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**Clean Air Act 1993, section 18**

**The Council of The City of Newcastle upon Tyne**

**Smoke Control Order 2024**

The City of Newcastle upon Tyne Council (‘the Council’) in exercise of its powers under section 18 of, and Part III of Schedule 5 to, the Clean Air Act 1993 (‘the Act’), hereby make the following Order:

1. The Order is entitled The Council of the City of Newcastle upon Tyne Council Smoke Control Order 2024 (‘the Order’). The Order will commence on the 26th September 2024. All the existing Smoke Control Orders listed in Schedule 1 are hereby revoked from the same time that this Order comes into operation.
2. The Council declares that the whole of the area within its boundary to be a Smoke Control Area. The Order has been prepared and sealed with the common seal of the Council and has been deposited at the offices of the Council at The Civic Centre, Barras Bridge, Newcastle upon Tyne NE1 8QH.
3. In the whole of the Smoke Control Area created by this Order (that is, all land within the City boundary), the operation of section 20 of the Clean Air Act 1993 as amended by section 15 of the Deregulation Act 2015 (the prohibition on emissions of smoke) and section 73 of the Environment Act 2021 (the provisions within Schedule 12) shall be applicable to all buildings.
4. Other than exemptions made by the Secretary of State under section 21 of the Act as amended by section 15 of the Deregulation Act 2015, buildings or classes of buildings or fireplaces or classes of fireplaces in the Smoke Control Area that are exempt from the operation of section 20 of the Clean Air Act 1993 as amended by section 15 of the Deregulation Act 2015 (the prohibition on emissions of smoke) by virtue of written approval from Newcastle City Council, are detailed in Schedule 2 of the Order.
5. Any buildings of classes of buildings or fireplaces of classes of fireplaces that by virtue of the Authority being satisfied they can be operated in an acceptable manner and that are granted Local Authority exemption, shall be detailed in Schedule 2 of this Order.

The Common Seal of The Council of the City of Newcastle upon Tyne was hereto affixed on Thursday 26th September 2024 and signed in the presence of/on behalf of said Council

Signature:

Name:

Seal Register No.:

**Schedule 1**

Smoke Control Orders revoked and being replaced:

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| --- | --- | --- | --- | --- |
| The Newcastle upon Tyne | Smoke Control Order No.  | 1 |   | 1958 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 2 |   | 1959 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 3 |   | 1960 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 4 |   | 1960 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 5 |   | 1961 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 6 |   | 1962 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 7 |   | 1962 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 8 |   | 1962 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 9 |   | 1962 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 9 |   | 1964 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 10 |   | 1963 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 10 |   | 1965 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 11 |   | 1963 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 11 |   | 1966 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 12 |   | 1967 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 13 |   | 1969 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 14 |   | 1971 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 15 |   | 1972 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 15 |   | 1972 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 16 |   | 1973 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 17 |   | 1973 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 18 |   | 1973 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 19 |   | 1974 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 20 |   | 1974 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 21 |   | 1974 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 22 |   | 1974 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 23 |   | 1975 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 24 |   | 1975 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 25 |   | 1975 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 26 |   | 1976 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 27 |   | 1976 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 28 |   | 1976 |
| The Newcastle upon Tyne | Smoke Control Order No.  | 29 |   | 1976 |
| Gosforth Urban District Council | The Gosforth No.  | 1 | (Fawdon Red House Farm Estate) | 1971 |
| Gosforth Urban District Council | The Gosforth No.  | 2 | (Grange Estate, part of) | 1971 |
| Gosforth Urban District Council | The Gosforth No.  | 3 | (Regent Farm Estate) | 1972 |
| Gosforth Urban District Council | The Gosforth No.  | 4 | (Grange Park, part of) | 1972 |
| Gosforth Urban District Council | The Gosforth No.  | 5 | (Gosforth North East) | 1973 |
| Gosforth Urban District Council | The Gosforth No.  | 5 | (Gosforth North East) | 1973 |
| Gosforth Urban District Council | The Gosforth No.  | 6 | (West Central) | 1973 |
| Gosforth Urban District Council | The Gosforth No.  | 7 | (South West) | 1973 |
| Gosforth Urban District Council | The Gosforth No.  | 8 | (Gosforth) | 1975 |
| Gosforth Urban District Council | The Gosforth No.  | 9 | (Gosforth) | 1975 |
| Gosforth Urban District Council | The Gosforth No.  | 10 | (Gosforth)  | 1976 |
| Newburn Urban District Council  | The Newburn No.  | 1 | (Throckley) | 1960 |
| Newburn Urban District Council  | The Newburn No.  | 2 | (Chapel House Estate)  | 1960 |
| Newburn Urban District Council  | The Newburn No.  | 3 | (West Denton) | 1964 |
| Newburn Urban District Council  | The Newburn No.  | 4 | (West Denton/Westerhope) | 1965 |
| Newburn Urban District Council  | The Newburn No.  | 5 | (West Avenue)  | 1965 |
| Newburn Urban District Council  | The Newburn No.  | 6 | (South Denton) | 1965 |
| Newburn Urban District Council  | The Newburn No.  | 7 | (Walbottle) | 1966 |
| Newburn Urban District Council  | The Newburn No.  | 8 | (Lemington)  | 1966 |
| Newburn Urban District Council  | The Newburn No.  | 9 | (Lemington)  | 1968 |
| Newburn Urban District Council  | The Newburn No.  | 10 | (Lemington)  | 1968 |
| Newburn Urban District Council  | The Newburn No.  | 11 | (Throckley) | 1969 |
| Newburn Urban District Council  | The Newburn No.  | 12 | (Chapel Park Estate)  | 1970 |
| Newburn Urban District Council  | The Newburn No.  | 13 | (South Dumpling Hall)  | 1970 |
| Newburn Urban District Council  | The Newburn No.  | 14 | (Hilda/Orchard Ter) | 1972 |
| Newburn Urban District Council  | The Newburn No.  | 15 | (South Hospital Lane) | 1972 |
| Newburn Urban District Council  | The Newburn No.  | 16 | (Hillhead Farm) | 1973 |
| Newburn Urban District Council  | The Newburn No.  | 17 | (North Walbottle) | 1973 |
| Newburn Urban District Council  | The Newburn No.  | 18 | (North Hillhead Road) | 1973 |
| Newburn Urban District Council  | The Newburn No.  | 19 | (Dilston Drive, Westerhope) | 1973 |
| Newburn Urban District Council  | The Newburn No.  | 20 | (Downend Road, Westerhope)  | 1973 |
| Newburn Urban District Council  | The Newburn No.  | 21 | (Newburn) | 1974 |
| Newburn Urban District Council  | The Newburn No.  | 22 | (Newburn) | 1975 |
| Newburn Urban District Council  | The Newburn No.  | 23 | (Newburn) | 1975 |
| Newburn Urban District Council  | The Newburn No.  | 24 | (Newburn) | 1976 |
| Castle Ward Rural District Council | The Castle Ward No.  | 1 | (Newbiggin Hall/Whorlton Grange) | 1969 |
| Castle Ward Rural District Council | The Castle Ward No.  | 2 | (Castle Ward) | 1975 |
| Castle Ward Rural District Council | The Castle Ward No.  | 3 | (Castle Ward) | 1976 |
| Newcastle upon Tyne | Smoke Control Order |   | (Variation) | 1977 |

Schedule 2

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| Exemption Number 1. Newcastle upon Tyne Smoke Control Order 2024 |
| Address |  |
| Company name |  |
| Appliance 1 |  | Serial No.  |  |
| Appliance 2 |  | Serial No. |  |
| Appliance 3 |  | Serial No. |  |
|  |  |
| Description  |  |
|  |  |
| Justification |  |
|  |  |
| The exemption only applies subject to the operator complying with these conditions | 1. Visible smoke shall not be emitted from the installation.
2. Any changes to the installation, owner or operator will nullify this exemption, unless approval has been sought and agreed with Newcastle City Council and any changes Newcastle City Council recommend are applied.
3. Newcastle City council may require specific monitoring systems or controls to be added by the operator.
4. Exemptions are not transferable.
5. Exemptions will be reviewed on an annual basis, and operators are expected to consider new technology as it becomes available.
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