villages).</p>
13	<p>Married stage 4 cancer and use a log burner to heat the part of the house we use instead of turning the heating system on. No really close neighbours to cause offence to.</p> <p>Much more pollution from the cars picking children up from schools with their engines on. Bonfires probably do as much damage to the environment especially from building works as well-maintained log burners.</p>	<p>The sale of traditional bituminous house coal was banned in England in May 2023; the source therefore is now the burning of wood.</p> <p>Domestic combustion is a major source of particulate matter emissions in 2021, accounting for 27% of PM2.5 emissions. Most emissions from this source come from households burning wood in closed stoves and open fires.</p>
14	<p>Many homes in rural areas use a wood burner as an occasional source of heating during the winter months. It is a wonderful way of using wood from locally felled trees that would otherwise require disposal of. It also saves heating bills, give a pleasant ambience to the home with the most basic of elements.</p> <p>In a rural area where smoke dissipates across fields it is extremely unlikely to cause any harm to anyone. As opposed to gas or smokeless fossil fuels, wood is from a shallow carbon cycle and does not have a net gain to global warming.</p>	<p>Fine Particulate Matter (PM10 and PM2.5) is considered a particularly harmful pollutant with regard to human health.</p>

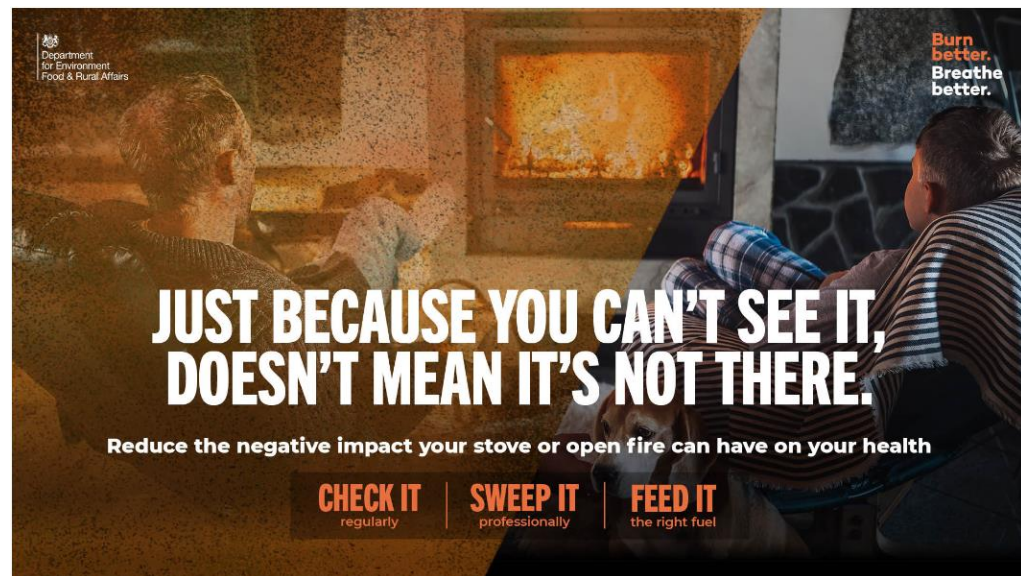
15	<p>Lower density country areas should remain exempt but with the proviso of minimising unnecessary pollution. by using Defra recommended log burners, certified dried wood etc.</p> <p>Gedling is a diverse district, and we can celebrate the differences between urban and country areas, which should be retained. There is no need for a standardised position. There are examples of variations which people know and understand. ie. Speed restrictions.</p> <p>People understand where there is a variance say, in a high-risk area such as a school in a vicinity, or high density population/ shopping area. Please let us continue to celebrate and encourage differences not just a homogenised district.</p> <p>Laws already exist where a nuisance is being committed with regard to smoke pollution. Let us retain and enforce these rather than increase restriction and laws.</p>
16	<p>Lambley and Woodborough are small villages with sparsely populated housing compared to Carlton, Gedling, Mapperley, Arnold and other areas, a lot of houses are old (we are not even on mains sewage) and the cost of heating upgrades are prohibitive. the impact of a few houses in the villages heating their homes responsibly is negligible in rural villages such as Woodborough and Lambley vs forcing whole new ways of heating homes in a small population.</p>
17	<p>I can understand that a ban is necessary in built up areas but it is not required for those of us living in a village in the country side. We live in a detached property in an acre of land and using a wood burner would not affect anyone else.</p> <p>It's a relatively cheap form of fuel especially when using our own wood. Just lost our heating allowance so even more important to have an alternative source of heating</p>
18	<p>Much of Gedling is a rural area, many folk rely on traditional heating methods</p>
19	<p>Order already covers 81% of residence, in the most built up areas, where air quality is an issue</p>
20	<p>This is a potty proposal. There is no health risk from wood or coal smoke in Woodborough.</p>

### The health impacts of air pollution



Source: Air Pollution - [Chief Medical Officer's Annual Report 2022 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/103111/2022-03-23-air-pollution-report-2022.pdf)

21	<p>The number of homes with wood burning stoves and the amount of use they realistically get over the course of a year is really quite small. I think a blanket ban just punishes those that use a fire to heat their home as a low cost and sustainable manner, what is the alternative?</p> <p>Burning gas in a boiler...the cost of which is extortionate. I think if clean air is what the aim is, tackle the amount traffic on the roads or the amount of pollution produced by commercial or industrial processes.</p> <p>To ban wood burning stoves is just a easy win for the council, rather than tackling the bigger, more serious polluters.</p>
22	A bit of smoke in the countryside hurts no one.
23	<p>We write to object to the above proposed order.</p> <p>In rural areas there are a high proportion of properties using solid fuel, but they make up only a very small percentage of Gedling Borough as a whole. Therefore, the order will have only minimal effect overall. Many rural properties are reliant, some totally, on burning solid fuel in existing appliances such as open fires and stoves of various types for their heating.</p> <p>The cost of replacing non-compliant existing appliances is prohibitive and, in many cases, totally impracticable if not impossible.</p> <p>Having lived in rural areas for over 70 years we have never been aware of chimney smoke being a problem. Most fires smoke initially but burn clean once established. Traditionally in rural areas supplies of fuel are built up over many years. Therefore, should the order ever be implemented much more notice is necessary. This also applies to the time required for the replacement of appliances. A minimum of 5 years notice would be reasonable.</p> <p>If implemented this order will cause both hardship and distress to many, particularly elderly, people in rural areas. The situation is exacerbated for many pensioners by the recent loss of the winter fuel payment.</p> <p>We regard the order as totally unnecessary and object most strongly.</p>



<b>B Cost Implications and Fuel Poverty</b>		
<b>ref</b>	<b>Consultation Comments</b>	<b>Response to issues raised</b>
24	<p>Rural fuel poverty has been widely reported on, yet still there is a belief that everyone who lives in the countryside is rich. They are not. Replacing stoves to meet new standards, is yet another cost at a time when heating costs oil and gas are seriously affecting rural households.</p> <p>Rural areas are not supported or funded to the same level as urban. So don't treat them the same. Homes are older and harder to keep warm.</p> <p>Look to the use of fossil fuels being used in our power stations, and licenses being given to mine coal before going after those with no other choice.</p>	<p>The Council's intention with this boroughwide proposal, is not about putting people into fuel poverty, but about helping people find safer ways to keep themselves warm that doesn't result in them sacrificing their own health, their family's health, and the health of the wider community. This is because cheap heating using non-authorized fuels and stoves comes at a cost to health.</p> <p>An Enforcement Policy will need to take into account issues relating to fuel poverty when making decisions on any enforcement action.</p> <p>A proportionate approach is one recommended by DEFRA and the Council would look to take action that is fair to both parties and the Enforcement Policy would be required to ensure consistency of approach.</p>
25	<p>People need to be able to use wood burners and coal fires as that may be the only way of heating their home. Bonfires are the real problem and need to be stopped.</p>	<p>The sale of traditional bituminous house coal was banned in England in May 2023.</p>
26	<p>Replacing existing wood burners would be financially impossible for many people.</p>	
27	<p>The people are struggling, with bills, and use what they to keep warm/cook, and can do out authorities with little do causing more problems.</p>	<p><b>We are not banning burning logs or other solid fuels.</b> Rather residents will need to follow the rules regarding what they can burn and in what type of stove/fireplace.</p>
28	<p>In a time when fuel costs keep going up, it's unfair to penalise people for trying to save money on gas costs by having a wood and coal burner.</p>	
29	<p>With winter fuel being cut and loss of income burners are a way of keeping warm. Increases in all living cost are making many enter poverty. This will only add to further poverty for many who may use alternative fuel to stay warm. Please think before certain actions are taken. Slowly everything is being squeezed so sad 😞</p>	<p>Obtaining independent information on costs can be difficult as studies reported are either carried out by industry bodies (Stove Industry Alliance (SIA)) or environmental groups, as:</p> <p>Wood burners are almost always more expensive to heat your home than gas boilers or heat pumps<sup>6</sup>. Research shows that in a typical urban household, the annual cost of using an existing wood burner is 15% higher than a gas boiler.<sup>6</sup></p>
30	<p>This is my sauce of heating my home that I can afford, I cannot and will not be buying a stove that fits criteria! I've had my wood burning stove for nearly 20 years and is not causing anyone any problems.</p>	<p>When a household uses a newly installed wood burner for 20% of its heat, its yearly cost is 24% more than a gas boiler. That cost rises to almost 50% more expensive where a household uses a newly installed wood burner for 80% of its heat.<sup>6</sup></p>

<sup>6</sup> [Wood burning is more expensive than central heating - Impact on Urban Health](#)

31	We cannot afford to heat our house with the current price of energy being absolutely ridiculous... our log burner is the only thing that keeps us warm in the winter months and this is one room only! This worries me a lot that I won't be able to keep my children warm in their own home as your taking away our only method of heat How can people afford to live with sky high energy prices	<p>The only scenario in which burners are cheaper is when lots of the wood is free – for example, if you have access to private woodland and can forage your own wood <b>(which must then be dried properly, for at least two years)</b>.</p> <p>Free wood such as foraged, scrap wood that hasn't been properly dried or seasoned and has treatments/coatings such as varnish or paint can be more harmful when burned.</p> <p>Census 21 data indicates that households with <i>wood only</i> as their central heating was 0.2% in Ravenshead, Newstead and Bestwood Village; 0.1% in Burton Joyce.<sup>7</sup> Where this figure increases is where households report <i>two or more types of central heating (not inc. renewables)</i> this is likely to include wood stove as one of those forms. The figures here rise to 8.4% in the more rural parts of the Borough.<sup>8</sup></p> <p>If residents have multi-burner style wood burners then they can switch to smokeless fuel; which does tend to be more expensive, although in recent times the cost of seasoned wood has risen.</p> <p>The Smoke Control Area order does not affect non-compliant stoves from burning smokeless authorised fuels. Those with non-compliant stoves are still permitted to use them with smokeless authorised fuels, as they do not emit excessive amounts of smoke. There should be no requirement to replace a non-compliant stove, only a requirement to use authorised fuel.</p> <p>Domestic combustion is a major source of particulate matter emissions in 2021, accounting for 16 per cent of PM10 emissions and 27 per cent of PM2.5 emissions. Most emissions from this source come from households burning wood in closed stoves and open fires.</p> <p>Road transport remains a major source of PM emissions (12 per cent of PM10 and 13 per cent of PM2.5 in 2021).<sup>9</sup></p>
32	Residents who cannot afford gas/electrical heating should be allowed a solid fuel alternative until such time that energy is affordable. Particularly for pensioners.	
33	Heating is too expensive! This is the only way to feel warm. I can't afford to heat my house I STRONGLY OBJECT!	
34	Completely unreasonable to expect people who currently rely on an already installed woodburning stove (which is a cheap and sustainable method of heating) not to use it.	
35	With fuel charges set to rise and the winter fuel payment stopped is this really the time to pursue this.	
36	people should have the right to have an open fire or log burner, gas and electricity are far to expensive	
37	People should be able to have a open fire or log burner, as a old age pensioner I cannot afford gas and electricity increases	
38	When the government has just withdrawn the pensioners winter fuel allowance it is not a good time to implement this as quite a few older people will rely on wood burners for heat during winter.	
39	A lot of people rely on log burners to heat up houses which for some is a lot cheaper than gas or electric.	
40	Wood is my main source of heating	
41	We can't afford central heating so a log burner heats as much as I can afford	
42	There are far too many other aspects which would also contribute to this factor, however within the current financial crisis of families, I do not feel that this would benefit the lower income families that rely on this method of heating a home, especially in colder months.	

<sup>7</sup> [Type of central heating in household - Census Maps, ONS](#)

<sup>8</sup> [Type of central heating in household - Census Maps, ONS](#)

<sup>9</sup> [Emissions of air pollutants in the UK – Particulate matter \(PM10 and PM2.5\) - GOV.UK \(www.gov.uk\)](#)

43	<p>The whole country has been subject to significant financial pressure during recent years, and many are in fuel poverty. The general feeling is that the current government are intending to raise the fuel price cap twice over the autumn/ winter period.</p> <p>Many people rely on being able to utilise an open fire or wood burning stove to reduce heating costs and to enable them to keep themselves and their homes warm.</p> <p>I acknowledge that smokeless fuel can be purchased, however, this incurs a cost again, negating the whole point of using the wood burner, considering wood is much cheaper or can be free to obtain. I also have concerns over the nature of this consultation, in that many offer residents, who many rely more heavily on alternative methods of heating, will be unable to access the consultation or unaware of it.</p> <p>A new government always brings a degree of uncertainty, so I would consider it a poor time to be making changes which could have a significant impact on financial stability.</p>	<p>All other commercial and industrial activities that have the potential for creating significant emissions to air, land and/or water are regulated as '<i>Permitted Processes</i>' by either Gedling Borough Council or the Environment Agency under the Environmental Permitting (England &amp; Wales) Regulations 2016.</p>
44	<p>Many residents rely on burning stoves for their primary heating or cooking method and wouldn't be able to financially support another method (gas or electric). When compared to the pollution from industry the household emissions aren't the real problem.</p>	
45	<p>The financial strain you will be putting on residents of your borough over winter is massive. In an area where you have continued to raise taxes as we continue to hurtle into a financial crisis. You are potentially putting residents in the position where they must choose between heating and eating this winter.</p> <p>As a teacher I see the direct impact of what happens to children's health, happiness and education when they are growing up in homes where heating cannot be afforded. I understand the environmental impacts of burning wood, however, would ask that you consider looking at business that are much more of a culprit in the area when it comes to global warming. Stop penalising people who cannot afford to heat their homes.</p>	
46	<p>The smoke order should not apply to rural villages. Wood burning stoves using correctly dried logs should not be banned. Many in the rural areas use this as a significant aid to heating to mitigate the rising cost of utilities.</p>	

47	<p>With the government take away WFP a lot of people will be relying on burning wood that they have accumulated over the summer to stay warm this winter.</p>	
48	<p>Yes, we live in Stoke Bardolph and have a log burner as our main source of heat in winter. It would be extremely expensive for us to not use this and to use gas instead.</p> <p>We have a young toddler and need to keep the house warm for him and well as ourselves. We are detached and have no direct neighbours so would not be affecting anyone. This order would directly impact our finances and our wellbeing.</p>	
49	<p>Consideration needs to be made for the economic impact on properties that use wood burning stoves as only source of heating and hot water.</p>	
50	<p>People are struggling to heat their homes, since my father died, my mother has lived on her own in a large house. She cannot afford to heat the whole house, so uses a wood burner to heat the lounge.</p> <p>Many other people are in this situation. Small home wood burners are not the source of large amounts of pollution. Concentrate on businesses and people who have bonfires constantly.</p>	
51	<p>Unnecessary and actually restrictive on folks with different needs/abilities/financial freedoms to help heat homes, get rid of garden waste etc.</p>	
52	<p>We heat our house with smokeless coal and kiln dried wood and we would have increased heating bills if the council banned any heat source that required a chimney.</p>	
53	<p>Another money making scam, the council/government have no interest in air quality. There are much more damaging things in our environment that affect air quality.</p> <p>The elderly are already going to be in fuel poverty after having the winter fuel funds taken away, let them and other families keep warm by using other methods if they can.</p>	
54	<p>My home is heated by a back boiler and has no central heating. Due to the age and construction of the property a heat pump is not an option.</p> <p>This decision would leave our home without heating and without a realistic and affordable way of replacing our heating system. I am a single parent with two children and this decision would place us in financial distress.</p>	



55	<p>On my part of our road there is no gas so we can't have gas central heating. We are therefore completely electric - storage heaters and an Emerson water heater.</p> <p>When we have power cuts (which has happened every year of the 18 years we have been here) our heating therefore no longer works. Electric storage heaters need time to charge so the impact of a relatively short power cut is huge as we have to wait another 6 hours for the heaters to start charging again.</p> <p>We have 4 children and using our stove is the only way we can keep them and ourselves warm. We have free wood and it seems unfair that we should have to pay a large amount in buying smokeless fuel.</p> <p>The number of people who use wood to burn on their fires in our village is far less than the number of people who create pollution with their bonfires and BBQ's. Are you going to ban those as well?</p>	
56	<p>Our Victorian house is painfully cold in winter and due to the cost of gas central heating we would be unable to stay warm without using our log burners. I don't know that they cause any more issues than cars on the road.</p>	
57	<p>Concerned that at a time of rising fuel prices, the removal of the Winter Fuel Allowance from thousands of pensioners that the impact of this order will disproportionately affect older people if they have no other source of heating their homes. Modern log burners are now better at reducing harmful emissions. The use of well-seasoned wood again reduces the potential for smoke. Is this the start of banning log burners?</p>	
58	<p>I like a lot of people have a wood burner, of which I only buy the correct wood, I would freeze in the winter without it, due to electricity being so high it is my only source of heating in the winter, so I strongly object. [Name supplied]</p>	

<b>C Enforcement and Communication</b>		
<b>ref</b>	<b>Consultation Comments</b>	<b>Response to issues raised</b>
59	Excluding lighting up period would be essential	<p>Guidance from DEFRA was: “A smoke control area is a legally defined area where you cannot emit a substantial amount of smoke from a chimney.”</p> <p>This was recently amended to remove the ‘substantial amount’, hence now guidance refers to <u>any</u> smoke from a chimney. We have recently asked DEFRA for clarification on this point and they have confirmed that ‘we would recommend taking a proportionate approach e.g. – if a very small amount of smoke is emitted during start up, enforcement action should not be required.’</p> <p>This proportionate approach is one the Council would look to take, and an Enforcement Policy would be required to ensure consistency of approach.</p> <p><b>This will include allowance for lighting up and re-fuelling periods.</b></p> <p>Changing the SCA will not directly prevent a resident from burning logs; however, should we receive a complaint, and smoke is witnessed from the chimney, then enforcement action may be taken following the Enforcement Policy.</p> <p>Currently, if a complaint is received then it would be assessed and enforcement using statutory nuisance/ASB powers; the change here is one of which piece of legislation is used.</p> <p>The new enforcement policy (under the Clean Air Act) includes a three-stage process (warning letter, notice of intent and then final FPN) appeals process is included in the policy.</p> <p>A proportionate approach is one recommended by DEFRA and the Council would look to take action that is fair to both parties and an Enforcement Policy would be required to ensure consistency of approach.</p> <p><b>We are not banning burning logs or other solid fuels.</b> Rather residents will need to follow the rules regarding what they can burn and in what type of stove/fireplace.</p>
60	Lighting periods need to be allowed	
61	<p>Many people have installed dual fuel burners in line with Defra rules they do omit some smoke bit mostly when first lit.</p> <p>The cost of heating is beyond a lot of people most of whom live in old houses that cannot be insulated fully. Burners help to keep the home warm and keep some dampness at bay. I am sure that we are all aware of smoke emissions just as we are all aware of excessive traffic fumes.</p>	
62	With a multi fuel burner being our only source of heating, we would hope that the proposed measures would allow for the smoke emission when our fire is first lit using tinder and kindling.	
63	<p>I lived in Mapperley with a new Defra approved log burner, I brought kiln dried hard wood logs at £150 a bag. You never know 100% how dry all the logs even if you do a moisture test, some can still not burn well.</p> <p>When you first light a fire you will get smoke until it gets to temperature then you won’t if you are burning dry logs.</p> <p>There needs to be a at least an hour to get the burner to temperature to see no smoke. Very unfair and will feel like another money-making scheme.</p>	
64	<p>People using damp wood is a huge issue- the dried wood and briquettes seem ok once properly lit. Does there need to be clarity of length of smoke from a chimney whilst lighting a fire?</p> <p>So people are clear. Hope action is appropriate and not too draconian initially. Garden fires need more regulations as do building site fires.</p>	
65	<p>I have a wood burner and live in Woodborough- I used low smoke fuel last winter not wood - I would like to still be able to do this and use wood kindling to get the fire going</p> <p>So I would accept stopping burning wood but would ask for flexibility with low smoke fuels The use of diesel fuelled vans has increased over the last</p>	

	few years - causing pollution -my point being everything needs to be in proportion -	Wood is not a carbon neutral fuel. See point 81.
66	The smoke control order consultation is not clear what the implications are for households who use stoves for heating. Will the burning of wood be banned?	
67	<p>We live in a rural location in Gedling. We installed a multi stove burner 12yrs ago that is modified to provide central heating to parts of the house. This modification saves us using our gas powered combi boiler. We regularly clean our chimney and multi stove burner.</p> <p>We also source industrial clean machined wood (that is destined for landfill). We also have a moisture meter to ensure the wood we burn is at the correct moisture levels. This along with the smokeless coal we source is our main source of heating for our house.</p> <p>My wife and me are in our mid 70s and introducing a ban on us from using our primary source of heating will be very destructive and worrying on how we compile with this proposed smoke control order.</p>	
68	all solid fuel appliances, when cold emit smoke, therefore fining someone for visually emitting smoke could lead to every person getting a fine. our fire is defra approved, have only ever burnt defra approved kiln dried wood, but it sill smokes when first lit. Are we sure this is just another excuse to fine people for something	
69	I agree in built up areas, but properties with a substantial amount of land & significant distance from other properties should not be included	
70	A cottage built 200 years ago with single skin walls and open fireplaces should still be able to burn fuels as long as there is no excessive smoke output.	
71	<p>Some properties in the villages to which the current extension proposal relates have no access to mains gas. Burning wood is preferred to coal as it is carbon neutral.</p> <p>Householders will already have significant stores of wood which is seasoning. Well-seasoned wood will create little smoke. I disagree with the proposals.</p>	

72	<p>Hello, I do not support the proposed changes. I have a Woodburning stove which is only used on cold winter evenings to keep us warm and cut our gas bills. The wood burner is multi fuel and designed to keep smoke to a minimum as it burns very efficiently. Regards [Name supplied]</p>	
73	Needs to be accompanied by education around types of fuel that should be used and why this matters.	<p>Agreed, it can be a confusing legislative area with differing pieces of legislation used for differing types of complaints, i.e. smoke from chimneys, garden bonfires, fires on building sites etc. Then there are the more specific issues around:</p> <ul style="list-style-type: none"> <li>• using the correct stove and fuel</li> <li>• stove maintenance and operation</li> <li>• wood moisture content etc.</li> </ul> <p>We are not alone in having these issues with getting residents to understand these issues. As such we will work with other LAs in the County to come together and produce some consistent messaging for all LAs to use.</p>
74	Make it simple and easy to understand. Education and promotion are key to this being successful.	
75	<p>My log burner is my main source of heating. I have had it for 16 years . I installed it to replace an open fire. I only use it to heat one room. I have had my gas fires disconnected. I only use seasoned wood bought from reputable supplier. I don't know what I would do about heating in the winter if I could not use it.</p> <p>I think it's reasonable to restrict what people burn, educate about not burning unseasoned wood, varnished , painted wood for example, please don't have over all ban it would create a lot of hardship. For me it's a necessity to have one.</p>	
76	<p>I think the fine is too high and should be revised down to £150. I would like to also know how the fine money would be used by the council moving forward.</p> <p>I also want a clear efficient and fair appeals process for those incorrectly fined who can prove that they have a DEFRA approved burner and are buying (proof of purchase) and burning (visual inspection) approved materials.</p>	
77	It is not clear how the smoke control will be monitored or implemented. If the council want to improve air quality there needs to be a strategy for monitoring and following up properties not keeping to the rules.	The Clean Air Act Section 19A sets the level of financial penalties at between £175 and £300. Gedling has set the FPN for a first offence at the minimum (£175) and for repeat/persistent offences at £300.
78	Why ban burning logs, a renewable source, it's ridiculous.	The enforcement policy includes a three-stage process (warning letter, notice of intent and then final FPN) appeals process is included in the policy.
		The enforcement of smoke control areas is currently complaint driven in the existing smoke control areas, and there are no plans to amend this.
		We are not banning burning logs. Rather residents will need to follow the rules regarding what they can burn and in what type of stove/fireplace.

D Mixture of Themes mentioned		
ref	Consultation Comments	Response to issues raised
79	<p>I would like to know what data has been gathered and considered in relation to the existing smoke control areas and the measure of impact on air quality of the introduction of each of those areas?</p> <p>In addition, I assume there is a cost to the enforcement of a smoke control area and I would like to know what those costs have been in the existing areas and what the projected costs of enforcement in the proposed new area is per year. There is insufficient information or data available to allow any reasonable person to support the proposed extension of the smoke control area.</p> <p>The proposal does not take into account the costs to households (during a cost-of-living crisis) of upgrading existing equipment with potentially very minor impacts on emissions or reverting to increased expenditure on gas and electricity provided by large energy firms thus increasing the negative impact on air quality of those firms which may far exceed the unquantifiable local impact of this proposal.</p> <p>The failure to include items such as bonfires, firepits and barbeques seems to indicate this is an attempt to make it look as if the council is doing something that may or may not be beneficial. The council is clearly not approaching this issue with proper data and impact assessments unless here is data about the impact and the costs of enforcement not being available to those of us who will bear the costs of the proposal.</p>	<p>No monitoring evidence has been used. DEFRA has asked all LAs to review their SCAs and amend if necessary. The Environment Act 2021 established a legally binding duty on government to bring forward two new air quality targets for PM2.5. Although the targets are not currently the direct responsibility of local authorities, The Government <a href="#">Air quality strategy: framework for local authority delivery - GOV.UK (www.gov.uk)</a> states:</p> <p><i>'We have been clear in guidance to local authorities since 2016 that we expect local authorities to use their powers to reduce PM2.5.</i></p> <p><i>We still have not seen sufficient action from the majority of local authorities. In light of the new targets, if we consider further action to be insufficient, we will consult on introducing a standalone legal duty on local authorities to take action to reduce PM2.5 emissions.'</i></p> <p>Enforcement costs will not change as the Council can use Statutory Nuisance powers now in areas not covered by SCAs. What changes is the powers we can use to enforce.</p> <p>The Clean Air Act only relates to smoke from chimneys in buildings. It does not cover bonfires, fire pits, pizza ovens or chimenea etc. Complaints of smoke from other activities are dealt with using the Environmental Protection Act and statutory nuisance provisions.</p>
80	<p>Many properties in rural areas of the borough have wood burning stoves which were installed before the HETAS requirements. Gedling being a mainly urban borough does not always fully consider the implications of its actions on rural areas, so I was pleased to see this consultation and hope I am not wasting my time by submitting this form.</p> <p>To provide further context, I do have asthma so managing this with regard to air quality is something I am used to. However, I feel that unless the Borough council is willing to provide a generous subsidy to every household which needs to adapt or replace a current wood burning stove which would not comply with more regulation, then this proposed legislation comes at a bad time for home owners in a cost of living crisis.</p>	<p>It is not proposed to provide any grant funding to assist residents to change their appliances to DEFRA approved. There is no grant funding available from DEFRA.</p> <p>Guidance from DEFRA was: <i>"A smoke control area is a legally defined area where you cannot emit a substantial amount of smoke from a chimney."</i></p> <p>This was recently amended to remove the <i>'substantial amount'</i>, hence now guidance refers to <u>any</u> smoke from a chimney. We have recently asked DEFRA for clarification on this point and they have confirmed that <i>'we would recommend taking a proportionate approach e.g. – if a very small amount of smoke is emitted during start up, enforcement action should not be required.'</i></p>

<p>Many use their wood burners to avoid using gas and electricity due to the increased costs of heating a home. To stipulate that only seasoned timber/approved fuel should be burnt is a good move and that any new wood burners should comply. Also to provide free inspections and recommendations if the borough wide regulation goes ahead.</p> <p>Our wood burner was installed pre 2002 but is regularly serviced and the chimney swept. The chimney also has a liner. We burn seasoned timber from a local supplier. I am not sure whether this would comply or not?</p> <p>Please consider publishing the average cost to a household of implementing this proposed smoke control legislation before moving forward. The questions asked by this survey are quite simplistic...</p> <p>Could we also have some facts about how much air pollution is generated by industry near to where we live compared to how much is generated by domestic homes? I know every little helps, but there is a wider picture. Living in a rural area and being dependent on a car for transport I dread the next big idea about transport fumes.</p> <p>This is also largely targeted at those in urban areas, or fortunate enough to live somewhere like Sheffield with an extensive, reliable and cheap public transport system. I hope my observations are taken into account.</p>	<p>This proportionate approach is one the Council would look to take, and the Enforcement Policy will ensure consistency of approach.</p> <p>Enforcement costs will not change as the Council can use Statutory Nuisance powers now in areas not covered by SCAs. What changes is the powers we can use to enforce.</p> <p>All other commercial and industrial activities that have the potential for creating significant emissions to air, land and/or water are regulated as '<i>Permitted Processes</i>' by either Gedling Borough Council or the Environment Agency under the Environmental Permitting (England &amp; Wales) Regulations 2016.</p>
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81	<p>It is not appropriate to have a single smoke control order covering the whole council area. The council area is a mix of urban and rural areas and the impact on air quality in a rural area from a home log burning stove is minimal due to the very low density of housing and the very small number of people passing by near enough to experience any potential particles.</p> <p>A log burning stove is the most sustainable, environmental and cost effective way heat a property. It is far more environmentally friendly and sustainable than solar or wind as there is minimal pollution and far less energy used to create a log burning stove than there is to create solar panels or wind turbines.</p> <p>Stoves also have a far longer life expectancy (up to 50 years) than solar panels or wind (around ten years). In these times of high energy costs, a log burning stove has been essential to us so that we can keep our electricity and gas bills to a manageable level. If we were no longer able to use our stove or could do so only if we bought expensive processed fuel then we would have to leave our house cold in winter and this would have a far greater impact on health outcomes.</p> <p>Cold is estimated to kill over 12,000 people in the UK each year and this must be a key consideration in any decision - it is not simply acceptable to only look at one health aspect, all must be equally examined and fairly assessed.</p> <p>I will be very vigorously campaigning against this draft order and its enormous and sinister overreach.</p>	<p>Wood is not a carbon neutral fuel.</p> <ul style="list-style-type: none"> <li>• For the same amount of heat or energy, burning wood releases more carbon dioxide (CO<sub>2</sub>) than oil or gas.<sup>10</sup></li> <li>• It can take decades for trees to regrow and absorb the carbon emitted by harvesting and burning wood and in the meantime, the atmospheric carbon released contributes to climate change.<sup>11</sup></li> <li>• Cutting down trees destroys forests, damages ecosystems and leads to biodiversity loss.<sup>12</sup></li> <li>• While good forest management involves thinning trees to promote biodiversity, the large demand for wood as a fuel we see in England poses a risk to biodiversity, either through single-species timber plantations or logging in natural forests<sup>13</sup></li> </ul> <p>Air pollution created from wood burning in homes is responsible for £0.9bn a year in health-related damages in the UK, according to analysis by the European Public Health Alliance (2022)<sup>14</sup> This report estimates that the average yearly social health-related costs of heating a household using a wood burning stove using data from 2018 was ~£645, whilst it was ~£25 for a noncondensing gas boiler and ~£21 for a condensing gas boiler.</p> <p>Although wood burning stoves in the UK only account for 6% of energy consumption they make up to 40% of the UK's health related costs from home heating. Health related social costs include direct (health care) expenditures (e.g. hospital admissions, loss of working days) and indirect health impacts and accompanied welfare loss (e.g. managing diseases such as COPD, increased mortality risk and reduced life expectancy due to air pollution).</p> <p>These figures are also an underestimation of the total health costs because it only includes outdoor pollution. The costs due to indoor air pollution have not been quantified by this study. Yet, indoor air is often more polluted than outdoor air due to higher concentrations of certain pollutants and that residents tend to spend the majority of their time indoors.</p>
82	<p>Why target a few log burning owners when the pollution from cars is far worse. The guidelines for being fined are not clear. Stupid idea and a waste of money.</p>	<p>Domestic combustion is a major source of particulate matter emissions in 2021, accounting for 16 per cent of PM<sub>10</sub> emissions and 27 per cent of PM<sub>2.5</sub> emissions. Most emissions from this source come from households burning</p>

<sup>10</sup> [Range and uncertainties in estimating delays in greenhouse gas mitigation potential of forest bioenergy sourced from Canadian forests - Laganière - 2017 - GCB Bioenergy - Wiley Online Library](#)

<sup>11</sup> [Does replacing coal with wood lower CO<sub>2</sub> emissions? Dynamic lifecycle analysis of wood bioenergy - IOPscience](#)

<sup>12</sup> [A stand of trees does not a forest make: Tree plantations and forest transitions - ScienceDirect](#)

<sup>13</sup> [Seeing the wood for the trees: the contribution of the forestry and timber sectors to biodiversity and net zero goals - Environmental Audit Committee \(parliament.uk\)](#)

<sup>14</sup> [Health-related social costs of air pollution due to residential heating and cooking. In the EU27 and UK - CE Delft - EN](#)

83	It's ridiculous when you consider pollution from other sources.	wood in closed stoves and open fires.  Road transport remains a major source of PM emissions (12 per cent of PM10 and 13 per cent of PM2.5 in 2021). <sup>15</sup>
84	<p>I have asthma but do not think this is a good move. People are feeling poorer and this would just be another kick in the teeth. Especially after removal of the winter fuel allowance for many pensioners who may have thought they could survive by relying on their wood burner instead.</p> <p>Bus stops with bollards preventing over taking of buses at the bus stop causing stop start of traffic must have more detriment to the air quality. Garden bonfires too. There are houses that constantly have fires instead of paying for garden bins.</p>	<p>The Clean Air Act only relates to smoke from chimneys in buildings. It does not cover bonfires, fire pits, pizza ovens or chimeneas etc. Complaints of smoke from other activities are dealt with using the Environmental Protection Act and statutory nuisance provisions.</p>

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<sup>15</sup> [Emissions of air pollutants in the UK – Particulate matter \(PM10 and PM2.5\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/emissions-of-air-pollutants-in-the-uk-particulate-matter-pm10-and-pm25)



<p>85</p>	<p>I am writing to express my firm objection to the proposed Smoke Control Order for the village of Lambley. While I understand the importance of maintaining air quality, this proposal fails to consider the minimal impact that wood burners have on our local environment and the vital role they play in many residents' lives.</p> <p>Many households in Lambley rely on wood burners as a primary or supplementary source of heating. Unlike urban areas, our village does not have the same level of industrial or vehicular pollution. The contribution of wood burners to local air pollution is negligible in comparison. Implementing a Smoke Control Order would place an undue burden on residents, both financially and logistically, without delivering significant environmental benefits.</p> <p>Furthermore, residents who use wood burners often do so responsibly, using seasoned wood and ensuring proper maintenance of their stoves to minimize emissions. The existing voluntary guidelines on woodburning have proven effective in promoting cleaner air practices without the need for restrictive measures.</p> <p>I urge the local authority to reconsider this proposal and instead focus on more balanced and targeted approaches to improving air quality that do not disproportionately affect our community. Measures such as promoting the use of eco-friendly fuels, offering incentives for upgrading older stoves, and enhancing public awareness about best practices in woodburning would be far more effective and equitable.</p> <p>Thank you for considering my concerns. I look forward to your response and to participating in further discussions on how we can achieve cleaner air without compromising the well-being and traditions of Lambley's residents. Yours sincerely [Name supplied]</p>	<p>See Section A which covers some of these points</p> <p>Section C covers some of this area regarding Enforcement and Communication</p>
<p>86</p>	<p>I am writing to express my firm objection to the proposed Smoke Control Order for the village of Lambley. While I understand the importance of maintaining air quality, this proposal fails to consider the minimal impact that wood burners have on our local environment and the vital role they play in many residents' lives.</p> <p>Many households in Lambley rely on wood burners as a primary or supplementary source of heating. Unlike urban areas, our village does not have the same level of industrial or vehicular pollution. The contribution of wood burners to local air pollution is negligible in comparison.</p>	<p>See Section A which covers some of these points</p>

	<p>Implementing a Smoke Control Order would place an undue burden on residents, both financially and logistically, without delivering significant environmental benefits. Furthermore, residents who use wood burners often do so responsibly, using seasoned wood and ensuring proper maintenance of their stoves to minimize emissions.</p> <p>The existing voluntary guidelines on woodburning have proven effective in promoting cleaner air practices without the need for restrictive measures. I urge the local authority to reconsider this proposal and instead focus on more balanced and targeted approaches to improving air quality that do not disproportionately affect our community. Measures such as promoting the use of eco-friendly fuels, offering incentives for upgrading older stoves, and enhancing public awareness about best practices in woodburning would be far more effective and equitable.</p> <p>Thank you for considering my concerns. I look forward to your response and to participating in further discussions on how we can achieve cleaner air without compromising the well-being and traditions of Lambley's residents.</p>	<p>See Section B regarding this point</p> <p>Section C covers some of this area regarding Enforcement and Communication</p>
87	<ol style="list-style-type: none"> <li>1. It is currently too expensive for us as a family to solely use gas central heating to heat our house which has a log burner. Maybe a nationwide approach is required to reduce the costs of gas/electric heating.</li> <li>2. Using gas for heating homes is not a sustainable source for the future. By us, not using much gas, it helps sustainability for other people. And no, we can't afford to put in all electric heating.</li> <li>3. We do not live in a built-up area of Gedling. We ensure the wood is properly dried before we use it.</li> <li>4. There is more pollution from bonfires in the village.</li> </ol>	<p>See Section C Enforcement</p> <p>The Clean Air Act only relates to smoke from chimneys in buildings. It does not cover bonfires, fire pits, pizza ovens or chimenea etc. Complaints of smoke from other activities are dealt with using the Environmental Protection Act and statutory nuisance provisions.</p>

88	<p>The cost-of-living crisis and the ability for people to keep warm during the cold months, including the elderly and those with young children needs important consideration with the proposal and implementation.</p> <p>Some residents may also have older and non-exempt stoves which are not listed on the government information and may not be able to afford a newer model (as linked to from the UK Gov website <a href="https://smokecontrol.defra.gov.uk/appliances.php">https://smokecontrol.defra.gov.uk/appliances.php</a> ).</p> <p>The consultation does not appear to clearly link to or provide information that may be helpful for residents to consider as detailed at: <a href="https://www.gov.uk/smoke-control-area-rules">https://www.gov.uk/smoke-control-area-rules</a> , which also links to <a href="https://smokecontrol.defra.gov.uk/appliances.php">https://smokecontrol.defra.gov.uk/appliances.php</a></p> <p>This may be helpful to make clear in the information and to enable residents who may be impacted by the proposed changes, and those with stoves/appliances to check the status of them regarding exemption as detailed on the government website:</p> <p>"Exempt appliances that can burn unauthorised fuels Unauthorised fuels, such as wood, can only be burned in exempt appliances such as some boilers, cookers and stoves. You must only use the types of fuel that the manufacturer says can be used in the appliance." Which then links to <a href="https://smokecontrol.defra.gov.uk/appliances.php">https://smokecontrol.defra.gov.uk/appliances.php</a>.</p>	See Section C regarding Enforcement and Communication
89	<p>Taking away people's choices on how to stay warm should not be allowed. I agree with making sure people aren't burning things they shouldn't be, but if they are only burning permitted fuels then this should continue. With rising energy costs people shouldn't be forced to pay big gas companies.</p> <p>If air quality is an issue then there's other things that need to be addressed. We have constant issues with neighbours burning garden fires and us having to keep windows closed, which is awful in hot weather. These fires are thick black smelly smoke. This to me is far more of an issue than people's trying to stay warm.</p>	The Clean Air Act only relates to smoke from chimneys in buildings. It does not cover bonfires, fire pits, pizza ovens or chimenea etc. Complaints of smoke from other activities are dealt with using the Environmental Protection Act and statutory nuisance provisions.

90	<p>1. THE QUANTITY OF PARTICULATE CREATED BY WOOD-BURNING STOVES IN HOUSES IN VILLAGE LOCATIONS IS NEGLIGIBLE. THESE FIRES ARE TYPICALLY USED FOR A FEW HOURS ON A FEW DAYS PER WEEK DURING 4 MONTHS OF THE YEAR. THERE IS NO HEALTH HAZARD IN THE VILLAGES.</p> <p>2. WOOD IS A RENEWABLE RESOURCE.</p> <p>3. WOOD IS FREQUENTLY A CHEAP ENERGY SOURCE.</p> <p>4. THIS QUESTIONNAIRE IS COMPLETELY FLAWED BECAUSE, IN REFERRING TO SERIOUS ILLNESSES, YOU HAVE STARTED BY GIVING RESPONDENTS A BIASED VIEW. YOU HAVE THEREBY PREJUDICED THE ENTIRE QUESTIONNAIRE, RENEDEING IT WORTHLESS.</p> <p>5. THERE IS A WHIFF OF THE POLITICS OF SPITE IN THIS PROPOSAL: THOSE WHO HAVE LOG-BURNING STOVES IN VILLAGES TEND TO BE OF ABOVE-AVERAGE WEALTH.</p>	<p>See Section A and Section C regarding Enforcement Policy</p> <p>See point 81 regarding wood as a '<i>renewable resource</i>'</p> <p>See Section C regarding 'cheap energy source'</p>
91	<p>Dear Sir, I do not support the smoke control expansion. People have spent thousands in having wood/dual fuel burners installed and shoulders have a ten year warning of change to the current rules.</p> <p>Many of us have lost our winter fuel payment making stoves even mote essential in warming our houses.</p> <p>A properly run stove will only emit smoke when it is first lite so any thought of a fine would need to allow for this.</p> <p>If you are really worried about smoke inhalation you should consider what to do about bonfires! [Name and address supplied]</p>	<p>See Section C regarding enforcement - light up.</p> <p>The Clean Air Act only relates to smoke from chimneys in buildings. It does not cover bonfires, fire pits, pizza ovens or chimenea etc. Complaints of smoke from other activities are dealt with using the Environmental Protection Act and statutory nuisance provisions.</p>

<p>92</p>	<p>No - I do not agree with the proposal.</p> <p>Properties on Bank Hill Woodborough do not have access to mains gas. Heating must be by solid fuel, oil or expensive electricity.</p> <p>I prefer to use wood as it is carbon neutral. My wood is well seasoned and creates virtually no smoke once lit and burning well.</p> <p>The proposals should take this into account as well as the economic impact on such families at this time. Also there should be a gradual move as stocks of fuel will be held. In fact several years supply of wood will be held as it seasons.</p> <p>Transition arrangements should include support to move to other renewable forms of heating. [Name supplied]</p>	<p>See point 81 (re carbon neutral)</p> <p>See Section C regarding enforcement</p>
<p>93</p>	<p>[Name and Address supplied] written submission</p> <p>Our objections to the proposed order are as follows: -</p> <ol style="list-style-type: none"> <li>1) It is an unnecessary piece of legislation, dealing with something that is not a problem in the rural areas shown in your literature (not put in place in 1962 when most every house had an open fire). Any nuisance smoke is dealt with by the Clean Air Act.</li> <li>2) Timing of proposal considering a lot of OAPs will lose their Winter Fuel Payment along with the recent rise of the energy cap, a lot of people with open fires/wood burners who fall into the above category could do without the added stress of being fined for lighting a fire to keep warm.</li> <li>3) Potential cost, your paper states that officers of the Council are the only one empowered to set fines, and that DEFRA states that due to fuel poverty and the fact that just lighting a fire can cause smoke, the officers must take into account the above, and offer advice and give warnings before fines, I have to assume that these officers will be easy to identify in case of con artists preying on people.</li> </ol> <p>How will the Council pay for them? Another Council tax rise?</p>	<p>Enforcement costs will not change as the Council can use Statutory Nuisance powers now in areas not covered by SCAs. What changes is the powers we can use to enforce. Officers always carried warrant id cards, and these are always on display.</p>

<b>E</b>	<b>Positive Comments</b>	
<b>ref</b>	<b>Consultation Comments</b>	<b>Response to issues raised</b>
94	This is a good thing and I think the work that Gedling Borough Council do to work towards a cleaner and greener Borough is a very good think	
95	<p>I think it is important to be clear that all areas have smoke control measures. I get off the bus from the city centre where the air is clean and the smoke fumes in the Gedling area are shocking.</p> <p>People are clearly burning things which give off a lot of fumes and toxins. I can no longer open my windows at night. I presume it is also harmful to wildlife. I have a wood burning stove which I no longer use because I now realize how bad they are for us.</p>	Section C covers some of this area regarding Enforcement and Communication
96	yes people burning materials out of hours upsetting the neighbourhood they are living in.	
97	<p>I suffer from catarrh in the winter. I did not used to have this but it seems to get worse each year as the amount of wood fires in the immediate area increases. I live downwind of most of them. I like to air the house but when people put their fires on Everyone seems to have one.</p> <p>Many burn wood that gives off smoke (I have photos and can get video if needed). As we are rural people get wood delivered from local farms etc which they cut up and leave for a year or two and it is not dry. In short the smoke makes me ill. Stopping it would be wonderful.</p>	
98	<p>The majority of people do not understand the negative impact on health caused by solid fuel stoves when used incorrectly or with inappropriate fuel. If they did understand the problem then there would be no objection to 'smoke control' principles.</p> <p>Perhaps there is more the authority can do with regard to raising awareness of the impact on the health of the community. If most parents understood the ramifications of emissions upon the health of their children, and indeed themselves, there would be much greater responsibility and care demonstrated in the use of these stoves.</p>	Section C covers some of this area regarding Enforcement and Communication
99	It would make things clearer and send a stronger message. I have asthma and a lung condition. The chimney smoke is very strong. It comes into my house. It irritates my eyes and makes me cough. It could be clearer how types of fuel can be checked if wood burners are not banned.	

100	Excellent idea.	
101	Please make this happen	
102	Yes, I have asthma and my family have various breathing problems. They are all exacerbated by smoke pollution whether it's a wood burner or bonfire. Please extend the zone.	
103	I think it's a good idea as it will simplify things. Wood burning is a problem in winter in this area and I worry about how it affects my children's health and development as well as my own health.	
104	My wife coughs all winter caused by smoke from wood fires around us. If we leave our windows open on winter the house stinks of it	
105	Yes you need to inform households about what this actually means and how it may impact them.	Section C covers some of this area regarding Enforcement and Communication
106	Yes maybe you should be cracking down on pollution of our rivers first!	
107	Good idea. No reason to burn wood and release carbon back into the atmosphere. GBC were forward thinking when they allowed farmland turbines which produce low carbon electricity	
108	Good idea, I'm not against a good fire, just has to have the correct fuel on it.	
109	<p>Please help educate the fools who don't realise that their log burners will likely cause them lung and other cancers, as well as increasing exposure to the rest of the community.</p> <p>It baffles me how clueless people are. Perhaps a central approach is needed, like cigarette packets, where every log burner and supermarket ready wood comes with a clear health warning attached.</p>	Section C covers some of this area regarding Enforcement and Communication
110	Curtailing visible smoke is the really the absolute minimum we should be doing in 2024 with respect to air quality. Thank you for this proposal.	
111	My husband has COPD. There is an issue all winter with wood burners and in summer windows cannot be opened as house is full of other smoke. Major problem with health.	
112	<p>I can no longer sleep with my windows open at night because of smoke from wood burning stoves in winter, fire pits and bonfires in summer. I used to have my bedroom window open all year round.</p> <p>In winter when travelling back from town it is shocking to smell the poor air quality at the bottom of westdale lane from wood burning stoves. The air is</p>	

	<p>much better in town. You can see the smoke coming from some houses on Duncroft Road and Tennyson Avenue.</p> <p>A draft order across the borough would send a clearer message that smoke is harmful and dangerous to health.</p>	
113	<p>I hope this will be enforced and that reports from residents will be acted on. Otherwise, this is just an exercise in 'box ticking'</p>	
114	<p>Local wood burner at a neighbour's house brings smoke into my house so badly I have to keep my windows and doors closed. It impacts my breathing and irritated my nose. I would ban them completely.</p>	
115	<p>Yes, in support.</p>	
116	<p>Yes I Support the whole of Gedling becoming a smokeless zone</p>	
117	<p>Dear Colleague</p> <p>Smoke Control Order Consultation</p> <p>Further to your recent correspondence requesting consultation of proposed changes to existing Smoke Control Order, I can confirm that the proposal was considered by the Parish Council at our meeting on Tuesday 17th September 2024.</p> <p>I can confirm that Colwick Parish Council support the proposed changes. However, we wish to present the following observations for consideration by the Borough Council.</p> <p>Although the extension of the Smoke Control Order across the borough is welcome from an environmental and public protection standpoint, we are concerned that insufficient resources will be available to provide an adequate level of enforcement.</p> <p>We also believe that the most effective method for reducing the incidence of any infringements and maximising prevention would be to ensure all residents have the appropriate level of information available so we would stress education of the community is key to success. We would therefore welcome efforts from Gedling BC in this respect should the proposals be adopted.</p> <p>Colwick Parish Council would also be happy to support the Borough Council in providing effective communication to our residents if desired.</p>	<p>Section C covers some of this area regarding Enforcement and Communication</p>



<b>F</b>	<b>Direct Negative Comments</b>	
<b>ref</b>	<b>Consultation Comments</b>	<b>Response to issues raised</b>
118	Yes it's unnecessary We live in a rural village and we rely on wood burning for our heating in winter.	This response is slightly confusing but have assumed a negative
119	Much more important causes of all above diseases than few wood burners	
120	I don't believe any change is necessary and would have adverse consequences on many households. If a log burning stove meets DEFRA requirements it should continue to be used.	
121	Don't.	
122	This is not necessary to protect health.	
123	No I do not support the proposed changes. [Name supplied]	
124	No	
125	No	
126	No to smoke control to wood burning stove. We need to heat our homes	

<b>G Other Comments</b>		
<b>ref</b>	<b>Consultation Comments</b>	<b>Response to issues raised</b>
127	Try reducing EMF harms through WIFI and telecommunications if you're so keen on improving public health. A much bigger issue than air quality of which industry has much more impact than private individuals	The LA has no statutory powers regarding Electromagnetic Fields (EMF); should the LA receive complaints then we would seek advice of the UK Health Security Agency. <a href="http://www.gov.uk">Electromagnetic fields – GOV.UK (www.gov.uk)</a>
128	I hope this will cover garden bonfires too	The Clean Air Act only relates to smoke from chimneys in buildings. It does not cover bonfires, fire pits, pizza ovens or chimenea etc. Complaints of smoke from other activities are dealt with using the Environmental Protection Act and statutory nuisance provisions.
129	It should apply to builders burning construction or demolition waste.	
130	Controlling smoke coming from chimneys, yet allowing polluting bonfires doesn't seem logical	
131	I'm not sure how it can be policed. We have an empty house next door & gardener came and left leaving a fire smouldering in a dry wooded area of the garden. In the end i had to balance & stretch to throw water as best i could.  Previous renters burnt rubbish near conifer hedges and birds abandoned nest. Parents sit with engines running outside of schools	
132	I have a log burner for cold winter days due to having to work from home and gas prices being so high, it's not easy coping with utility costs and council tax peaking at an all-time high, I'd rather you consider open air garden bonfires, fire work displays, and adding limited use than an outright ban - step approach pls	
133	The occasional garden fire, fire pit or BBQ shouldn't be such a major issue in comparison to household heating or large/business waste fires.	
134	WHY NOT SAVE OUR PLANET ALSO WHY DO WE HAVE TO PUT UP WITH GARDEN FIRES ONCE A WEEK AND AT WEEKEND INCULDING SUMMER AND IF WASHING IS OUT	
135	Ice cream van that emits diesel fumes near a children 's playground for hours on end.	

136	The questions are biased and not suited to finding out truthful replies, it is skewed	
137	Why should Gender, Age, Ethnicity, Religion, Disability or Sexual Orientation have anything to do with a Smoke Control Order Survey?	
138	This survey could have been more credibly designed by a primary school child and has absolutely no value given the statements you have written before the questions.	
139	What a disgraceful survey this is, designed to lead the public to give certain answers. Totally dishonest and has absolutely no value.	
140	<p>All newly installed appliances are required to have a HETAS certificate so there is already legislation in place to reduce/phase out the use of older log burners. Those who live in rural areas may choose to do so to avoid the pollution of the urban areas and may be happy to accept the alternative pollution of the smoke emitted by log burners which is quite different to vehicle emissions.</p> <p>We need to be allowed to make our own personal choices in this respect, instead of having legislation in place that restricts so many aspects of our daily lives.</p> <p>I would prefer legislation that outlaws the running of vehicle engines for excessive periods as is the case in Germany. If the caveman hadn't burnt fossil fuels for cooking and warmth, none of us would be here.</p>	<p>The HETAS certificate only relates to the safe installation of the burner. It does not mean that the burner is acceptable to use in a smoke control area. Many wood burners on the market are certified but under DEFRA's scheme.</p> <p>The Council has taken on idling engine powers; Officers have been undertaking educational work around schools, using these powers.</p>
141	I would consider traffic pollution a greater risk factor to air pollution with detrimental impacts on health, and look forward to hearing how you will be tackling this as an issue as preference to targeting a small number of homes heating with fires.	<p>Domestic combustion is a major source of particulate matter emissions in 2021, accounting for 16 per cent of PM10 emissions and 27 per cent of PM2.5 emissions. Most emissions from this source come from households burning wood in closed stoves and open fires.</p> <p>Road transport remains a major source of PM emissions (12 per cent of PM10 and 13 per cent of PM2.5 in 2021).<sup>16</sup></p>
142	This is not what I would consider the council should be spending time and money on. There are plenty of more important things to do than effectively further 'tax' people who may be able to heat a room during winter more cheaply-especially old people who have lost the winter fuel allowance, people on low incomes but not able to claim any benefits. This is unfair and wrong -under the guise of the green agenda. I do not support this	

<sup>16</sup> [Emissions of air pollutants in the UK – Particulate matter \(PM10 and PM2.5\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/emissions-of-air-pollutants-in-the-uk-particulate-matter-pm10-and-pm25)

143	<p>For goodness sake get real. As someone born in the 40s who lived through smog etc I know how much air quality has rightly improved. Unfortunately like all other green matters this is being pursued to the extreme. Our air quality is vastly improved since the 1980s over Calverton and we have gone far enough.</p> <p>Yes it would be ideal if it was pure oxygen and we banned nitrogen too but to say it is such a serious health hazard now is simply untrue, it would be far better if Gedling spent time and money on more worthwhile projects like road surfacing rather than appeasing the ever more strident demands of the eco brigade.</p> <p>If the air quality I have lived through was so dreadful I would not be here so to continue to demand ever improving standards on what is so much better now is unnecessary and taking money away from more needy projects.</p>	
144	<p>Leave people alone and focus your attention and our money on fixing the roads and community relations</p>	

## Comments from Ashfield District Council

Thank you for consulting Ashfield District Council on the proposed changes to the Smoke Control Orders within Gedling Borough Council. As is required by the National Air Quality Strategy[1] Ashfield District Council is committed to working with all partners to secure improvements to air quality, through collaboration, information sharing and community engagement.

Within our Annual Status Reports for air quality we are committed to work closely with other neighbouring authorities, to achieve these objective for the benefit of residents across the wider Nottinghamshire area. Our Strategic Direction 2022-2027 and our Corporate Plan 2023 - 2027 affirm our commitments to Climate Change, which includes emphasis on the importance of good air quality.

### Air Quality Considerations

Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society for example: children, the elderly, and those with existing heart and lung conditions. The mortality burden of air pollution within the UK is equivalent to 29,000 to 43,000 deaths at typical ages[2], with a total estimated healthcare cost to the NHS and social care of £157 million in 2017[3]. Ambient background pollution levels are affected by emissions from various sources including domestic heating.

Particulate matter emissions are often associated with wood and coal burners. Given the importance of maintaining good air quality within the district, Ashfield District Council has declared the entire district area as a Smoke Control Area.

### Concluding Remarks

Ashfield District Council welcomes the commitment of Gedling Borough Council to review the coverage of Smoke Control Orders within your Borough and to consider the health benefits of the entire community and beyond as part of the consultation exercise. It is acknowledged that this proposal supports your obligations under the National Air Quality Strategy and the commitments made across Nottinghamshire, to working with all partners to secure improvements to air quality, through collaboration, information sharing and community engagement.

In line with:

- the National Air Quality Strategy requirements
- our Annual Status Reports on Air Quality
- Ashfield District Council - Strategic Direction 2022-2027
- Ashfield District Council - Corporate Plan 2023 – 2027
- Ashfield District Council - Climate Change Strategy 2021 to 2026

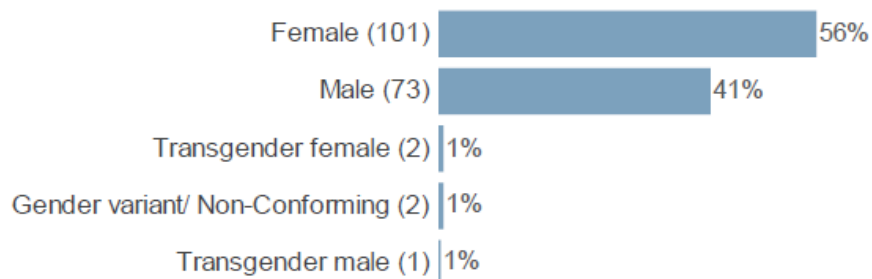
We are obliged to consider how the proposed changes may impact our community, along with considering our responsibility to the wider community of Nottinghamshire.

The Leader of Ashfield District Council - Councillor Jason Zadrozny states with our Climate Change Strategy 2021 to 2026 that - Ashfield District Council formally recognises the scale and urgency of the global challenge from climate change and that local action on global warming can make a difference. In a full Council meeting Ashfield District Council Councillors made a commitment to do everything possible to combat climate change, acknowledging the importance of air quality for our community. It is noted that a single smoke control order would also support the objectives set out in the Air Quality Strategy for Nottingham and Nottinghamshire 2020-2030[4] - which all Nottinghamshire local authorities have committed to support.

It is the considered view of Ashfield District Council that the proposal to revoke the existing smoke control orders and replacing them with a single smoke control order, which will cover the entire borough, is both appropriate and necessary to promote the Council's obligations to improve air quality on behalf of the entire population of Gedling Borough Council and the wider Nottinghamshire community.

This response is endorsed by John Bennett - Executive Director - Place Ashfield District Council

## What is your gender identity?



## Other:

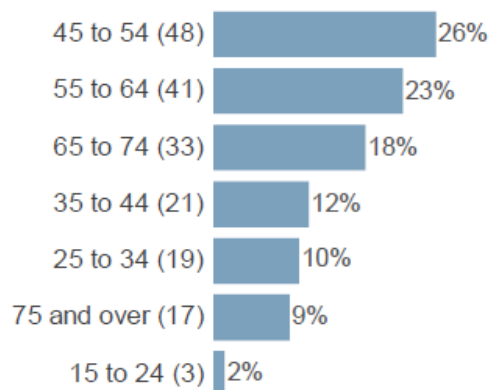
This is irrelevant to the matter in hand.

N/A

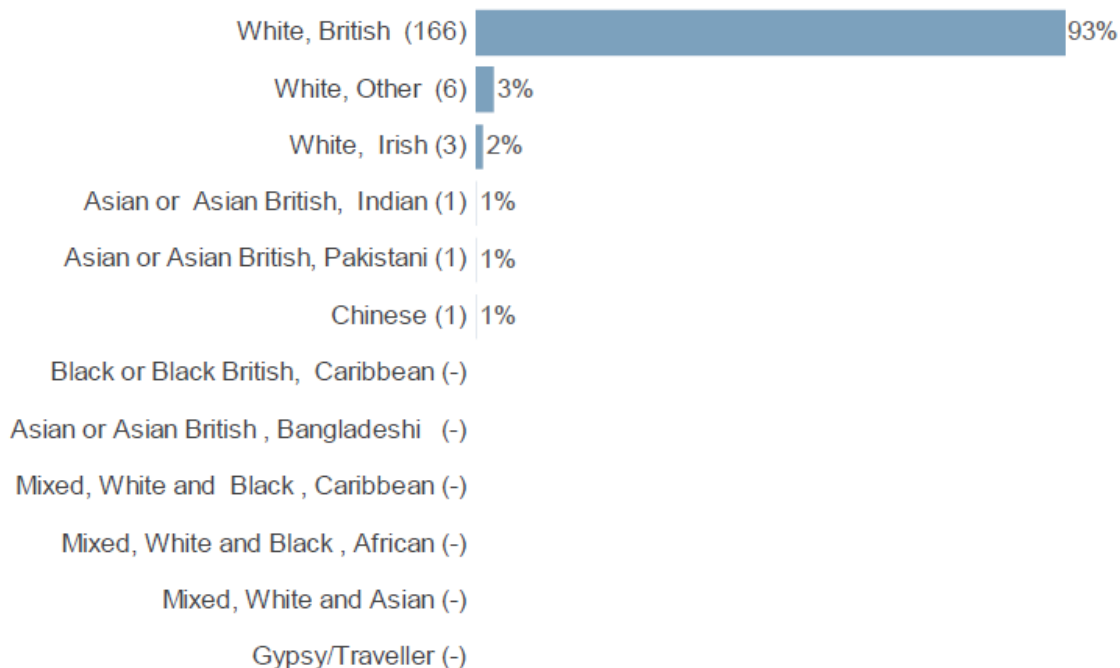
Rather not say

Why this should matter?

## What age group are you in?



## To which of these groups do you consider you belong?



### Any other background:

This is irrelevant to the matter in hand.  
N/A  
Why this should matter?  
Yes

### What is your religion?



### Any other religion:

Response	Why this should matter?
This is irrelevant to the matter in hand.	Why this should matter?
N/A	Not your business for this purpose
What relevance does this have to air quality?	Does this matter
Humanist	

### Do you have a disability?



### Which of the following best describes your sexual orientation?



### Other sexual orientation:

Irrelevant  
None  
This is irrelevant to the matter in hand.  
N/A  
not your business  
No relevance to air quality - Woke?  
None of your business  
Rather not say  
Why?  
Why this should matter?  
Again an intrusive and unnecessary box ticking question  
How is this relevant to smoke?  
Why ask

## **Appendix VII**

### Equalities Impact Assessment



# Equality Impact Assessment



Name of project, policy, function, service or proposal being assessed:	Proposal to Declare the Whole of Gedling Borough as a Smoke Control Area (Revoking and replacing the existing 41 Smoke Control Areas)
The main objective of Proposal to Declare the Whole of Gedling Borough as a Smoke Control Area	<p>A new single Smoke Control Area would ensure that all properties in the borough are subject to the same legal requirements in relation to smoke control under the Clean Air Act 1993.</p> <p>The social and economic benefits of implementing a boroughwide Smoke Control Area are far reaching. By reducing exposure to harmful air pollutants and in particular PM2.5 this proposal will have a positive impact on public health.</p> <p>There is a potential cost impact for those who currently use unauthorised fuels for heating their homes as authorised fuels do cost more. There is therefore concern that this could push some households into fuel poverty at a time of high inflation and rising energy costs. However, the use of unauthorised fuels comes with a huge social-health related cost.</p> <p>Residents who are struggling with the cost of heating and are likely to face fuel poverty during the winter months; they will need help and advice on accessing financial and practical advice on keeping their homes warm. This includes providing information and advice not only where they can get practical and financial help, but also providing energy efficiency measures that are likely to provide year on year savings.</p>

# Equality Impact Assessment



What impact will this (please insert the name) have on the following groups? Please note that you should consider both external and internal impact:

- External (e.g. stakeholders, residents, local businesses etc.)
- Internal (staff)

Please use only 'Yes' where applicable		Negative	Positive	Neutral	Comments
<b><u>Gender</u></b>	External			✓	
	Internal			✓	
<b><u>Gender Reassignment</u></b>	External			✓	
	Internal			✓	
<b><u>Age</u></b>	External		✓		Poor air quality disproportionately affects children and the elderly, so improving air quality via the Smoke Control Area will decrease this effect on the most vulnerable age groups, promoting equality. <a href="#">Chief Medical Officer's annual report 2022: air pollution - GOV.UK (www.gov.uk)</a>
	Internal			✓	
<b><u>Marriage and civil partnership</u></b>	External			✓	
	Internal			✓	

# Equality Impact Assessment



<b><u>Disability</u></b>	External		✓		Those with some disabilities are also disproportionately affected by poor air quality, that can be positively addressed by implementing a Smoke Control Area, improving health and quality of life for those with disabilities. <a href="https://link.springer.com/chapter/10.1007/5584_2014_11">https://link.springer.com/chapter/10.1007/5584_2014_11</a> )
	Internal			✓	
<b><u>Race &amp; Ethnicity</u></b>	External			✓	
	Internal			✓	
<b><u>Sexual Orientation</u></b>	External			✓	
	Internal			✓	
<b><u>Religion or Belief (or no Belief)</u></b>	External			✓	
	Internal			✓	
<b><u>Pregnancy &amp; Maternity</u></b>	External		✓		Pregnant women are more likely to suffer from pregnancy complications, including stillbirths, low birth weight and pre-term birth, in areas of high particulate matter air pollution PM2.5, so implementing a Smoke Control Area across the whole of the Borough could reduce the risk to pregnant women and their unborn children. <a href="#">Chief Medical Officer's annual report 2022: air pollution - GOV.UK (www.gov.uk)</a>
	Internal			✓	

# Equality Impact Assessment



<p><b>Other Groups</b> (e.g. any other vulnerable groups, rural isolation, deprived areas, low income staff etc.)</p> <p>Please state the group/s:</p> <p><b>Rural Poverty</b></p>	External	✓			<p>This proposal brings the more rural areas of the Borough under the same legislative rules as more urban areas. Residents use of non-exempt solid fuel appliances was identified during consultation and therefore some will have to change their fuel to smokeless fuels or purchase an alternative appliance.</p> <p>There is a potential cost impact for those who currently use unauthorised fuels for heating their homes as authorised fuels do cost more.</p> <p>There is therefore concern that this could push some households into fuel poverty at a time of high inflation and rising energy costs.</p>
	Internal			✓	

# Equality Impact Assessment



Is there any evidence of a high disproportionate adverse or positive impact on any groups?	Yes	No	Whilst there are potential negative impacts with regard to fuel poverty within rural areas the positive impacts to the health and well being of the groups mentioned above are considered to carry a greater social-health impact.
Is there an opportunity to mitigate or alleviate any such impacts?	Yes	No	Provision of information and advice to persons who are concerned about fuel poverty including advice and support about access to grants and home improvements.  Supporting those on a low income and in receipt of government benefits is particularly important, for example many residents will be unaware that they are entitled to help towards home insulation and boiler replacement.
Are there any gaps in information available (e.g. evidence) so that a complete assessment of different impacts is not possible?	Yes	No	none
In response to the information provided above please provide a set of proposed action including any consultation that is going to be carried out:			
Planned Actions	Timeframe	Success Measure	Responsible Officer
Consultation	Autumn 2023	Consultation completed	Brendan Cox
Second Consultation	Summer/Autumn 2024	Consultation completed	Brendan Cox

## Authorisation and Review

<b>Completing Officer</b>	<b>Brendan Cox</b>
<b>Authorising Head of Service/Director</b>	<b>Mike Avery - Director of Place</b>
<b>Date</b>	<b>03/01/25</b>
<b>Review date ( if applicable)</b>	

## **Appendix VIII**

### Climate Impact Assessment

# Climate Impact Assessment



Name of project, policy, function, service or proposal being assessed:	Borough Wide Smoke Control Area Declaration			
The main objective of Borough Wide Smoke Control Area Declaration	To amend the existing smoke control areas; revoking the 40 existing and create one area covering the whole Borough.			
<p>What impact will the Smoke Control Area project have on the following: Please read guidance before completing. For each category, insert a tick/yes against the impact and include mitigation/comments for each category.</p>				
Category	Negative	Positive	No impact/ Negligible change	Mitigation/ Comments
Behaviour & Culture Change		<input checked="" type="checkbox"/>		The implementation of this project will require a communication strategy whereby the Council gets across the message of <i>Burning Less and Burning Better</i> . Improving air quality in the borough will have co-benefits, such as the health & wellbeing and overall quality of life for residents. This declaration aligns with the Gedling Plan and the carbon management strategy by creating a cleaner greener and healthier Gedling.
Built Environment			<input checked="" type="checkbox"/>	Generally, no real impact. However, imposing restrictions on wood burning may encourage the take up of opportunities to upgrade insulation, install low carbon heating etc.

# Climate Impact Assessment



Transport			<input checked="" type="checkbox"/>	No impact in this area.
Energy, Natural Resources & Climate Change	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<p>Solid fuel can be burned sustainably if it is replaced like for like, although there are greener forms of heating, and these should be encouraged over solid fuel.</p> <p>Wood bought commercially can be shipped from all over the world and may not be sustainably sourced. The proposal will hopefully encourage people not to burn solid fuel from unsustainable sources.</p> <p>However, restricting burning of wood may come with the consequence of increased use of fossil fuel heating.</p>
Waste Reduction & Recycling			<input checked="" type="checkbox"/>	Generally, no impact in this area. Although restricting what is burnt may lead to an increase in waste wood that would otherwise be burnt going into landfill.
Blue-Green Infrastructure/Biodiversity		<input checked="" type="checkbox"/>		Restrictions should hopefully reduce the use of locally 'foraged' wood, found on the ground or removed (unsustainably) from local woods/forests. This should hopefully, benefit local ecosystems.
Procurement & Purchasing			<input checked="" type="checkbox"/>	No impact in this area.



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In response to the information provided above please provide if there is any proposed action including any consultation that is going to be carried out

Planned Actions	Timeframe	Potential Outcome	Responsible Officer
Revocation of existing orders	6 -12 months		Brendan Cox/ Legal Services
Creation of new smoke control order	6-12 months		Brendan Cox/ Legal Services

## Authorisation and Review

<b>Completing Officer</b>	<b>Brendan Cox</b>
<b>Authorising Head of Service/Director</b>	<b>Mike Avery - Director of Place</b>
<b>Date</b>	<b>03/01/25</b>
<b>Review date ( if applicable)</b>	